MINUTES OF EVIDENCE

TAKEN BEFORE THE

DEPARTMENTAL COMMITTEE

ON

PRISONS.

Home Office, Whitehall, S.W.

FIRST DAY.

Tuesday, 3rd July 1894.

PRESENT:

THE RIGHT HON. HERBERT JOHN GLADSTONE, M.P., CHAIRMAN.

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
RICHD. BURDON HALDANE, Esq., Q.C., M.P.
ALBERT DE RUTZEN, Esq., (one of the Magistrates of the Police Courts of the Metropolis); and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., *Secretary*.

Captain STOPFORD called and examined.

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1. (*Chairman.*) You are Director of Convict Prisons and a Commissioner of Prisons?—Yes.

2. How long have you held those posts?—31 years. I was appointed in 1863 as Deputy Governor of Chatham, and I was appointed a Director in 1870.

3. May we take it that you represent the Commissioners?—Yes, certainly; I am answering for Sir Edmund du Cane to-day.

4. We may take it then that your evidence represents generally the views of the Commissioners?—Yes.

5. We hope, of course, to have Sir Edmund's evidence as soon as his health is sufficiently recovered.

6. But do you know at all whether any of the other Commissioners would like to give evidence before us?—I think they are quite prepared to do so. I have not asked them, but I can do so.

7. Of course we shall be very glad to hear them?—Then perhaps you will allow me to ask them later on.

8. Yes, if you will be so good. Will you first briefly indicate to the Committee the nature of the general inquiries by the Government into the present system during the past 30 years?—Beginning from 1850, which is about the date that I have drafted, for local prisons, there was a House of Commons Committee in 1850 on the Discipline and Management, and a House of Lords Committee in 1863 on Discipline and Management. On the recommendation of this Committee the Prisons Act of 1865 was framed. There was a Departmental Committee on Borough Prisons as to Debtors in 1864; a House of Commons Committee in 1870 on the Prisons' Ministers Acts; a Departmental Committee on Capital Sentences in 1888; a Departmental Committee on the Rules as to Wearing of Prison Dress in 1889; and a Departmental Committee on the Hours of Duty, Leave, and Pay of Subordinate Officers in 1890. That is for the local prisons. I must go on now to the convicts. As to the convict prisons, there was a Royal Commission on the Penal Servitude Acts in 1863. That was called Lord Grey's Commission. There was a Departmental Committee on Convicts in 1864; a Departmental Committee on the Treatment of Felony Convicts in 1869 and 1870; a Royal Commission on the Penal Servitude Acts in 1879: that was called Lord Kimberley's Committee. There was a Departmental Committee on Convict Labour in 1872: that was Sir Edmund du Cane's Committee. There was an Inquiry as to visitors to treason felony prisoners in Chatham Prison in 1890; and a Departmental Committee on Hours of Duty, Leave, and Pay of Officers in 1890 by Lord de Ramsey.

9. I think there was an additional Royal Commission of Inquiry into Irish Prisons. That, of course, is separate from your Department, but it covered to a large extent the same ground?—Yes, I think so. I forget exactly what the date of it was.

10. I think it was in 1885?—I am not quite sure.

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11. The work of your Department practically rests upon the Acts of 1865 and 1877?—Yes.

12. Will you state to the Committee the number of the staff in the Prisons Department?—Including the clerks, do you mean?

13. The whole staff?—The staff consists of one surveyor-general of prisons and a chairman of commissioners and directors all in one, three commissioners and directors, one secretary, who is also an inspector, five inspectors, including a medical inspector, one surveyor, an assistant surveyor, a clerk in charge of accounts, a store accountant, nine first-class clerks, 17 second-class, three clerks on the prison clerks' scale additional, one clerk, a draughtsman, one agent for discharged convicts, one temporary clerk, one clerk of works, and six abstracters.

14. Do the Directors and Commissioners meet together as such, or do they meet in their different capacities?—We meet as such on all questions affecting the general administration of prisons.

15. So really there is no distinction, so far as your meeting is concerned, between your position as Directors of Convict Prisons and as Commissioners?—Not now; there are only three of us, and we are all Directors and Commissioners.

16. Three of you in addition to what?—No, there are only three of us, and we are Directors and Commissioners of Prisons.

17. In addition to the chairman?—Yes.

18. Then apparently you meet together as a board?—For the discussion of all general questions of administration on either side.

19. But you would not all meet together every day?—Not necessarily as a Board.

20. How often would you meet?—The chairman generally calls a meeting whenever he has got any question standing over affecting the general management of prisons, and if we have any questions we can ask apply for a board to discuss it amongst ourselves.

21. Then you each have your own department, I suppose?—We each have our own districts.

22. And each is responsible for that district?—Yes.

23. You do not divide up the general prison business, and each take one particular branch?—No; we each take the business of the district.

24. Then you have a great deal of paper and routine work, I suppose?—Yes.

25. And reports coming in every day?—Yes.

26. That is the largest part of the business?—Yes, it is, besides the visiting.

27. How often do you visit?—We visit the convict prisons every month as Directors.

28. All of you?—Yes.

29. You all go to each?—I have two convict prisons, and my other colleagues have each two. We each visit those two prisons once a month.

30. With regard to local prisons?—They are visited once a month by the inspectors. We visit them, if we can, once a year.

31. I suppose occasionally you have to make special visits?—Sometimes.

32. Do you get many complaints from prisoners?—In convict prisons we ourselves hear the complaints. There are always a certain number of them.

33. What is the process; how do you treat those complaints?—The prisoner, if he wants to complain, puts his name down to see the governor, and if he wishes to see the Directors it is put down upon a list expressly for them. A Director, when he comes down, sees all the prisoners whose names are on this list; he hears their complaint, inquires into it, and writes the answer opposite on his papers.

34. Then do not complaints come in writing direct to you from the prisoners?—No, they do not.

35. You go down personally and investigate them?—Yes, we go down personally and investigate them.

36. Each complaint?—Yes, every month.

37. Then with regard to these complaints, the ordinary ones are dealt with forthwith, but I suppose there is a certain proportion which would demand further investigation. Do you refer those to your colleagues?—If a prisoner is not satisfied, he is always allowed to petition the Secretary of State after the Director's decision.

38. And then that complaint goes forward to the Secretary of State?—Yes.

39. Now, in regard to punishment, what is the procedure where punishment is awarded by the Directors or the Commissioners?—The cases for the Director's adjudication are generally serious cases and cases that cannot be decided by the governors. They are sent up in the report from the governor to London, and we go down and hear the case, swear the witnesses, and dispose of it.

40. Then you hear the evidence of the prisoner himself?—Yes, his defence and the evidence against him.

41. Is the prisoner allowed to call witnesses from the other prisoners?—He can call them in his defence.

42. But supposing he wishes to make a charge against any official, he is not allowed to summon evidence from the other prisoners?—No, not from other prisoners.

43. Then the Commissioners or Directors, whichever they are—it might be convenient to call them either the one or the other—investigate it?—But the two systems are different. If you are talking of convict prisons, it is different from local prisons. I should understand you better if you would deal with the convict prisons first.

44. If you have reason to think that there is some justice in the complaint of a prisoner, and that other prisoners can give evidence, or are in a position to give evidence, would you examine them?—Certainly.

45. And take their evidence for what it is worth?—Yes.

46. Then you award the punishment if you find a prisoner guilty of an offence?—Yes.

47. Would two Directors decide upon the punishment?—No, one Director is quite sufficient.

48. There are two or one, as the case may be?—One does it always. We visit singly.

49. With regard to the inspectors of prisons, will you state briefly their duties and functions?—The duties of inspectors are to make monthly inspections of all the prisoners in their districts.

50. (*Sir J. E. Dorington.*) This is local prisons?—Yes; they have nothing to do with convict prisons.

51. (*Chairman.*) Monthly inspections of the whole of the prisons?—All the prisons in their district. There are four districts, and there are four inspectors to visit them.

52. What do their inspections consist of?—They see all the prisoners; they hear all complaints; they examine the rations; they see that the rules are strictly carried out according to the Act of Parliament; they report specially on everything that is carried out or on anything that is not carried out.

53. They report to the Commissioners?—Yes.

54. Not to the Secretary of State?—No, to the Commissioners.

55. And they have no power beyond reporting?—No, none whatever.

56. I think you have a copy of the reference to the Committee?—I have.

57. With regard to "(*a*)" in the reference, have you got a copy of the section there referred to?—Yes.

58. Will you explain to the Committtee what separate cells are? Would they include punishment cells?—Certainly.

59. And cells for separate confinement of prisoners under section 18?—Yes.

60. And those would be all certified, I suppose?—Yes.

61. There are no uncertified cells at all?—No, they are all certified.

62. With regard to sub-section (1), are there a sufficient number of cells to contain the number of prisoners specified in that sub-section?—Yes, I think there are.

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63. You, of course, know of the return which was moved for by Mr. Morton?—Yes, I have seen it.

64. There seems to be some slight difference between the numbers given in that return and the figures of the judicial statistics?—Yes, there are. The discrepancy arises in the case of Wandsworth by the inclusion of eleven punishment cells, two padded cells, and three itch cells. In the ordinary cells they were all included in Mr. Morton's return. That is in the case of Wandsworth gaol. At Wormwood Scrubs there were eleven punishment cells and two padded cells included, which would be shown separately. The punishment cells would be shown separately in the judicial statistics, and the padded cells in the judicial statistics would not be shown at all.

65. From figures which have been supplied to me, the separate cell accommodation, according to Mr. Morton's return, amounts to 3,850, but the average of the greatest number of male prisoners from 1889 to 1893 was 4,015; that would seem to show that there was not sufficient separate cell accommodation. I rather imagine the difference is to be accounted for by the inclusion of convicts?—Yes, and more than that, there were 300 convicts in Wormwood Scrubs, and there are 100 cells at Pentonville occupied by Essex prisoners, and I should think quite 100 cells in Wandsworth occupied by Kent prisoners under the Act of 1877, which enables us to take prisoners from adjoining counties.

66. The taking in of convicts has been subsequent to the Act of 1877?—Yes.

67. When where they first taken into local prisons?—I think about two or three years ago.

68. That therefore disturbs the calculations, perhaps, upon which this sub-section in the Act of 1865 was passed?—I forget really when the convicts were taken into Wormwood Scrubs.

69. Have you any reason to think that there is anything like serious overcrowding?—No, I am sure there is not.

70. At times, I suppose, it would be necessary to put prisoners in association to meet special occasions when circumstances flooded the prisons?—At Pentonville once seven or eight men were put into an associated room in the doctor's department, but that was to meet a supposed case of overcrowding which never occurred. That is the only occasion in which they were ever put into association that I know of.

71. You would agree that it would be better to have rather too much accommodation than too small accommodation?—Yes.

72. And as the population of London is growing so rapidly it becomes of more and more importance to have ample accommodation in the London prisons?—Yes, at the present moment we have about 500 vacancies in the London prisons.

73. Brixton prison is vacant now, is it not?—It is in the hands of the War Department.

74. It has passed out of your hands?—Yes.

75. Then you have now no vacant prison?—No, but I believe we could get Brixton if we wanted it.

76. What accommodation is there there?—If I were to guess I should think it has about 250 cells.

77. Is it one of the older prisons?—Yes, it was a convict prison.

78. Turning to Regulation 26 of the Act of 1865, which is included in reference (*a*), I should like to know what your interpretation is of "under special circumstances." Is that phrase governed by the last portion of the rule, or do you understand that it leaves a certain discretion to the medical officer?—It is governed by the latter part of the rule, and the prisoners are put under medical observation, under sentence of death, in a cell calculated to hold three. Those are what they call "observation cells"; they have been placed there by the order of the medical officer, and really are always by his direction.

79. Then prisoners never would be placed in association, except, perhaps, on very special emergencies, such as you alluded to at Holloway?—Never; not at night.

80. Except when they are epileptic or suffering from some disease which, in the opinion of the medical officer, makes it necessary to go into association?—Yes. I may say we have associated wards in the hospital.

81. Quite so, but so far as your experience goes there has been no abuse of this section?—No.

82. And no harmful effects have followed from its operation?—No, none at all that I am aware of.

83. Now will you turn to (*f*). "The arrangement "by which the appointment of a deputy-governor is "limited to prisons with more than 700 prisoners, "and a warder in charge acts as governor in prisons "with not more than 100 prisoners." Have you any information to give upon the working of this system as it is?—The deputy-governors were appointed by a Treasury Order for prisons having 700 prisoners; and I do not know that there was any particular reason for adopting that number, but we have never employed the deputy-governors for any others. With regard to chief warders in charge for smaller prisons, when the rates of pay were drawn up, which is now some time ago, and almost at the beginning of the present Commission, and submitted to the Treasury for approval, the lowest rate was for a prison with a population of 100, and at that time there were only eight or nine prisons of that number, and it was thought that it would be very desirable to keep those prisons for the chief warders, who are a very deserving class of men, as some sort of encouragement for them to work up to. The rule, then, was adopted, and chief warders were appointed to prisons of this class; but since then—which we did not foresee at the time—the prisons population has gone down a great deal, and the number of smaller prisons has consequently increased, so that we have 20 or 21 prisons of this size, to which, according to the regulations of the Treasury, we have had to appoint chief warders.

84. Would you hand in a copy of the Treasury Order?—Yes.

85. You say you do not quite know why the number 700 was fixed?—No. I think it was because prisons with that number of prisoners required Deputy Governors.

86. But in the case of a prison with more than 700 prisoners, would the governor and the deputy-governor divide up the duties among them, or would they both cover the whole of the ground?—No, the deputy-governor is intended to be a relief to the governor.

87. That is to say he could take his place?—Yes; he has certain other duties, such as going round the prison, inspecting prisoners, seeing the rations, and so forth, but he is really intended as a relief to the governor.

88. It might be convenient to ask you here, whether you think that a governor alone is able to become acquainted with 1,000 or 1,200 prisoners?—That depends a good deal upon the length of their sentences.

89. I am speaking now of local prisons, where the population shifts more rapidly. Is it possible for a governor to have any knowledge of all the prisoners?—It is not possible to know everybody.

90. Is there ever an arrangement made between the governor and deputy-governor that each should take so many prisoners?—No, I think not.

91. And each practically endeavours to know the whole of them?—*I think* there is no such an arrangement.

92. Then each endeavours really to know as many as he can?—The governor tries to get a knowledge of his prisoners if he can, but I do not think the deputy-governor is much help to him in that way. The deputy-governor's help is really more in looking after the general arrangements and management of the prison.

93. I think there are only six prisons with deputy-governors?—I think it is about that. I am not quite sure of the numbers.

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94. Have you any views upon the question of large and small prisons?—I do not think a prison ought to be for more than about 1,000, certainly.

95. You think it then becomes unwieldy?—Yes, I think so.

96. You have no special criticism to make of the order which applies to the prisons with 700 or more prisoners?—No.

97. Now with regard to the warders in charge. How are those warders in charge appointed?—By selection.

98 By whom?—By the Commissioners.

99. And they are not necessarily taken from the prison which is put under their charge?—No, not at all. We select the best men.

100. As a rule they would not be taken from the prison over which they are placed in charge?—I should explain that they are taken from one particular rank, that is the rank of chief warder. It is not any warder.

101. (*Sir J. E. Dorington.*) And the convict service and local prisons rank together. It is all one service; the chief warder in a convict prison is promoted to a local prison?—Yes.

102. (*Chairman.*) Do I understand a chief warder in a convict prison, may be appointed as a warder in charge in a smaller prison?—Certainly.

103. Have there been any complaints, as far as your knowledge goes, of those prisons not being adequately managed?—No, I do not think it is possible with the help we have from the visiting justices.

104. They have made comments?—They have.

105. Frequently?—No, not frequently; but we have heard them occasionally.

106. You have no reason to think that the warders in charge have shown incompetency?—No, I think it is easier to select qualified men for a small number of prisons, and I think it would be better perhaps to have fewer of them.

107. Then with regard to (*d.*): "The regulations "governing visits to and communications with "prisoners." Could you put in anything on that?—I could put in the Standing Orders 203 and 213, both of which bear on the question of visits and communications. (*Standing Orders* 203 *and* 213 *were handed in. See question* 226 *for the former and Appendix V. for the latter*).

108. Are these rules relaxed in the case of particular prisoners?—They can be relaxed at any time by the visiting justices in local prisons, or by the Directors in convict prisons.

109. And upon what would they found themselves in making that relaxation?—Generally in cases of sickness in the family, or the prisoner wishing to see his solicitor on matters of urgent business.

110. Then, of course, a good deal depends upon marks?—Yes, it is all regulated by marks.

111. But, apart from marks, for the cases you specify, relaxation is made sometimes?—Yes.

112. But relaxation would not be made because of the specially good character of the prisoner?—No; the relaxation is made generally according to the circumstances under which the application is made.

113. In your opinion, are the regulations with regard to visits too strict?—No, I do not think they are. The object is that visits regarded as privileges should be earned in the stage and marks system. It is considered that a prisoner by his good conduct should be able to earn his privileges.

114. Supposing that by relaxation of the rule, and the admission of visitors, you would produce a good and healthy effect on the mind of the prisoner, would you think that it was undesirable on the ground that it is too much of a modification of prison discipline?—I think that as the sentences lengthened they might be extended, and that after a prisoner has passed his third month, he might be allowed a visit or communication for every 224 marks, which represents a month.

115. I see Sir Edmund du Cane, in his book on the "Punishment and Prevention of Crime," lays stress on the work which is done by the prison in raising a man, and training him for a life after the prison, and for those reasons, I suppose, you would agree with the general principle that it is desirable to improve the prisoner's mind so far as you can?—Certainly.

116. You would also, perhaps, say, as following that, that if you improve the prisoner's mind, and raise his self-respect, and give him higher ideas about life, that such a process is not calculated to make prison discipline less penal to him, perhaps rather the contrary?—No, I do not think it is so calculated.

117. Now, in the course of a day, what visits would a prisoner get, beyond the visits, of course, of the warder?—The governor.

118. The governor would see him every day?—Yes, and the chaplain in small prisons.

119. Every day?—Yes.

120. Does the chaplain see all the prisoners every day?—He sees them in chapel, but no more than that.

121. But not in the cell?—Not in the larger prisons, unless there are special reasons for his doing so. In a large prison he could not see them every day. He sees only those who want to see him.

122. In the large prisons there are generally two chaplains; that is to say, two Church of England chaplains, and probably a Roman Catholic chaplain as well?—Yes.

123. So that there may be three chaplains in large prisons?—Yes. They are expected to visit the prisoners in hospital, those under punishment every day, and any others that want to see them.

124. Assume that there was one chaplain to a prison—I am speaking of a local prison—what would you say was the maximum number which he would deal with satisfactorily; how many would he be able to get to know?—I should think 300 prisoners.

125. Then how often does the doctor go his rounds?—Daily.

126. To all prisoners?—Not to all. He sees all that want to see him. They put their names down to see him.

127. He does not visit them unless they apply, or unless there is reason to think that he ought to see them?—No.

128. With regard to visits before discharge, would you tell the Committee what the practice is in regard to the Discharged Prisoners' Aid Society?—Are you dealing now with convicts, or with local prisons?

129. With local prisons?—There is an Aid Society appointed to every prison, which is sanctioned and approved by the Secretary of State.

130. Then what happens? How is a prisoner put into communication with the Discharged Prisoners' Aid Society?—There is a notice put up in each prisoner's cell informing him that he can avail himself of a Discharged Prisoners' Aid Society, which I have here, and the prisoner then decides what society he will go to, and the agent of that society attends and sees him a short time before he goes out, and takes his views and wishes as to how he shall be employed.

131. This circular was only sent out recently, I understand?—No, that notice was published a year ago, I think.

132. When I was at Wandsworth the other day, the governor informed me that the Surrey magistrates had decided that it was best to do without this circular, and in consequence it was not distributed to them?—I did not know that.

133. That has not come under your notice?—No, the notice is put up in every cell to let a prisoner know he can avail himself of it if he wishes.

134. By whose authority does this come—from the Secretary of State direct?—No, the notice was issued by the Commissioners.

135. Then have the visiting justices the power to say that, in their opinion, this notice had better not be given to the prisoners?—Yes, I think they would have the power to express that to the governor, certainly. Some, I think, did object to it, but I did not know that Wandsworth was one of them.

136. Then let us assume, for the sake of argument, that this circular was drawn up by the direction of the Secretary of State?—It was not drawn up by the Commissioners.

137. I am not talking necessarily of this. I am only putting a hypothetical case. Supposing a question arises in the Home Office on this question of visiting before discharge, and it is brought before the notice of the Home Secretary, and by his direction the Prison Commissioners, as such, sent out a notice to regulate the practice, what I want to know is, have the visiting justices the authority to say that such notices shall, or shall not, be distributed?—I think not, but they can object.

138. If the visiting justices decide in any particular prison that this notice is not to be sent round to the prisoners, then I suppose that the whole arrangement as to Discharged Prisoners' Aid Societies fall into their hands, and they make such arrangements as they shall think fit without the Commissioners knowing anything more about it?—I should imagine, under those circumstances, they would report to the Secretary of State; the visiting justices would not report to us. They always report direct to the Secretary of State.

139. Coming then to the contents of this circular, I observe it says, first of all, that certain benevolent societies have been established for the purpose of giving aid to discharged prisoners. Then, that a Discharged Prisoners' Aid Society has undertaken this office for prisoners on their discharge, and can communicate, if desirable, with certain other agencies which are willing to assist prisoners?—Yes.

140. That means that all prisoners desiring help from Discharged Prisoners' Aid Societies, and from those societies really connected with local prisons under paragraph 18 of the Appendix to the Commissioners' Report, will have to make their application through the Discharged Prisoner's Aid Society?—Yes; the other societies are affiliated.

141. And therefore that leaves a greater amount of responsibility in the hands of the officers of a Discharged Prisoners' Aid Society?—It does.

142. It is possible they may have their own views as to the nature of other such societies?—Certainly.

143. They may be dominated by a belief in one denomination and have scruples about others?—Yes.

144. Do you think that this practice does not lay itself open to objections on that ground?—I think it might; whether it does or not I cannot say.

145. I notice in the Commissioners' Report that stress is laid upon the danger of allowing outside societies to compete for the care of prisoners?—Yes.

146. I imagined you would entirely agree with that, and I think the danger of it is obvious; but I want to know whether you think there is any possible danger in giving a prisoner a wider option of choice as between the agents of various societies?—No, I do not think there is.

147. Would there be any objection to sending a notice round to all prisoners a certain time before they are discharged to say that there are a considerable number of societies anxious to help prisoners, and, if a prisoner so desires it, a list of those societies can be given to him, and he can choose any representative of those societies that he would wish to see. Do you see any objection to that?—No, I see no objection.

148. Turning now to (*e.*) "Regulations governing prison offences." Can you hand in any statement?—I hand in the book of rules which govern prison offences. There is legislative authority on page 56. (*See Appendix VI.*)

149. Then we will extract the necessary part of it. These rules are based partly on the Act of 1865 and partly upon that of 1877?—Yes.

150. Have the prison rules drawn up under the Act of 1877 been very materially modified?—No.

151. Practically they are the same rules?—Yes.

152. And they have worked well on the whole?—Yes.

153. Is full notice given to prisoners with regard to prison rules?—The prison rules are always read to them.

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154. Once?—Yes.

155. On reception?—Yes, on admission. There is an abstract of the rules always in their cells.

156. Is that abstract pretty full and complete?—Yes, it is an abstract from this book.

157. There are no complaints, as far as you are aware, from any prisoners of insufficient information?—I have never heard of any.

158. Can you indicate who the chief offenders against the prison rules are? Do they come from any special classes?—Chiefly from prisoners who are idle and will not work; the greater portion of prison offences are from idleness.

159. Would you draw any distinction between penal-servitude prisoners and short-sentence prisoners?—No, I think not. I do not think the habitual criminal is guilty of more offences than the others.

160. Would you go so far as to say that habitual criminals would be more amenable to prison rules; they get to know them better?—They are more amenable, from my experience.

161. With regard to male and female prisoners, is the average number of offences much the same, or do you find the women prisoners are different from the male prisoners?—The average of female prisoners is much less.

162. Is the practice of what they call "breaking out" as prevalent now as it used to be?—Confined to a certain class of women, I think it is.

163. But is that confined to women?—Yes.

164. It is not customary with men?—No, it is principally with women.

165. Do you happen to know whether it is a fact that it is a practice which is hardly known in continental prisons?—I do not.

166. It seems to be confined to English and Scotch prisoners?—I do not know it.

167. The dark cell system has been abolished?—Yes.

168. Speaking of local prisons, do you find considerable variation in the number of punishments for offences as between one prison and another?—They do vary.

169. Relatively, of course, in proportion to their numbers?—Yes.

170. But they do vary?—Yes, certainly, I think the prisoners in the agricultural districts are better behaved, as a rule, than those in the manufacturing districts.

171. Would you say the different parts of the country in England show different results?—I think they do, but a great deal depends on the governor.

172. Are London prisoners less amenable to discipline than they are elsewhere?—I think they go in with other manufacturing towns. They show more prison offences than the country.

173. Could you tell us the prison which shows the best record and the one which shows the worst?—No, I think not.

174. Caermarthen?—That is a very small prison.

(*Mr. de Rutzen.*) That has the smallest record and Brecon has the next.

175. (*Chairman.*) Norwich shows a good record?—Yes.

176. That is a fairly large prison?—Yes. I think Birmingham shows a rather high record.

177. (*Sir J. E. Dorington.*) A high record of punishment?—Yes, I think so.

178. (*Chairman.*) Have you ever had reason to think that the high record is due to the system of management—either to a different system of management or an unsatisfactory system?—I think it rests a great deal with the governor and with the visiting committee too.

179. Do you think that is the prime cause of variation?—I should not say it was a prime cause, but I think it is one of the causes.

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180. What is the limitation of the governor's power to punish?—It has been reduced now to 24 hours in a punishment cell, and three days' No. 1 dietary in his own cell.

181. I think it was limited after the Royal Commission of 1878?—It was limited by the Act of 1877, and by subsequent modifications of Standing Orders.

182. And other changes were made about that time to secure better order and discipline in prisons?—Yes.

183. According to Standing Order No. 94, it would appear that these changes have had a good effect?—Yes, I think a very good effect. In the longer sentences we rely upon the suspension of privileges more than we do upon the dietary punishment.

184. That Order stands in this way. "Experience "shows that discipline is not better maintained by "resorting commonly to severe punishment, which "should be reserved for use when milder means have "been tried unsuccessfully, and when it is necessary "to apply them on particular occasions." Do you entirely agree with that?—Yes.

185. Amongst the changes the Prison Act of 1877 diminished the powers of governors to punish refractory prisoners by confinement in a punishment cell?—Yes.

186. It goes on to say, "There does not appear "any reason to believe that any disadvantage resulted "from this diminution"?—No reason.

187. You quite agree with that?—Yes.

188. I think that one of the recommendations of the Royal Commission in 1878 was that there should be a further limitation of the governor's power and that the Irish rules should be applied, which forbid a governor to punish the same prisoner except at an interval of a month since his last punishment?—I was not aware of it.

189. That, I think, was one of the recommendations; but, anyhow, that recommendation has not been acted upon, so far as English prisons are concerned?—No.

190. Have you any reason to think that it would be desirable to adopt such a system?—I see no necessity for it.

191. With regard to the mark system, can all prisoners earn the maximum?—I do not exactly understand you.

192. There is a possible maximum which prisoners can earn; that is to say, supposing a man commits no offence no breach of discipline, and satisfactorily does his work, he can earn the highest possible number of marks?—Yes.

193. I want to know whether it is open to all classes of prisoners to earn that maximum?—You are still speaking of local prisons?

194. Yes?—Yes, certainly.

195. Supposing a man, from some cause or other, is unable to perform hard labour of any kind, either of the first class or of the second class, is it in the power of that man in a local prison to earn as many marks as might be earned by an able-bodied man?—Yes.

196. That is so?—Yes, the marks are given to him if he does his best.

197. I understand you to say that all classes of prisoners have the same chance in their power to earn the maximum number of marks?—Yes.

198. And have the visiting justices or the directors, as the case may be, the power to restore marks forfeited by some accidental or trivial breach?—Yes. Visiting justices to recommend and directors to restore.

199. So that really the prisoner is under no disadvantage at the present time through committing some slight offence, and which really he did not know anything about?—The Commissioners have the power, if necessary, and do exercise it, of remitting any marks that may be forfeited on the recommendation of the governor.

200. That practice of restoration is quite customary now, and is a common practice in the administration of prisons?—Yes.

Adjourned for a short time.

201. Perhaps you could give us figures showing the number of prisoners who earn the maximum number of marks, or some table showing the proportion of numbers of marks earned by the prisoners?—I think not. Every prisoner, as a matter of course, earns the marks before he gets his stage.

202. The full number of marks?—Yes, he must get the full number of marks before he gets his stage.

203. But there are a considerable number of prisoners who do not get their stages because they have not got the marks?—Or who are delayed.

204. There are some who have to serve out their sentences completely?—You are talking of convicts; the marks in local prisons do not affect their time at all. There is no remission in a local prison. The marks in a convict prison affect the remission.

205. Is not there any remission in a local prison?—No.

206. Then in local prisons they only earn certain advantages as to treatment?—Yes, there are different stages, and they work out their stages by industry and conduct.

207. But they cannot shorten their sentence, even if it is two years?—No, it cannot affect the sentence at all. In the convict prisons it is different. There are three rates of marks—six, seven and eight a day. If he only earns six marks a day, he has to work out the whole of his sentence. If he works out eight marks a day he works off a fourth; and if he gets seven marks a day he gets off an intermediate period.

208. In the case of the convict prisons, could you take one prison, for instance, and show us how often the maximum remission is earned?—Yes, I think so.

209. At any rate you will try and put some figures together, and give us information as to the comparative earnings of remission?—Will you be content with one convict prison?

210. I think that that would give us all the indication that is necessary. I suppose that a three years' penal-servitude man can earn remission?—Certainly.

211. Then do you consider that it is not a possible hardship that a man who is confined for two years' hard labour in a local prison should not have some power of earning a remission of sentence on the same system?—I think that the man who is sentenced to three years' penal servitude is the better off of the two.

212. Is that another way of saying that you think there is a possible grievance on the part of the man sentenced to two years?—Certainly. The man who is sentenced to three years' penal servitude can get remission of one-fourth of that time; a man who is sentenced to two years must do the whole of it.

213. Then how far would you carry it. Do you think it would be advisable to apply that system of remission to short term prisoners?—No, I think not.

214. What would be the limit, in your mind?—I should leave two-years' prisoners as they are.

215. I understood you to say that you thought there was a possible grievance in not giving the local prisoners the opportunity of earning remission?—What I meant was that the man who is sentenced to three years is, in many cases, better off than the man who is sentenced to two years' imprisonment, because, after he does nine months of his penal servitude, he gets the fuller treatment in the convict prison as regards diet.

216. Still he would have his first nine months in the local prison?—Yes.

217. He is on an equality to that extent?—Yes, and he would have two years and three months altogether.

218. Then he would have one and a-half years in the convict prison over and above his nine months?—Yes.

219. As against 15 months additional in a local prison where a man has been sentenced to two years?—Yes.

220. Then do I understand that you would not favour altering the present system?—I think it is better to leave it as it is.

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221. Could you supply the Committee with a statement showing the working of the mark system in convict and local prisons?—I should have to give you individual cases.

222. What we really want is to have a statement which can be handed in showing the rules applying to the mark system?—They are in the standing order that I have already handed in, No. 205.

223. Standing Order 205 is only supplementary. This asks the governors to give their constant attention to the working of the system of marks?—203, I think, will give it to you.

224. Does this state fully the whole system of marks?—For the local prisons, certainly. I can give you a standing order for a convict prison also.

225. (*Sir J. E. Dorington.*) It will be convenient to incorporate that in the evidence, rather than to extract it from the standing order?—There will be no difficulty. I will give you the orders and regulations in the convict service as distinct from the local prisons.

226. (*Chairman.*) Would you read first the Local Prisons Standing Order?—Yes.

"STANDING ORDER 203 (LOCAL PRISONS).
13th July 1892.

"SYSTEM OF PROGRESSIVE STAGES.

"1. The following instructions will be observed with a view to give effect to Rule 24, for the general government of prisons made by the Secretary of State, 19th February 1878, as to the employment of male prisoners above 16 years of age sentenced to hard labour.

"2. A prisoner shall be able to earn each week day eight, seven, or six marks, according to the degree of his industry. On Sunday he shall be awarded marks according to the degree of his industry during the previous week.

"3. A prisoner who is not at work, whether by reason of his being under punishment, or in the infirmary, is not entitled to receive marks; but every prisoner actually at work may receive marks. A prisoner who has earned no marks during the week is not to receive marks on Sunday.

"4. A prisoner who is idle will be reported, and be liable to punishment.

"5. There shall be four stages, and every prisoner shall pass through them, or through so much of them as the term of his imprisonment admits.

"6. He shall commence in the first stage, and shall remain in that stage until he has earned 28 × 8 or 224 marks; in the second stage until he has earned 224 more marks, or 448 in the whole; in the third stage until he has earned 224 more marks, or 672 in the whole; in the fourth stage during the remainder of his sentence.

"7. A prisoner whose term of imprisonment is 28 days or less shall serve the whole of it in the first stage.

"8. A prisoner who is idle or who misconducts himself, or is inattentive to instruction, shall, in addition to or in place of any punishment which may be inflicted on him in accordance with the rules, be liable—

"(*a.*) To forfeit gratuity earned or to be earned.
"(*b.*) To forfeit any other stage privileges until he has earned a specified number of marks.
"(*c.*) To detention in the stage in which he is until he shall have earned in that stage an additional number of marks.
"(*d.*) To degradation to any lower stage (whether such stage is next below the one in which he is, or otherwise) until he has earned in such lower stage a stated number of marks.

"As soon as the prisoner has earned the stated number of marks he shall, unless he has in the meantime incurred further similar degradation, be restored to the stage from which he was degraded, and be credited with the number of marks he had previously earned therein.

"9. A prisoner in the first stage will—
"(*a.*) Be employed 10 hours daily in strict separation. If sentenced to hard labour, of which six to eight hours will be on crank, treadwheel, or work of a similar nature.
"(*b.*) Sleep on a plank bed without a mattress.
"(*c.*) Earn no gratuity.
"(*d.*) Have approved books of instruction in his cell.
"10. A prisoner in the second stage will—
"(*a.*) Be employed as in the first stage until he has completed one month of imprisonment, and afterwards, if sentenced to hard labour, be employed on hard labour of the second class.
"(*b.*) Sleep on a plank bed without a mattress two nights weekly, and have a mattress on other nights.
"(*c.*) Be able to earn a gratuity not exceeding 1*s.*
"(*d.*) Have approved books of instruction in his cell.
"(*e.*) Receive school instruction, if eligible, under the rules made from time to time for the education of prisoners.

"11. The gratuity to a prisoner in this stage whose term is not long enough for him to earn 224 marks in it, may be calculated at 1*d.* for every 20 marks earned.

"12. A prisoner in the third stage will—
"(*a.*) If sentenced to hard labour, be employed on hard labour of the second class.
"(*b.*) Sleep on a plank bed without a mattress one night weekly, and have a mattress on the other nights.
"(*c.*) Be able to earn a gratuity not exceeding 1*s.* 6*d.*
"(*d.*) Have library books as well as books of instruction in his cell.
"(*e.*) Receive school instruction, if eligible, under the rules made from time to time for the education of prisoners.

"13. The gratuity to a prisoner in this stage, whose sentence is not long enough for him to earn 224 marks in it, may be calculated at 1*d.* for every 12 marks earned.

"14. A prisoner in the fourth stage will—
"(*a.*) If sentenced to hard labour, be employed on hard labour of the second class.
"(*b.*) Sleep on a mattress every night.
"(*c.*) Be able to earn a gratuity not exceeding 2*s.* in 28 days.
"(*d.*) Have library books as well as books of instruction in his cell.
"(*e.*) Receive school instruction, if eligible under the rules made from time to time for the education of prisoners.
"(*f.*) Be eligible for any special employment for which his services may be required.
"(*g.*) Be allowed to receive and write a letter, and receive a visit of 20 minutes, and for each 672 marks earned in this class afterwards to receive and write a letter, and to receive a visit of half an hour.

"15. The gratuity to a prisoner in this stage whose sentence is not long enough for him to earn 224 marks may be calculated at 1*d.* for every 10 marks earned.

"16. A prisoner shall be allowed to earn gratuity at the same rate so long as he is in this stage, provided that his gratuity on the whole shall not in any case exceed 10*s.*

"17. The foregoing instructions will apply to female prisoners and males under the age of 16 who are sentenced to hard labour, except that such prisoners will not be employed on first-class hard labour.

"18. They will apply to convicted prisoners, in order that such prisoners may have the advantage of the incentives to industry and good conduct which these regulations afford.

"19. The provisions as to the use of a plank bed with or without a mattress, will not be applied to women, children under 13 years of age, and men over 60 years of age.

"20. A copy of the "System of Progressive Stages for Convicted Criminal Prisoners" (L.P./D. 76, revised 4th July 1872), also a copy of the "Abstract of Regulations relating to the Treatment and Conduct of

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Convicted Criminal Prisoners" (L.P./D. 20), and of the "Dietary for Convicted Prisoners" (L.P./D. 27), are to be posted in the cell of every such prisoner.

"21. Standing Orders 5, 36, 65, and 73 are hereby cancelled.

"By Order of the Commissioners.

"M. CLARE GARSIA,
"Secretary."

227. Will you state to us also the contents of the Convict Prisons Standing Order?—Yes.

"15th November 1892.

"MARKS, REMISSION, AND CLASSIFICATION OF MALE CONVICTS.

"1. The following system of marks, remission, and classification for male convicts will in future be observed.

"*Marks and Remission.*

"2. The term of penal servitude to which each convict is sentenced will be represented by a certain number of marks, calculated at the rate of six marks for each day of his sentence.

"3. His industry will be recorded by marks, and when by his industry with good conduct he has gained the number of marks which represents his sentence he may be discharged on licence.

"4. Marks may be assigned to him at the rate of eight marks per day for steady hard labour and the full performance of his allotted task; seven marks per day for a less degree of industry; six marks per day for a fair but moderate day's work.

"5. A convict whose conduct is either indifferent or bad, may be fined a certain number of marks, according to the nature and degree of the offence, and will thus forfeit by misconduct some of the remission he may have earned by industry.

"6. A convict who by his industry earns eight marks every day and forfeits none for misconduct obtains therefore, in every three days, as many marks as represent four days of his sentence, and has gained the maximum remission of one-fourth thereof.

"7. If a convict while on licence is again sentenced to penal servitude, the term for which he was licensed will be added to the new sentence, and marks will be calculated as for a term equal to the combined periods.

"8. If a convict has to serve a term of penal servitude by reason of forfeiture of revocation of licence, whether accompanied or not by a sentence of imprisonment, such term will be represented by marks in like manner to a new sentence.

"9. A convict sentenced to penal servitude for life must not, unless special instructions are given to the contrary, entertain any expectations of release until he has completed 20 years. No specific number of marks can be stated as giving a claim to release in accordance with paragraph 3, but the number assigned daily to each convict for his industry will be recorded, as well as his forfeitures for misconduct. Each case will be considered in due course by the Secretary of State on its own merits.

"10. On Sunday a convict will be awarded marks according to the degree of his industry during the previous week.

"11. A convict who by his misconduct forfeits the whole of his remission will be liable to be kept in separate confinement during the last six months of his sentence.

"12. A convict in the light labour class will be credited only with six or seven marks per day, according to his industry.

"13. A list of all convicts who would be due for licence in the ensuing month if they had not lost marks through being on light labour, is to be submitted monthly to the director, who will decide whether the convicts are to be credited with any additional marks.

"The director's special attention is to be drawn to the case of any convict who in the opinion of the governor and of the medical officer, formed from personal observation, has lost marks from absolute inability, and not from unwillingness to perform hard labour.

"14. Any convict who is unable to perform hard labour on account of his having lost a limb, or who is is suffering under some other grave bodily infirmity, which, in the opinion of the medical officer, permanently unfits him for heavy labour, may be considered eligible for full marks without reference to the director.

15. "If the medical officer should give a special direction that any convict is not, for a specified period, to be employed on any but light labour, such convict will be eligible for full marks if his conduct and industry justify it.

"16. A convict in hospital will be credited only with six marks per day on week days, and seven on Sundays.

"No such convict is to be credited with more than seven marks per day, unless laid up from an accident on the works, when, under the authority of the director, he is eligible for eight marks per day.

"17. The case of any convict who suffers a long-continued loss of marks by reason of his being in hospital, should be brought before the director from time to time, with a report of the circumstances and of the total loss of marks involved.

"*Classification.*

"A convict during the term of his sentence will be required to pass through the following classes, or so much of them as his sentence will allow, viz.:—

"Probation class, one year, or until he has earned 2,920 marks;

"Third class, one year, or until he has earned 2,920 marks;

"Second class, one year, or until he has earned 2,920 marks; after which he will be eligible for promotion to the first class.

"19. A convict who commits any offence will be liable to reduction from a higher class to a lower class, or to detention in the class he is in, or to forfeiture of the privileges of any class, until he has earned a stated number of marks, which number of marks is not to be added to the number of marks he has to earn for remission, unless directions are given to the contrary. As soon as he has earned the stated number of marks he shall, unless he has in the meantime incurred further similar punishment, be restored to the class from which he was degraded.

"20. A convict in the probation class will—

"(*a*) be kept in separate confinement until he has earned 2,190 marks;

"(*b*) until he has earned 224 marks be employed 10 hours daily in strict separation on first-class labour, and sleep on a plank bed without a mattress;

"(*c*) after he has earned 224 marks and until he has 448 marks, be employed on hard labour of second class, sleep on a plank bed without a mattress two nights weekly, and have a mattress on the other nights;

"(*d*) after he has earned 448 marks, and until he has earned 672 marks, sleep on a plank bed without a mattress one night a week, and have a mattress on the other nights;

"(*e*) after he has earned 672 marks, sleep on a mattress every night;

"(*f*) be allowed to write one latter during the first week of his sentence and receive a reply, and also to receive one visit during that period, and after he has earned 1,440 marks may receive and write a letter and receive a visit of 20 minutes' duration;

"(*g*) after he has earned 2,190 marks be eligible for employment on public works;

"(*h*) on reception at a public works prison, be allowed to write and receive one letter, but no other while in this class.

"21. A convict, after completing a period of second probation in separate confinement, will pass through the classes in the same way as on completing his first probation in separate confinement.

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"22. A convict, whilst wearing cross-irons, or the parti-coloured or distinctive dress, will be in the probation class, after which he will return to his original class, unless directions are given to the contrary.

"23. A convict in the third class will be allowed—

"(*a*) to receive one visit of 20 minutes' duration, and both to receive and write a letter, and after earning 1,440 marks, to receive another visit of 20 minutes' duration, and to receive and write another letter;

"(*b*) to receive a gratuity at the rate of 1*s.* for each 240 marks earned in this class, but not to exceed in the whole 12*s.* in this class;

"24. A convict in the second class will be allowed—

"(*a*) to receive a visit of 20 minutes' duration, and both to receive and write a letter, and afterwards, at the expiration of intervals, during each of which he must have earned 960 marks, he may again be accorded the same privileges;

"(*b*) the choice of tea and 2 ounces of additional bread instead of gruel;

"(*c*) to receive a gratuity at the rate of 1*s.* 6*d.* for each 240 marks earned in this class, but not to exceed in the whole 18*s.* in this class.

"25. No convict will be promoted to the first class until he can read and write, except in special cases, which must be approved by a director.

"26. A convict in the first class will be allowed—

"(*a*) to receive a visit of half an hour, and both to receive and write a letter, and afterwards, at the expiration of intervals, during each of which he must have earned 720 marks, he may again obtain the same privileges;

"(*b*) the choice of tea and 2 ounces of additional bread instead of gruel, and baked instead of boiled meat;

"(*c*) to receive a gratuity at the rate of 2*s.* 6*d.* for each 240 marks earned in this class, but not to exceed in the whole 30*s.* in this class, nor 3*l.* altogether.

"27. A convict who has earned 2,920 marks in the first class, and passed through that class with exemplary conduct, may be admitted into the special class when he is within 12 months of his release.

"28. A convict in the special class will be eligible—

"(*a*) to receive a visit of half an hour, and to receive and write a letter, and afterwards, at the expiration of intervals, during each of which he must have earned 480 marks, he may again obtain the same privileges;

"(*b*) for any special employment for which his services may be required;

"(*c*) to receive an extra gratuity of 3*l.* on discharge, provided he goes to a Prisoners' Aid Society;

"(*d*) to be recommended for an extra remission not exceeding one week.

"29. A convict in the special class may be accorded the extra remission and gratuity whether he passes the full 12 months in that class or not.

"30. A convict whose sentence does not admit of his attaining the special class may be recommended for an extra gratuity, provided he has not forfeited more than 720 marks for remission, and has passed nine months preceding his release with exemplary conduct and avails himself of a Prisoners' Aid Society on discharge. This extra gratuity will not exceed 10*s.* for a convict under sentence of three years, 1*l.* for a convict under sentence of four years, and 2*l.* for one under sentence of five years.

"31. A convict whose licence is forfeited or revoked will not be admitted into the special class nor be eligible for an extra gratuity as provided in paragraph 30.

"32. A convict whose licence is forfeited or revoked without receiving a fresh sentence of penal servitude, will not again be permitted to receive the gratuities referred to in the foregoing paragraphs. But he may, after he has earned 224 marks, be credited with a gratuity not exceeding 1*s.*, or at the rate of 1*d.* for every 20 marks earned; after he has earned 448 marks he may be credited with a gratuity not exceeding 1*s.* 6*d.*, or 1*d.* for every 12 marks earned; and after he has earned 672 marks he may be credited with a gratuity at the rate of 1*d.* for every 10 marks earned, provided that the whole of his gratuity, including what he may have earned under a preceding sentence of imprisonment, shall not in any case exceed 10*s.*

"33. Standing orders 52, 75, 76, 110, 145, 146, 181, 185, 222, 223, 236, 237, 248, 249, 252, 277, 287, 299, 316, 326, 328, 334, 371, 377, 397, 414, 427, and 473 (1) are hereby cancelled.

"(Signed) E. F. DU CANE."

There is also this one:—

"STANDING ORDER No. 495.

"[CONVICT PRISONS.]

"15th November 1892.

"MARKS, REMISSION, AND CLASSIFICATION OF FEMALE CONVICTS.

"(1.) The following system of marks, remission, and classification for female convicts will in future be observed.

"*Marks and Remission.*

"(2.) The term of penal servitude to which each convict is sentenced will be represented by a certain number of marks, calculated at the rate of 4 marks for each day of her sentence.

"(3.) Her industry will be recorded by marks, and when by industry with good conduct she has gained the number of marks which represents her sentence she may be discharged on licence.

"(4.) Marks may be assigned to her at the rate of—

"6 marks per day for steady hard labour and the full performance of her allotted task;

"5 marks per day for a less degree of industry;

"4 marks per day for a fair but moderate day's work.

"(5.) A convict whose conduct is either indifferent or bad may be fined a certain number of marks, according to the nature and degree of the offence, and will thus forfeit by misconduct some of the remission she may have earned by industry.

"(6.) A convict who by her industry earns six marks every day and forfeits none for misconduct obtains, therefore, in every two days as many marks as represent three days of her sentence, and has gained the maximum remission of one-third thereof.

"(7.) If a convict while on licence is again sentenced to penal servitude the term for which she was licensed will be added to the new sentence, and marks will be calculated as for a term equal to the combined periods.

"(8.) If a convict has to serve a term of penal servitude by reason of forfeiture or revocation of licence, whether accompanied or not by a sentence of imprisonment, such term will be represented by marks in like manner to a new sentence.

"(9.) A convict sentenced to penal servitude for life must not, unless special instructions are given to the contrary, entertain any expectation of release until she has completed 20 years. No specific number of marks can be stated as giving a claim to release in accordance with paragraph 3, but the number assigned daily to a convict for her industry will be recorded, as well as her forfeitures for misconduct. Each case will be considered in due course by the Secretary of State on its own merits.

"(10.) On Sunday a convict will be awarded marks according to the degree of her industry during the previous week.

"(11.) A convict who by her misconduct forfeits the whole of her remission will be liable to be kept in separate confinement during the last six months of her sentence.

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"(12.) A convict in the light labour class will be credited only with four or five marks per day according to her industry.

"(13.) A list of all convicts who would be due for licence in the ensuing month if they had not lost marks through being on light labour, is to be submitted monthly to the director, who will decide whether they are to be credited with any additional marks. The director's special attention is to be drawn to the case of any convict who, in the opinion of the governor and of the medical officer, formed from personal observation, has lost marks from absolute inability, and not from unwillingness to perform hard labour.

"(14.) Any convict who is unable to perform hard labour on account of her having lost a limb, or who is suffering under some other grave bodily infirmity, which, in the opinion of the medical officer, permanently unfits her for heavy labour, may be considered eligible for full marks without reference to the director.

"(15.) If the medical officer should give a special direction that any convict is not, for a specified period, to be employed on any but light labour, such convict will be eligible for full marks if her conduct and industry justify it.

"(16.) A convict in hospital will be credited only with four marks per day on week days and five on Sundays. No such convict is to be credited with more than five marks per day either on week days or Sundays, unless laid up from an accident, when, under the authority of the director, she is eligible for six marks per day.

"(17.) The case of any convict who suffers a long continual loss of marks by reason of her being in hospital, should be brought before the director from time to time with a report of the circumstances, and of the total loss of marks involved.

"*Classification.*

"(18.) A convict, during the term of her sentence, will be required to pass through the following classes, or so much of them as her sentence will allow, viz.:—

"Probation class, nine months, or until she has earned 1,620 marks.

"Third class, nine months, or until she has earned 1,620 marks.

"Second class, nine months, or until she has earned 1,620 marks;

"After which she will be eligible for promotion to the first class.

"(19.) A convict who commits any offence will be liable to reduction from a higher class to a lower class, or to detention in the class she is in, or to forfeiture of the privilege of any class, until she has earned a stated number of marks, which number of marks is not to be added to the number of marks she has to earn for remission, unless directions are given to the contrary. As soon as she has earned the stated number of marks she shall, unless she has in the meantime incurred further similar punishment, be restored to the class from which she was degraded.

"(20.) A convict in probation class will be kept in separate confinement until she has earned 1,620 marks. She will be allowed to write one letter during the first week of her sentence and receive a reply, and also to receive one visit during that period, and after she has earned 1,080 marks she may receive and write a letter, and receive a visit of 20 minutes' duration. If transferred to a convict prison while in this class she will be allowed to write and receive one letter, in addition to those above, but no other while in this class.

"(21.) A convict after completing a period of second probation in separate confinement will pass through the classes in the same way as on completing her first probation in separate confinement.

"(22.) A convict whilst wearing a distinctive dress will be in the probation class, after which she will return to her original class, unless directions are given to the contrary.

"(23.) A convict in the third class will be allowed—

"(*a*) to receive one visit of 20 minutes' duration, and both to receive and write a letter and after, earning 1,080 marks to receive another visit of 20 minutes' duration, and to receive and write another letter.

"(*b*) to receive a gratuity at the rate of 2*s.* for each 180 marks earned in this class, but not to exceed in the whole 18*s.* in this class.

"(24.) A convict in the second class will be allowed—

"(*a*) to receive a visit of 20 minutes' duration, and both to receive and write a letter, and afterwards, at the expiration of intervals, during each of which she must have earned 720 marks, she may again be accorded the same privileges.

"(*b*) the choice of tea and 2½oz. of additional bread instead of gruel.

"(*c*) to receive a gratuity at the rate of 2*s.* for each 180 marks earned in this class, but not to exceed in the whole 18*s.* in this class.

"(25.) No convict will be promoted to the first class until she can read and write, except in special cases, which must be approved by a director.

"(26.) A convict in the first class will be allowed—

"(*a*) to receive a visit of half an hour, and both to receive and write a letter, and afterwards, at the expiration of intervals, during each of which she must have earned 540 marks, she may again obtain the same privileges;

"(*b*) the choice of tea and 2½ oz. of additional bread instead of gruel, and baked instead of boiled meat;

"(*c*) to receive a gratuity at the rate of 4*s.* for each 180 marks earned in this class, but not to exceed in the whole 2*l.* 4*s.* in the first class, nor 4*l.* altogether.

"(27.) A convict who has earned 1,620 marks in the first class and passed through that class with exemplary conduct, may be admitted into the special class when she is within nine months of her release, if from any cause, without fault of her own, she is unable to go to a refuge as referred to in paragraph 33.

"28. A convict in the special class will be eligible—

"(*a*) to receive a visit of half an hour, and to receive and write a letter, and afterwards, at the expiration of intervals, during each of which she must have earned 360 marks, she may again obtain the same privileges.

"(*b*) for any special employment for which her services may be required.

"(*c*) to receive an extra gratuity of 2*l.* on discharge, provided she goes to a Prisoners' Aid Society.

"(*d*) to be recommended for an extra remission not exceeding one week.

"(29.) A convict in the special class may be accorded the extra remission and gratuity whether she passes the full nine months in that class or not.

"(30.) A convict whose sentence does not admit of her attaining the special class may be recommended for an extra gratuity, provided she has not forfeited more than 540 marks for remission, and has passed six months preceding her release with exemplary conduct, and avails herself of a Prisoners' Aid Society on discharge. This extra gratuity will not exceed 7*s.* 6*d.* for a convict under sentence of three years, 15*s.* for a convict under sentence of four years, and 1*l.* 10*s.* for one under sentence of five years.

"(31.) A convict whose licence is forfeited or revoked will not be admitted into the special class, nor be eligible for an extra gratuity as provided in paragraph 30.

"(32.) A convict whose licence is forfeited or revoked without receiving a fresh sentence of penal servitude, will not again earn the gratuities referred to in the foregoing paragraphs. But she may, after she has earned 168 marks, be credited with a gratuity not exceeding 9*d.*, or at the rate of 1*d.* for every 20 marks earned; after she has earned 336 marks she may be credited with a gratuity not exceeding 1*s.* 2*d.*, or 1*d.* for every 12 marks earned; and after she has earned 504 marks, she may be credited with a gratuity at the rate of 1*d.* for every 10 marks earned, provided that the whole of her gratuity, including what she may have earned under a preceding sentence of imprisonment, shall not in any case exceed 7*s.* 6*d.*

Refuges, &c.

"(33.) A limited number of convicts whose conduct and industry have been good in prison, and who are qualified according to the rules in such case provided, may be sent on special conditional licence nine months before the period at which they would ordinarily be discharged from prison to refuges or kindred institutions, the managers of which may consent to receive them, and, if the conduct of the women while in them is good, they will interest themselves as far as they can in obtaining situations and employment for them on their discharge.

"(34.) A convict when so transferred will have an opportunity of earning some addition to the gratuity which she has earned in prison, and will not wear ordinary prison dress.

"(35.) It should, however, be clearly understood that the exact time of the transfer of any convict to any of these institutions must depend on the vacancies there may be in them, those convicts who have been best conducted throughout their imprisonment having the preference.

"(36.) The following qualifications are necessary to render a convict eligible for the privilege:—

"(*a.*) She must be in the first class, but if she fails to obtain the first class only from being unable to read and write, she may, on special leave by the directors, be promoted for the purpose of being eligible for a refuge.

"(*b.*) Her conduct and industry must have been good.

"(*c.*) She must not have been guilty of violent and insubordinate conduct within six months.

"(*d.*) Her health must be good, and she must be physically capable of earning a livelihood.

"(*e.*) She must not have more than nine months' time to serve before being due for discharge on licence or expiration of sentence.

"(*f.*) She must not have been sent to a refuge on discharge from a previous sentence.

"(37.) As the managers may object to receive any convict who was convicted for murder or violent assault, or whose crime or character is remarkable or notorious, attention must be called to any such case when reporting such convict as otherwise eligible, in order that a communication may be addressed to the managers to ascertain whether they object to her coming to them.

"(38.) The names, &c., of the refuges and other institutions authorised by the Secretary of State, will be notified from time to time, as occasion may arise.

"(39.) Standing Orders, 150, 265A, 255B, 362, and 430 are hereby cancelled.

"E. F. Du Cane."

228. (*Sir Algernon West.*) I want to ask you this: you said that in your opinion a three years' penal servitude man was better off than a two years' prisoner?—Yes.

229. And when the Chairman asked you if you thought that the two years' man should be able to work off some remission of his sentence, you said "No"?—Yes.

230. Would you, therefore, suggest that a three years' penal servitude man should be put in a worse position than he is now?—No, his position is secured by Act of Parliament.

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231. What I mean to say is this. You acknowledge that the two years' man is not so well off as a three years' man?—He is not, in some respects.

232. And yet you say you would not alter the two years' man. Therefore, I presume you would alter the three years' man?—That would be difficult.

233. I only want your opinion?

234. (*Chairman.*) But it would be rather an awkward thing to alter the Penal Servitude Acts with reference to the three years' man's remission?—It would. What I meant was the three years' man has to do two years and three months; the two years' man only has to do two years, so that the three years' man gets three months longer; but he gets the advantage over the two years' man by being in a convict prison where the diet is better. It is not in point of time, but of treatment, and association on the works, that he is the gainer.

235. Supposing you wished to redress this inequality by which a man sentenced to three years' penal servitude is better off than a man sentenced to two years' hard labour, would not you rather prefer to level up the condition of the local prisoner than to level down the penal servitude prisoner?—Yes.

236. (*Sir J. E. Dorington*). Is there any such essential difference between the sentence to a local prison and to a convict prison as to forbid a remission being granted in the case of a local prison which is now given in respect of a convict prison?—Remissions are not granted at all.

237. This is a question only of opinion. Is there any such distinction between the nature of the sentence to the local prison as compared with the sentence to a convict prison as to forbid the same remission taking place in the one case that is now granted in the other?—No, I do not think there is.

238. Is there anything in the working of the mark system in a local prison with reference to the stages which would forbid its being extended in its application to the remission of sentences?—The mark system would have to be applied entirely differently if it were to affect their sentence by remission on the same principle as the convict prison.

239. You would have then to re-arrange the system of marks?—Yes, to introduce the system of remission.

240. In order to introduce the system of remission you would have to re-arrange the system of marks in local prisons?—Yes, certainly.

241. That would not be impracticable?—No.

242. Does any objection in principle suggest itself to you?—The difficulty would be that you could not apply the mark system to short sentences.

243. You could not apply it to a sentence of one month?—No.

244. Could you possibly apply it to sentences of over six months?—It is very difficult to draw the line, or to say where you could begin.

245. (*Chairman.*) If Sir John Dorington's proposal were carried out, would not this inequality be set up, that whereas in the local prisons a prisoner would have power by earning marks both to shorten his sentence and to improve his position, the convict prisoners would be left only with the power of earning remission of sentence, and not improvement of diet?—As they advance in their classes they improve in diet also in the convict prisons.

246. By marks?—Yes; all the classes are managed by marks. What I understand Sir John to mean is this, whether the mark system, as applied to convicts, can be applied under similar circumstances to local prisoners?

247. Yes?—But the difficulty is in dealing with short sentences, because you must have a certain length of sentence to work out existing mark system.

248. (*Sir Algernon West.*) You must, under existing Acts, you mean? You may say, for instance, that no man can work out his remission under six months?—You might have it six months, but then

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probably the man of five months or four months would think it a hardship.

249. (*Sir J. E. Dorington.*) At the present moment? But even now a strict line of demarcation is drawn between a sentence of penal servitude and a sentence of imprisonment?—Yes.

250. The one cannot exceed two years. All sentences of two years and under are sentences of imprisonment. All sentences of over two years are sentences of penal servitude?—Yes; there is not much difference between them.

251. Is there any practical difference between these sentences, except in point of time and in point of treatment. One is called imprisonment, and the other is called penal servitude?—No, there is not.

252. That being so, might not the rules and regulations with regard to the one, if found advantageous, be also applied to the other, adapting them as circumstances are changed?—It is a matter that would have to be very carefully thought out. It is a question I really could not answer, and a very large one.

253. It is one on which you are not prepared to pronounce an opinion?—No, I am not. It would have to be very carefully considered.

254. Would you be willing to admit that it is a subject worthy of consideration?—Certainly.

255. (*Chairman.*) Do you think that the conduct of prisoners is acted upon materially by the warders who happen to be in charge of them?—Certainly.

256. And that a bad warder will produce a refractory prisoner?—Certainly.

257. And therefore you think it is of the first importance to have a high class of men in the position of warders?—Certainly.

258. Have you in the course of your experience noticed any distinction between warders who have been in the army or navy and warders who have been taken from the civilian classes?—We show no preference. The applications come in much more from army and navy men than they do from civilians, but we take the best men, and we get very good men from both. As far as I know, they stand entirely equal chances with us. Speaking from my own experience, some of my best warders have been civilians, but by that I would not say a word in depreciation of the other class, for I have had good men from both classes.

259. You have heard officially no complaints which could be applied to the military training of warders?—No, I never have. We get very good men from the army and navy, and we get some very bad ones, and we get very good ones from the civilians, and occasionally bad ones, only the numbers are very much less; we get less applications from the civilian element than we do from the army and navy.

260. Are the warders changed very often in their wards and corridors?—No, we avoid it as much as possible.

261. They are kept with the same prisoners as much as as possible?—Yes, unless there are reasons for removing them, as there sometimes are.

262. I suppose it would be most undesirable that warders should be exposed to unduly long hours or any undue mental strain?—Yes.

263. As a general principle you will agree to that?—Yes.

264. Have you any reason to think that the hours are too long?—I do not think so. They are not, in my opinion, with the present alleviations they get. They get alternate Sundays off and a Saturday every month. That was fully gone into by Lord Ramsey's Committee in 1890 or 1891. I was one of the members of that Committee, and the opinion expressed was that the hours were not excessive.

265. The comparison, I think, was instituted between their functions and duties and the duties and functions of the London police, and it was held that their work was not of the same arduous description?—It was.

266. That would be, of course, to a large extent a matter of opinion?—Yes.

267. It is rather difficult to gauge the amount of mental strain?—Yes; I do not think myself they suffer very much strain.

268. (*Sir J. E. Dorington.*) You do not think there is much dissatisfaction in the service?—I do not think there is.

269. (*Chairman.*) There are libraries and reading rooms for the warders, are there not?—In the large prisons, yes. There are libraries in all prisons, but there are reading rooms and recreation rooms in large prisons.

270. What is the period of probation for a warder?—Three months.

271. What proportion of warders fail to pass that probationary period?—A very small proportion.

272. And I suppose the number dismissed is very small?—Yes; a good many are dismissed in the course of a year.

273. Of warders?—Yes.

274. Do you say a considerable number?—I think there are.

275. Perhaps you would give us some figures about that?—Yes.

276. Will you do so, say for the last five years?—Would you like it both for convict and local prisons?

277. Yes. How do the warders apply in the first instance. Do they apply direct to the Commissioners?—Yes.

278. (*Sir J. E. Dorington.*) Do you advertise vacancies?—No, we have a list of candidates. They apply and their names are put down; their characters are thoroughly inquired into and sifted; they are then sent down to the governor of the nearest prison, who sees that they are up to the height and physique required; and finally they go before the Civil Service Commissioners and are passed.

279. What is the age limit?—24 to 42.

280. (*Sir Algernon West.*) Do you mean you keep them on as late as 42?—Yes.

281. (*Chairman.*) And when are they superannuated?—At 60 they can go. They may be superannuated before if they break down in health.

282. (*Sir Algernon West.*) Do the same rules apply to the female warders?—Female ages are different.

283. Are they appointed in the same way?—They are appointed in the same way.

284. (*Chairman.*) What are the ages of the women warders?—Various ages.

285. What is the age limit, I mean?—From 23 to 40.

286. Is it found necessary to bring in outside assistance for disciplinary purposes?—Yes, at the sessions and at the assizes.

287. Where does that come from?—We generally get old pensioners, or pensioners in the prison service. Very often they are pensioners in the prison service who are glad to come in and help. They are very useful men.

288. Are they paid at the same rate as the others?—They are paid 25*s.* to 30*s.* a week.

289. Will you turn now to "(C.)" in the reference "Prison labour and occupation; with special reference to the moral and physical condition of the prisoners." Can you hand in a statement or Standing Order which shows the classes and gradations of labour in the convict and local prisons?—Yes, the last report of the Commissioners. This gives the return of the earnings for each prison, and the gradations of labour for each prison.

290. You had better give us the reference, so that it may be put on the notes?—I refer to the Sixteenth and Last Report of the Commissioners of Prisons, Part II.

291. There appear three descriptions, generally speaking, of prison labour,—isolated labour, associated labour, and non-productive labour. Now, in the case of isolated labour in local prisons, what class of prisoners have to perform isolated labour?—That is in separate cells.

292. Yes; but what class of prisoners have to perform isolated labour?—Prisoners sentenced to one, two, and three months—up to four months and even more.

293. Up to three months?—Yes, up to three months.

294. And also convicts undergoing their probationary period?—Yes.

295. They have to be altogether in separate cells?—Yes.

296. Then in the case of short sentences complete separation is practically enforced?—It is.

297. Up to three months a man has no power, excepting in chapel, or in the associated ward of a hospital, of making any communication with other prisoners and seeing them?—I can hardly say that. A man who is a tradesman might, after the first month. The first month is the time when he is kept in separate confinement; but if we had a good tailor, or a good artisan, he might be employed, in the second month of his imprisonment on productive labour, and he might be put into a shop. Absolute separate confinement is necessary for the first month, but a prisoner after the second month may be put into a workshop on productive labour.

298. If he is a good man it is probable he would be put to associated work?—He would.

299. Under any circumstances are convicts put to associated work in local prisons?—No.

300. They are absolutely isolated?—For nine months they are in separation; and they do all their association after the nine months.

301. To what extent is associated labour practised in local prisons; that is to say, taking local prisons generally, what per-centage of prisoners would be put to associated labour?—A small per-centage. I cannot tell you exactly what it is; cooks, bakers, cleaners, gardeners, laundry men, laundry women, blacksmiths, and carpenters would work in association.

302. Then is that limitation due to the principle of of management or to the difficulty of finding the associated labour in the local prisons?—It might be extended if we could get more labour.

303. It would be extended?—I see no objection to extending it, but it would require more officers, a much larger staff than there is at present.

304. And an extension of workshops?—An extension of workshops and a larger staff. The rule is 10 per cent. of officers for prisoners in association and 5 per cent. for prisoners in separate confinement, so that we should require double the number of officers for all prisoners in association.

305. But in going over Wandsworth Prison the other day I was struck by the excellent arrangements?—Yes, they are.

306. At the same time it appeared to me that very few men could be set to work in the different partitions or workshops?—Yes, that is so.

307. Would not it be possible to employ a considerably larger number of men by having large workshops, where, for instance, you could set a considerable number of tailors or shoemakers to work?—Yes, but the great difficulty in association is to prevent the prisoners from communicating with each other.

308. Is not that rather a question of size and space?—Yes; there must be size and space and considerable supervision; there must be a large staff of officers.

309. So far as associated labour and its effect on the mind and health of prisoners is concerned, you would be all in favour of extending it as far as possible?—In the longer sentences.

310. Over three months?—Yes; I should say rather more than that; I should say over six months.

311. Is it your opinion that isolated labour in cells is a good training for a prisoner in the future?—We must have it as a deterrent; the early stages should be a deterrent in my opinion, particularly with short sentences.

312. Of course isolated labour is to a certain extent unnatural; is not that so? I mean it puts a man in a somewhat unnatural position?—Yes, but you cannot do very well without it.

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313. Does not it tend rather to make a worse man of him?—I do not think so.

314. Then does not one run some difficulty of confusing the different classes of prisoners. I can quite understand that with some men you ought to adopt this principle as a deterrent; but should it apply in the case of a juvenile offender or a first offender?—I think the question of juveniles is another question.

315. Then I will leave that out at present; but apart from juveniles, is not it possible that with a man who has from some possible cause been led to crime, and who probably will not commit another crime, the system works badly?—It may be said so; but it is very difficult to distinguish what a first offender really is. It very often happens that a first offender is quite as criminal as a man who has been convicted before.

316. However, you agree in the general statement that for long-sentence prisoners associated work, if it were found, would be desirable?—I think so.

317. What is you opinion of the system of non-productive labour?—Non-productive labour is not satisfactory.

318. It is purely penal?—It is purely penal; it affords no interest to the prisoner, which is undesirable.

319. Do the prisoners universally dislike it?—I cannot say.

320. Is there any prisoner who would prefer the non-productive labour to labour which is productive and which requires an equal amount of exertion?—I think a man would, as a rule, prefer productive labour, but there are a large class of idle men in prison who do not care much whether it is productive or whether it is not.

321. But still you personally do not look with favour upon the system of non-productive labour?—No, but I do not see how you can give anything else but non-productive labour to prisoners under short sentences.

322. You mean, if you gave him productive labour in a cell you would have to give him tools and put him under supervision?—Yes, there is not time to teach him; they are not in prison long enough for that, and in many cases they are incapable when they come in, and there is nothing left to us but the cell and first-class hard labour. I am far from saying it is a good thing, but it will be very difficult to find a substitute for it in short sentences.

323. In this connexion you are hampered by the restriction which followed the agitation as to prison competition against outside labour?—Yes, we are. If we could only get back the mat-making it would be something; it paid, and it was work that men could take up when they went out of prison. This has been taken from us, and we have nothing in its place.

324. I suppose that something like basket-making would do?—Basket-making is very good. We do a little of that now; we work for the Government Departments.

325. If that restriction were relaxed you would probably see your way to find substitutes for the non-productive labour which is used now?—I cannot say that, because you cannot teach a man in a short sentence to make a mat. There must be time to teach him.

326. Under the present system non-productive labour is a prevailing practice in the isolated labour department?—In the early stages, during the first month.

327. Would not it be possible to reverse the condition, and provide it only where necessary and where the prisoner was in such a state of health and mind that he could not work without it?—I do not think so.

328. Not in the first month?—No, I do not think so.

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329. Then do all first-month prisoners go to unproductive labour?—As a rule.

330. Practically, all of them do?—Yes.

331. Do you imagine that the hard labour of prisons is equal in its effect on the different classes of prisoners; I mean on the strong man and the weak man; on the young man and the old man, and so forth?—Weakly men are not put to hard labour if the doctor thinks they are unfit for it. Every man who goes into prison is examined in the reception ward by the doctor, who passes him for what labour he thinks he is fit for, either first class hard labour or second class hard labour, and his employment is regulated entirely by the doctor's certificate.

332. Do you think the prison rules and regulations tend satisfactorily to equalise the conditions of work and make the effect equal on all classes of prisoners?—Yes.

333. Would you say that sedentary work is not so satisfactory as work requiring active effort and out-of-door work?—Out-door work, of course, has its advantages, and, after a certain period, it may be used on the recommendation of the doctor.

334. Is it true that women prisoners who work at shirt-making or different classes of in-door work, generally show a larger proportion of refractory prisoners than those who are actually working in the laundry or in the kitchen?—I never heard it.

335. Now, do you consider that the present arrangement of supplying books to prisoners is satisfactory?—Yes, I think it is.

336. The control is practically with the chaplain?—Yes.

337. And the system is worked by the warder-schoolmasters?—Yes. There is a grant from the Government of about 1*s.* 3*d.* per head to provide books.

338. Does the chaplain choose the books?—There is a catalogue, and the chaplain can send the names of the books he wants to have put on the catalogue, and the Roman Catholic priest can do the same.

339. If the prisoners apply for any book which happens to be in the catalogue would he be given it because he asked for it?—Yes, if the prison had got it.

340. He is not shown the catalogue?—No; I think the practice generally is for the prisoner to ask the schoolmaster-warder or the schoolmaster whether they have such a book, and then he refers to the catalogue, and if he has it he gets it.

341. Would there be any objection to allowing the prisoner to see the catalogue, and choose for himself?—No. It is one of those details we should leave very much to the governor and schoolmaster.

342. But do you see any objection to allowing a prisoner to read pretty freely as he wishes?—He can do so now, so long as he is not at work.

343. I understood he was limited to one book a fortnight?—Yes, but there would be no difficulty about altering or changing the books oftener than is done now. Most prisoners read very slowly; but if a prisoner is an educated man, and a fast reader, there would be no objection to his having a change before the regular time for changing.

344. You do not hold that to preserve the deterrent effect of imprisonment it is necessary to punish a man by keeping him away from books?—No.

345. I do not know if you have seen an article by Mr. Morrison in the "Fortnightly Review"?—No.

346. Which deals with certain questions of alleged insanity?—I have not seen it.

347. His point is that the annual ratio of insanity in local prisons is rising, and he gives these figures: from 1875 to 1877 it was 113 per 10,000, and in 1890 to 1892 it had risen to 226?—Sir Edmund Du Cane has dealt with this entirely in a report to the Home Office. I hand you in a copy of his report which deals with the whole question.

348. (*Dr. Bridges.*) Has that been printed?—No.

349. Will you hand that in? (*The report was handed in. See Appendix VII.*)—Dr. Gover, medical inspector will, perhaps, be able to give you information upon it.

350. (*Chairman.*) Perhaps we had better reserve the question until we have read it, unless you have any particular information to give us?—No, I have not.

351. I should like to know how prisoners are treated who are suspected of insanity?—They are put under medical observation at once.

352. Are they isolated?—They are very often put in with two or three other prisoners in one of the large cells for medical observation. There are, perhaps, three together in a cell for observation; or in the hospital.

353. But a man whose sanity was suspected would not be put, for instance, to isolated labour?—No, he would not. He is brought under the doctor's attention at once.

354. I have no doubt that Dr. Gover in the case before us will have the full statistics as to prison life?—He will.

355. The questions of suicide, and so forth?—Yes. A Standing Order deals with the question of prisoners under medical observation; it might be of use to you.

356. Then it had better be put in?—It is Standing Order No. 134. (*Standing Order No.* 134 *was put in. See Appendix VII.*)

357. What is Dr. Gover's exact official position?—Medical inspector.

358. Does that mean that he is the superintending inspector or is he attached to the Commissioners?—He is attached to us.

359. And he visits various prisons?—Yes, he goes down to any prison where any question arises.

360. When was his office created?—I think about five years ago.

361. Then it was probably in consequence of the recommendation of the Royal Commission of 1878?—I think it was. It came out of that.

362. Practically he has that position?—Yes.

363. He visits prisoners, and medical officers consult him and so forth?—Yes, he may be required to go off at any time.

Adjourned to Thursday, the 5th July, at 12 o'clock.

SECOND DAY.

Home Office, Whitehall.

Thursday, 5th July 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq.; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., *Secretary*.

Captain STOPFORD recalled and further examined.

Captain Stopford.

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364. (*Chairman.*) I think you want to make a correction, Captain Stopford?—Yes, I should be glad to do so. In dealing with the question of overcrowding, I said in my evidence that Pentonville was the only case in which we had taken precautions against it, but occasions did arise at Holloway also. They are referred to in a memorandum by Sir Edmund Du Cane.

365. Just give us the date of it?—The 5th August.

366. Is there anything else you wish to correct?—With regard to the cell accommodation in Brixton Prison there are 493 separate cells. One other question you asked me with regard to what I considered was the proper number of prisoners for a chaplain; I said 350. I was under a misapprehension. I meant 600.

367. That is to say, that a chaplain could adequately get to know that number of prisoners under his charge?—Yes.

368. That is all you have to put in by way of correction?—Yes, that is all.

369. We come now to reference (*b*) "juvenile and "first offenders; and to what extent they should be "treated as classes apart"; could you give us the number of juveniles under 16 in prison?—I have called for a return.

370. I make it to be 114 under 16, and 2,393 between 16 and 21. That is in the Report of 1893 at page 23. That is in local prisons only?—Yes, adding the males and the females together.

371. Is there a table showing the numbers in the convict prisons?—Not in this return.

372. Will you turn to the Report of Directors for 1892 and 1893, page 35. There seems to be only one convict prisoner under 16?—That is right.

373. And 44 between 16 and 21?—That is right.

374. There are some interesting figures referred to in Sir Edmund Du Cane's book on "Crime" at page 199. Have you a copy of that book?—I have not.

375. Have you seen it?—Yes; it is with regard to Mr. Clay's figures, I think.

376. Yes. Mr. Clay makes out—and Sir Edmund Du Cane seems to quote these figures as worthy of note and does not dispute their accuracy—Mr. Clay makes out that 58 per cent. of prisoners first practised dishonesty when under 15, 14 per cent. between 15 and 16, 18 per cent. under 17, 18, or 19, and 20 per cent. under 20. That accounts, as far as I understand, for the whole of the prisoners?—That was in 1853, many years ago.

377. Perhaps you can explain that point; these figures account for the whole of the prisoners, and there must have been some prisoners who first commenced crime when they were over 20?—Sir Edmund Du Cane can explain it better than I can.

378. Can you give us any figures with regard to the proportion of boys and girls who after leaving reformatories and industrial schools continue to commit crimes?—No, the better way to get it will be from the inspector of reformatories, who would be able, perhaps, to give it you.

379. I do not know whether you are prepared to give the Committee any figures from the Commissioners with regard to the effect of recent changes in the law, and administration of the law, which have had a considerable effect upon the prison statistics, I mean the more general system of fines in lieu of imprisonment and the operation of the First Offenders' Act and the Summary Jurisdiction Act?—The general effect of the system of fines has no doubt been to reduce the prison population.

380. Have you any figures on the subject which you can give the Committee?—I have not, but they might be obtained. With regard to the First Offenders' Act, there is no doubt there has been a decrease. In 1890 there were 823 committals of males less, and 90 females.

381. Are you quoting from the returns?—Yes; from the 14th Report of the Commissioners. In 1890 there was a sudden drop, the First Offenders Act was passed in 1887, allowing time for it to operate, it is probable the decrease was owing to that Act.

382. According to the last return relating to the First Offenders Act, all over the country, there seems to be an increasing tendency to put it into operation. I see that the number of cases dealt with under this Act, were, in 1888, 614; in 1889, 924; and in 1890, 992?—Yes.

383. That naturally would have an immediate effect upon the prison statistics?—Yes, no doubt it would.

384. With regard to the Summary Jurisdiction Act, I understand that a return is being prepared to give us some information as to the operation of that Act. In your opinion is imprisonment as a punishment equally operative on old and young offenders?—I think not. I think it has not the same effect upon a boy's mind that it has upon an adult's. Boys do not take the same view of it, I think, as an adult does.

385. It is a new experience, and they have no sense of shame?—Yes, I think so.

386. Or less sense of shame?—Yes.

387. And therefore they do not look upon it as a deterrent?—Not in the same way as an older person would.

388. Would you say it worked equally between men and women. Do women have a greater or less dread of imprisonment than men?—I think women have a greater dread of it.

389. At the same time the proportion of habitual women offenders is larger than that of habitual men offenders?—I do not know that it is.

390. Is not it a fact that, in proportion to the number imprisoned (and of course less women are imprisoned than men) the number of habitual prisoners amongst women is considerably larger than it is among men?—I do not know it; but it may be so.

391. Could you give us any information as to the number of prisoners under 21 who might be called

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practically habitual offenders?—No; probably the information could be obtained.

392. What is your interpretation of an "habitual criminal?"—It is not defined, but all cases of theft, stealing, and crimes of violence and forgery, to a certain extent, constitute one.

393. But surely one would be inclined to define an habitual criminal rather by the life that he is known to lead outside the prison than by the number of his convictions?—And by the number of his convictions.

394. That is to say, if a prisoner, whether old or young, made it his business when at liberty to live by plunder or by crime, you might say that he was an habitual criminal, even if but one conviction was recorded against him?—I regard an habitual criminal as a man who is repeatedly convicted for some offence, as before described.

395. But it may be there are a great many habitual criminals who never have been in prison?—Would you mind referring to page 4 of the 15th Report of the Commissioners of Prisons, it would give you some idea of its definition.

396. Will you read it?—"Yes. "The diagrams "(Appendices Nos. 8 to 11) indicating the fluc- "tuations of the different classes of offences show "that the indictable offences of Class I. ('Offences "'against the person, including assaults') have fluc- "tuated very much, and have, on the whole, risen "during recent years, but that the summary offences "of the same class have fallen very much during the "last 16 years. Class II. ('Offences against property "'with violence') fell in a most remarkable manner "between 1867 and 1876."

397. These figures have reference to the general state of crime, and not to the particular question I was on at the moment?—The quotation goes on to say that the crimes enumerated in those three classes are such as are committed by habitual criminals, and then deals with various other classes.

398. But there is no classification under ages of these special classes of criminals, I think?—No, I think not.

399. I think you said you would draw up something in the way of a return to show the number of young prisoners in prison who may be called habitual offenders?—I will try to do so.

400. Have you got a circular, dated December 1893, which has reference to contamination? Have you formed any opinion as to whether, at the present time, there is what is generally called contamination as between old offenders and young prisoners?—There would be if precautions were not taken against it.

401. You think that sufficient precautions are taken?—Yes, we take every precaution.

402. You think contamination is not possible now?—I think not.

403. I have got before me a circular issued by the Prison Department of the Home Office, which is dated the 5th of December 1893. It runs as follows: "The Commissioners desire to impress on Governors "the desirability of guarding juvenile offenders in "prison from communication with adult prisoners. To "that end they should be located in cells where they "will be least likely to come in contact with the latter. "They should also exercise, receive school instruc- "tion, and be seated in chapel, apart from adult "prisoners. The Commissioners are aware that "these precautions have always been observed in "most prisons, but as there are some prisons in which "they have not been fully attended to, they call the "special attention of Governors to the need for "keeping them carefully in view." Now in chapel are these young prisoners kept right apart?—Yes, they are kept together.

404. But quite separate?—Yes.

405. What would be the distance between them?—They are generally kept behind the others.

406. But how near would they be?—There would probably be one seat between them. That is what we should expect the Governor to arrange. There should be at least one seat between them.

407. Have you reason to think that that distance is always kept?—Yes, I believe so.

408. Does that refer to prisoners under 16?—Yes.

409. But not to prisoners over 16?—That is left a great deal to the Governors. They know the boys and use their own discretion. They have got their instructions on the subject.

410. There is no standing order upon it?—I believe the instructions go up to 17.

411. Then a young prisoner who comes in for the first time at 17 would be placed with the ordinary prisoners?—No, he would be put with the juvenile class.

412. Up to 17 inclusive?—Yes.

413. Then a young prisoner of 18 would be a new offender?—Yes; but the Governor would be perfectly justified in putting apart any boy if he thought it desirable.

414. Still that is a matter which is left to the absolute discretion of the Governor, and there is no standing order or circular as to prisoners over 17?—No.

415. Then with regard to exercising. Are the younger prisoners up to 17 kept quite apart?—Yes, quite apart.

416. Would they be on the same exercising path?—No, they are generally exercised out of the ring. They have a separate ring to themselves, so that they cannot communicate with the older prisoners at all.

417. Are the exercising yards in all the prisons on pretty well the same system?—They vary in size. In some prisons they are much larger than others. It depends on the space we have available.

418. In some there are better opportunities than in others of communication?—Yes; in the larger yards we can keep them further apart.

419. But as far as your official information goes, you have no reason to think that there is any special evil at the present time?—I think not. It is one of those matters we are most particular about.

420. I think additional precautions were taken in 1879 and 1880. I think that has been considered in Sir Edmund Du Cane's book?—Yes, in 1879 and 1880 there were.

421. I rather gather from what you have said that the present system of equality of treatment does not in its effect work out equally on all classes of prisoners?—It falls less severely upon the habituals, an old hand takes it more calmly and does not think so much about it as a person who is in for the first time.

422. Then having regard to the purpose and object of imprisonment there is a certain failure, because of the unequal operation of the deterrent effects of imprisonment upon different classes of prisoners?—I do not know that it can be called a failure. A man who has been in prison often before feels it less than a man who is in for the first time and a good deal depends upon his previous class of life. A man who has never been previously convicted naturally feels it more.

423. Take the case of the young offenders. You, I think, said that the younger prisoners did not feel the same sense of shame as the older prisoners. They do not feel their position and do not feel the effects of the punishment in the same way as the older prisoners?—Yes, I think so.

424. You have that feeling on the one side, but on the other we know that the effect of imprisonment on a young person is infinitely more serious than he himself has probably any idea of?—Yes.

425. And that the real punishment to him is not the punishment which is being inflicted by the fact of his being in prison, but because of the after effects and the prison contamination which is put upon him for life. You will agree with that?—Yes.

426. Then is not it rather clear that having regard to the purpose for which imprisonment exists there is something like a failure with regard to the younger

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class of offenders in the sense that the actual punishment inflicted *qua* imprisonment does not adequately punish, perhaps for the offence committed, but the fact of their having being in prison is altogether far too severe a penalty to impose upon them having regard to the offence which they probably have committed?—Yes, for that reason I think boys ought not to be sent to prison at all. I think prisons are not places for boys under 16.

427. I do not know whether you have personally seen the resolution which was forwarded to the Secretary of State by the Society of Chairmen and Deputy Chairmen of Quarter Sessions?—I do not think I have.

428. That is dated Tuesday the 10th April 1894. I will just read it to you. It runs as follows:—"That "the word reformatory seems to be mis-applied as "regards adult habitual criminals. That in the case "of habitual criminals for a number of small crimes "the name penal servitude carries with it in the mind "of the public a more severe punishment than is "required to meet the necessity of the case, and the "question arises whether it might not be well that the "Secretary of State should be asked to make inquiry "whether for habitual criminal for small offences "some other term than penal servitude might not be "desired, and also some other treatment, so as to "separate this class of persons, whom it may be "advisable to detain for a lengthened period from "penal servitude prisoner." You agree, I think, that a special treatment might be arranged for young prisoners?—Yes.

429. This is rather the other side of the question?—It might be more desirable if incorrigible prisoners were treated in a separate prison, if possible, and kept together.

430. Either keep them in the existing prisons and move the young offenders elsewhere, or else keep the younger prisoners in the existing prisons and move the habituals elsewhere?—We could deal with the young offenders and keep them separate in prison, there are only a few of them, and put the habituals in another prison altogether under a severer system of discipline.

431. Do you agree with the view that the habitual prisoner who is constantly in prison for small offences and who is constantly suffering small terms of imprisonment is one of the most dangerous classes of offenders?—He is dangerous in his influence upon others.

432. But I understand this resolution to separate this particular class of habitual offenders from the more dangerous criminals, such as housebreakers, who are none the less habitual criminals, but who commit crimes which subjects them to long sentences of imprisonment?—Yes, if they are not habituals.

433. Do you agree generally that it is right to make the distinction between those two classes?—They might be treated together.

434. Then you are of opinion, as I understand it, that young offenders should be treated as a separate class from others?—Yes, up to 17.

435. Is not it the fact that after a boy or girl leaves a reformatory there is a time of great risk, and a proportion of that class falls into crime, and then there is nothing for them but to go to prison. Do you think that that particular danger might be met by the establishment of some kind of penal reformatory?—Yes.

436. Differing from the existing reformatories?—Yes.

437. And differing also from the existing prisons?—Yes.

438. Then up to what age would you be disposed to treat young offenders differently to the older ones?—I think it might be extended to 17, but the Statute limits it to 16.

439. Then taking the case of a lad of 18 who has been in a reformatory school and comes out, and who falls under bad influences and commits a crime, and is committed to prison, do you think that it is well to associate him with older criminals?—No, I think not. It depends a great deal upon the boy, whether he has been convicted before and the nature of his offence, I would leave a wide discretion to the Governors, they get to know the boys and their characters and habits, and if they thought it desirable that the boys should be separated they should be able to do it.

440. Would not it possibly be better to lay it down that there should be a certain class of young offenders, say, up to the age of 20 or 21, and that they should be kept as a class apart; but that the Governor should have a discretion if any of them were incurably bad and of such hopelessly depraved character that there was any danger of contamination as between those young prisoners and others, of sending them to the adult prisons?—I think the age of 21 is too advanced. Some of the worst characters are from 18 to 21; and the most troublesome. I would rather limit it to 18.

441. When you speak of the most troublesome prisoners of 21, do you mean that these possibly would be first offenders?—Not necessarily, many of them are not first offenders.

442. They would be rather those who were be coming habitual offenders?—Yes.

443. Who had probably been in a reformatory, and who probably had been in a gaol before?—Yes their proficiency in crime should be considered.

444. Look at it in another way. Supposing we take the age as suggested by you of 17 or 18, and that a lad of 17 commits a serious crime, and is committed to prison for two years or for three years penal servitude, would you suggest that when he reaches a certain age he should be transferred to the adult prison, or do you think if he has behaved himself in prison he should serve his time out in the prison for younger persons?—If he behaved himself well, I think he might serve that portion of his time in the juvenile class, if he is really well behaved. The more the well behaved ones are kept together the better.

445. Then with regard to this class we are talking about, you agree that it is desirable to make some change in the classification. Do you carry that further and say it would be also desirable to make a change in the treatment which you would apply to these young offenders?—I think not, I should leave the treatment as it is.

446. But we have already arrived at the conclusion, have not we, that prison, as such, operates very differently as between the younger offenders and the older?—It might be a question whether they should be put to first-class hard labour.

447. But I mean dealing with this particular class of young offenders it is most desirable to get a moral hold of them, to raise them up to a better idea of the duties of life, and so far as possible, to humanise and train them?—Yes.

448. Is not it possibly desirable to apply a somewhat different system of treatment to them as a class apart from that which you would apply to the hardened and habitual criminal in an adult prison?—The principle is worthy of consideration, but it would have to be carefully thought out.

449. Now with regard to first offenders mentioned in the reference, would you consider that the question of first offenders can be adequately dealt with by the First Offenders Act?—Yes, I think so.

450. Of course, to a large extent, it would be covered by any change which you made with regard to young offenders?—Yes, quite so.

451. Because first offenders as a rule are young offenders?—Yes.

452. With regard to a first offender of a somewhat advanced age would you propose any differential treatment so far as he is concerned?—This class might be located together.

453. You think that a man who has lived 40 or 50 years ought to have a higher sense of responsibility, and therefore, his first offence at that age is so grave that he deserves to be classed with the ordinary

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prisoners?—In the ordinary prison, but he could be kept entirely separate.

454. Supposing a man at 40 or 50 or, say, 60 or 70 is convicted of forgery or conspiracy to defraud of a very serious kind producing lamentable consequences on a large number of people, how would you propose to deal with that class of first offenders?—In the convict prisons we keep this class, if not previously convicted entirely separate, they work together and are kept distinct from the other prisoners.

455. And in the local prisons?—They are not so classed but the same principle might be tried.

456. In the local prisons, supposing a man was sentenced to 18 months' hard labour, he would be just put into the ordinary prison population?—Yes, there would be a difficulty in employing him separately in association.

457. (*Mr. De Rutzen.*) I have just one question to ask you with reference to the visits. Of course, it is looked upon by the prisoners as a very great privilege to have their friends visit them?—Yes.

458. You are well acquainted, I suppose, with the places where these visits are paid?—Yes.

459. They are only granted within a short time of the day. They have all to be done within a short time?—Yes, as regards Holloway they have.

460. Have you ever been present at a time when a visit has been paid?—I have.

461. Do you think that considering the noise which exists at the time it is satisfactorily done?—I cannot say it is; but it is the best arrangement we can make under the circumstances.

462. At times it is difficult, and almost impossible, to hear your own voice?—It is very difficult, owing to the number of visits going on at the same time. It is a difficult thing to arrange for them in any other way.

463. And considering the distance that there is between the visitor and the prisoner it is almost impossible for some people to hear what is said?—It is difficult.

464. And in many instances that would render the visit almost useless?—It is a thing that requires improvement if it can be improved, but there are great difficulties.

465. And the greater the number of prisoners, and, of course, the longer the row of cells or boxes in which they are placed, the more difficult it becomes?—Yes.

466. Now with reference to the Visiting Committee. That is one of the things that was saved (if I may use the expression) from the Act of 1865, and continued in the Act of 1867, when the administration was taken from the local authorities and handed over to the Government?—Yes.

467. Now I notice in the rules that there are very extensive powers given to the Visiting Committee, and that they may draw the attention of the Commissioners from time to time to any abuse which they may think exists, or they can appeal directly to the Home Secretary?—Yes.

468. As a matter of fact, do they make their reports to the Home Secretary in the same way that Visiting Justices used to make their reports to the Quarter Sessions?—They report to the Secretary of State direct; they do not report to us at all.

469. Are they called upon to report to the Secretary of State by any rule? It does not come under the Act; but under the rules they have very great powers given to them?—I believe they are instructed to send their reports in to the Home Secretary direct.

470. To make their reports yearly or quarterly?—Annually, I believe.

471. And when the Commissioners or the inspectors go down to inspect the prisons, I suppose they let the Governor know when they are going?—No, they are not supposed to do so.

472. Do they ever let the Visiting Committee know when they are going?—No; I cannot say they never do, they might occasionally have to meet the justices, but they do not do it as a rule.

473. Then the Commissioners and inspectors do not come into contact with the Visiting Committee?—No, not necessarily; they may.

474. Then every alteration of any abuse, if they find anything, does not filter through the Commissioners or the inspectors, but goes straight to the Home Office?—Yes.

475. Any complaint or abuse, if any, which the Visiting Committee have to find go straight to the Board, I mean?—Yes, it might, but generally direct to Secretary of State.

476. And the Commissioners do not come into contact at all with the Visiting Committee?—No, not necessarily.

477. And if they should suggest anything I believe you, as Commissioner, would receive some notice of it from the Home Office?—The Visiting Committee have a minute book in which they write their remarks, if they want to call the attention of the inspectors or Commissioners to anything they very often adopt this course, and a copy of it is sent up to the Commissioners by the Governor, but as a matter of fact they communicate generally with the Secretary of State. direct.

478. The Chairman has asked some questions and I will not put any questions upon the general principle, but I rather gather that so far as the labour is concerned in the gaol you are of opinion that the cellular system which has gained ground, and which is becoming general, perhaps, all over the world, is the best?—Yes.

479. That is with penal labour in the first part of it?—Yes.

480. Of course, there is no reason, I assume, why the penal labour should not be productive labour in the first part of it?—It is not practicable in short sentences.

481. But supposing you can?—There is no objection to it if it can be made so.

482. And in some prisons it is made so, is it not; of course it would depend upon circumstances?—The difficulty is in getting short sentence prisoners who can turn out productive labour, there is no time to teach them.

483. But there is some productive labour which requires no skill, for instance, pumping water and that kind of thing?—Productive labour of that kind could be done.

484. And in some places it is done?—Yes, grinding corn and pumping.

485. There would be no objection if it could be done?—No, but we can buy corn as cheap as we can grind it, or cheaper.

486. When you leave the first class of hard labour and go on to industrial labour, is it your opinion that industrial labour in that stage is almost the backbone of success in prison labour?—It is; the satisfactory working of present system depends upon it.

487. Then in what form do you consider that industrial labour could best be done, in association. After a certain time I mean, nine months, I believe, is the time?—Mat-making industries could be done in association or in the cells.

488. But at present quite apart from the question of economy in any way, under which system do you think it would be better for the prisoners and for the prison system, to have it in association like we will say at Wandsworth, in shops or in cells?—I see no objection to association in the longer sentences, or to men working in workshops, under proper supervision and on productive industrial labour with sufficient staff.

489. I am talking of it now quite apart from the question of economy, but do you think that that would be the more advisable course apart from the question of economy?—Yes, under conditions before mentioned.

490. How many prisons are there that have workshops?—All the prisons have something in the shape of a workshop.

491. But nothing adequate for it?—No, only in the large prisons. There are large workshops at Wakefield and Wandsworth and other large prisons.

492. But nothing like sufficient to give accommodation to the number of prisoners who may be found there?—Not for all the prisoners, and in smaller prisons where there are only very few prisoners it would be difficult to work them in association to any extent.

493. Is one of the drawbacks to working in association that they come to know one another so well by sight?—Yes, and there is the temptation to communicate and to talk, that, of course, leads to reports and to increased punishments.

494. It would increase the expense?—Certainly.

495. And if it were a better place to work in, association, of course, is the only way in which the money could be got back would be by the better system?—By productive labour.

496. Then the result of the productive labour and the better system, so far as prisoners are concerned, is that they would not return again?—Yes, by an extended system of productive labour we might hope that it would have that effect.

497. There is another class of prisoner—a person who is committed to prison for, we will say, so many months or weeks, or whatever it may be, in default of finding sureties. How is he treated?—He is treated as a prisoner, sentenced to simple imprisonment.

498. With no privileges?—With no hard labour.

499. Do you think that is good, considering the class?—I see no objection to it.

500. Considering those offences for which they generally would be obliged to find sureties and, in default, suffer imprisonment, do you think they are in any way entitled to special treatment?—I see no objection to their being treated as they are.

501. They have no special privilege?—They are just the same as the other prisoners, but they are not sentenced to hard labour of the first class.

502. Do you see any reason why they should not be?—I do not see any necessity to alter the rules.

503. (*Miss Orme.*) You told us about the method you had of appointing warders and officers generally; how do you appoint those that are going to take the direction in a workshop. Do you require any special technical qualification?—Yes, we should. For any person holding the position of an artisan or an instructor, we should go into the qualifications before his name would be put upon the list.

504. So that you would send a skilled master to look after a workshop?—Yes.

505. What system do you follow with regard to the laundries and kitchens and sewing-rooms for the women; do you send skilled instructors there?—In the large prisons, where they are employed in large numbers, they are all put under women warders who know something about it. We have no specially paid instructors.

506. For instance, in a large workroom like that at Wormwood Scrubs, would the head women there have been really technically instructed in cutting out, and in quantities of material, and so forth?—No, not technically instructed. The officer who knows most about it is usually selected.

507. Then in the case of the laundries, are they skilled laundresses who are put there?—They are not skilled laundresses. In the same way we get the person who knows most about it. We have tried to get laundresses, but there is a great difficulty in getting them to come into the service.

508. Do you advertise for skilled instructors in those cases?—No.

509. With regard to the employment to which female prisoners are put is there any distinction made between the life they are likely to lead when they leave the prison; for instance, whether they will return to their own homes or whether they will earn their living in a trade?—I think not.

510. There is no distinction made?—No.

511. Do you see any impossibility in distinguishing between those prisoners who are likely to go back to mere domestic work and those who have to earn their living in a trade?—You mean as regards labour?

512. I mean simply as regards labour. Supposing you have a woman in for two years, could a distinction be made according to whether she would return to her own home for domestic duty or whether when she went out she would have to earn her living?—In giving her a trade.

513. Yes, or would you always send her to the laundry or sewing-room in the same way?—If possible she would be employed at a trade if she wished it.

514. You think there would be no difficulty in making a distinction of that sort?—I think not.

515. But none is made now?—No, the employment is left to the matron. If a female prisoner wished to be employed at any particular trade with a view of taking it up when she went out, and spoke to the matron, she would arrange it for her if possible.

516. But are there any opportunities at present for female prisoners to learn any trade of that sort?—Not many.

517. Merely domestic work, laundry work, cooking and sewing?—Yes, I am talking of local prisons. In convict prisons it is different.

518. With regard to prisons where you get a large number of receptions such as Holloway, I suppose it is impossible to have any associated work. They are nearly all short sentences?—That is so.

519. You cannot use there, as a punishment, the withdrawal from associated work?—No.

520. So that the influence of the warders is more important than in other prisons?—Yes.

521. Do you make any difference as to the length of hours that the female warders work in those prisons of special difficulty?—No.

522. I suppose in fact the hours are rather longer when the receptions come in late?—Yes.

523. Would it be possible to make a difference as regards hours in prisons of special difficulty?—An increase of staff would be necessary.

524. You might have an increased staff?—Yes, it would be necessary.

525. In proportion to the number of receptions?—Yes.

526. I suppose it would be possible in a place like Holloway for a warder to be on duty from 6 in the morning until 12 at night, with a certain rest in the afternoon, if the receptions came in late?—I do not think the receptions come in so late as that.

527. But the settling them in cells takes time?—

(*Chairman.*) Perhaps Captain Stopford will hand in a table of the hours of employment both in the male and female wards.

(*Witness.*) Miss Orme is asking as to the hours of reception. They come in very late sometimes from the Police Courts; we could not give a return of the late receptions. It does not happen every day, but it sometimes prolongs the hours, and makes it late for the Governor and everyone else.

528. (*Miss Orme.*) In arranging for the payment of officers I believe they supply their own food?—Yes.

529. And the prisoners cook for those who live in the prisons?—Yes.

530. Is it possible for the officers to arrange so that they dine together in two's and three's. They can cater for themselves in small groups?—They have a mess.

531. But not necessarily altogether?—They have a mess room.

532. But they may arrange, for instance, that two of them should have a dinner, and that three of them shall have another dinner?—Yes.

533. Is it in accordance with the discipline of the prisons for prisoners who are on diet to cook all these various meals?—Yes.

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534. Do you think it is in accordance with good discipline that they should do so?—I think it would be better that they should not do it if possible.

535. I should like to know whether you approve of the present system of untried prisoners having no occupation at all beyond books?—It is desirable to give them occupation as far as possible; there is no reason why they should not do something, such as sewing.

536. There are certain difficulties, are not there, such as their demanding payment, and so forth?—The difficulty arises in fixing the value of their labour.

537. You think they might be met?—There is no reason why a prisoner awaiting trial should not be employed if she wishes it, in fact the rules provide for it.

538. (*Sir J. E. Dorington.*) Do you mean that the prisoner would demand payment?

539. (*Miss Orme.*) Yes, they can be paid for their labour but there are difficulties in the way of their having scissors and implements of that kind in their cells, but under certain restrictions there is no objection to it.

540. You think it is a thing that is worthy of consideration?—Yes, it is allowed by the rules.

541. (*Sir J. E. Dorington.*) With regard to that last question would you allow an untried prisoner to earn money in the prison from the Prison Commissioners?—The rules permit it; they are allowed to work if they like.

542. I do not think we quite understand from you the relations between the Commissioners as a board. You said that Sir Edmund Du Cane called a board when he wished, and that a Commissioner could call a board. There is no regular board meeting, I understand?—We have no fixed meeting, and now we are reduced to three it is almost impossible to have a fixed time for one.

543. Would these rules be the produce of a board?—Yes, they would be discussed at a board.

544. With every regulation that goes to a Governor?—So long as we keep within the rules the Commissioners give their own instructions without having a board meeting.

545. But the general orders for a prison would be the produce of a board?—Yes.

546. And the only directions you could give as Commissioners would be such as fell within the rules?—Yes.

547. You used the words "certified cells." That was a well understood word where the prisoners were under local authorities, but do you have your cells certified in any way now?—Yes, the inspectors certify them.

548. In your own prisons the inspectors certify cells?—Yes; no cell can be used unless it is properly certified by an inspector.

549. In fact, you certify also yourself that the cell is satisfactory?—No, the inspector certifies.

550. All the cells are your own property?—Yes, but a cell is not occupied unless it is certified by the inspector according to the Act of Parliament.

551. You consider that still applies?—Yes.

552. You have mentioned that at Holloway and at the other prisons in London overcrowding does not now take place, owing to special regulations. Is there no overcrowding in any of the provincial prisons, Manchester or Birmingham, for instance?—At Birmingham there has been, I believe.

553. Is there any reason why you should not disperse your prisoners much more largely amongst the empty cells in other prisons?—There is the hardship of removing prisoners a distance away from their friends, and it is not usual to remove them further than we can help. If there happen to be two prisons in a county or adjoining county, we should have no hesitation in removing them, but transferring prisoners to long distances is to be avoided as far as possible.

554. You think that is a grievance which the prisoners feel?—They do feel it, undoubtedly.

555. Worcester and Gloucester prisons being used for Birmingham purposes?—Yes, they might complain in that case.

556. Therefore, if local prisons are overcrowded anywhere, you think it would be necessary to enlarge those prisons, and not to make use of superfluous accommodation elsewhere?—There is an objection to enlarging prisons, over a 1,000 or thereabouts.

557. Quite agreeing with your view, and Liverpool Prison being full up, say, within 50 or 60 cells, with absolute uncertainty as to whether you might not have 100 prisoners come in, you would not like to reduce your Liverpool Prison to 200 empty cells by sending prisoners away?—Not to any great distance. The Act of Parliament allows prisons in an adjoining county to be alternative and we should not hesitate to use them to prevent overcrowding.

558. So far as adjoining counties are concerned, you think there is no objection to it?—No.

559. But by using the prisons of adjoining counties cannot you get sufficient room anywhere?—Yes.

560. So that there is no reason why Liverpool should be overcrowded?—Not if alternative prisons were used.

561. Do the Commissioners make use of their power to remove prisoners to a sufficient extent, and prevent occasionally a rush of prisoners causing the prisons to be overcrowded?—Yes.

562. With regard to the Prisoners' Aid Societies, do the Governors and the Prisoners' Aid Socities communicate freely with each other?—Yes.

563. You have said the Governor is well acquainted with his prisoners and tries to find out what is best for them?—Yes.

564. And he would communicate those views?—He would.

565. He would not be doing his duty unless he did so? That would be purely voluntary?—Yes, purely voluntary.

566. The Commissioners would encourage his so acting?—Yes.

567. So that the Prisoners' Aid Society would know what class of prisoners were coming forward?—Yes, their agents usually see them a month before they go out always.

568. With regard to what the Chairman has been speaking about as to the classification of young prisoners, will you give us a table of the prisoners between 16 and 18?—A return has been called for of juveniles in prison under 16, over 16, and under 21.

569. I should like to ask that that class between 16 and 21 should be broken up again into groups. I should say 16 to 18, and then I think there should be a class for 19 to 21.

570. (*Chairman.*) Yes, you should have them for each year?—For how many years?

571. (*Sir J. E. Dorington.*) Take it for each year from 16 to 21, and let us have the number of prisoners of those ages for the last five years.

(*Chairman.*) Including 16 and inciuding 21.

(*Sir J. E. Dorington.*) Sixteen is at present a juvenile offender. Then can you let us have a return showing how many of each age are first convictions, and how many are re-convictions?—Yes.

572. You consider that boys do not mind prison. On what ground have you formed that opinion?—From personal observation. I did not say they do not mind prison, but I said they do not mind prison in the same way as an adult, they do not take it so seriously.

573. Do you mean at the time, or when they come out?—When they come in.

574. Do you think that is the general opinion?—I am speaking for myself, it is my own opinion.

575. You said you thought a prison was not a proper place for boys under 16; does that refer to a long sentence or to a short sentence?—I think they are better out of prison under any circumstances.

576. What would you do with a boy under 16 who has committed a crime?—That depends upon his crime.

577. Say he has been picking pockets as a sample?—It would be better to birch him and send him out.

578. You would flog?—I would birch him.

579. Suppose he did it a second time?—I would birch him again.

580. Under any circumstances would you confine a boy under 16?—I think it is better not to send him to prison.

581. Then where would you send him?—To some other place, I do not think prison is the place for him.

582. But in a prison he does not come into contact with anybody?—No, but they like to be thought men, and they think it is rather a fine thing.

583. You think they get a notion that prison is rather grand?—Yes, I think so.

584. And you went on to say that for boys who had been to a reformatory school, and who then were subsequently convicted, of course getting up to a certain age that they should not go to prison?—I think they had better not.

585. But they would be about 17 or 18?—That, of course, would alter the circumstances; 17 and over 17 they should be sent to prison.

586. You suggested a penal reformatory which would be another sort of prison?—Yes.

587. Perhaps you are aware that reformatory managers have long desired that there should be a penal reformatory to which they could send their bad boys?—Yes?

588. And you think boys who have been at a reformatory and who are subsequently convicted should rather be sent to that sort of reformatory than to a prison?—It depends on the age, under 17.

589. Those must almost necessarily be older boys?—I think boys over 17 should be sent to prison.

590. From 17 they should be subjected to the same treatment in a prison?—Yes.

591. Perhaps you would like to make your remark that no boy should be sent to prison under 16, extend to 17?—Yes.

592. I suppose you are quite satisfied that there is no contamination in prisons as at present conducted until they come to long sentences and get together in association?—I can only say that we make every effort and take every possible precaution against it.

593. Practically you are very well satisfied yourself that it does not take place?—Yes, I think so.

594. And in your workshops in association you also think there is no harm?—Not under proper supervision. There would be danger if they were shut up together.

595. You think you have sufficient supervision in your workshops now to prevent communication?—I think so.

596. You have a very large number of prisoners at Wormwood Scrubs, and your workshops are not very large there?—No, they are not.

597. Would you like to make your workshops much larger, looking at the question of contamination?—No, I think they are sufficient for present purposes.

598. If the workshops got larger, the risk would become much greater?—Yes; without more officers. The more workshops and association are extended, the more warders must be employed.

599. But subject to sufficient warders, you think you might extend your workshops to any extent?—To a greater extent if labour could be obtained.

600. At Wormwood Scrubs, your workshops are adequate for employing all the labour which is available in a prison?—Yes.

601. So that you do not want to enlarge your workshops?—No.

602. Your workshops at Wormwood Scrubs are much more open and free for communication than they are at Wandsworth?—Yes; Wandsworth was taken over from the county. Wormwood Scrubs has been built since.

603. Do you think Wandsworth is of a better pattern than Wormwood Scrubs?—No.

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604. You do not express an opinion either for one or another?—No, they are both good.

605. (*Dr. Bridges.*) With regard to the question of the labour to which prisoners are set, at such prisons as Wormwood Scrubs, I think it is principally such work as making hammocks and ships' fenders, and mail-bags, and work of that kind?—Yes.

606. That forms a large proportion of the work?—Yes.

607. Is that work of much use to a prisoner when he is discharged?—He might earn a living at it, but it is not so much use as mat-making would be.

608. There is another branch of labour of which we have not spoken at all; that is, agricultural labour outside in the grounds?—Yes.

609. Have you formed a definite opinion as to whether that would be a useful kind of labour?—Yes, it is adopted in many prisons where we have large gardens. Vegetables are grown in most of the prisons, but it does not employ a very large number of men.

610. I observe that from the returns. Would not it be possible to employ a larger number of men at that kind of work?—Not without enlarging the prison gardens.

611. For instance, at Wormwood Scrubs, is not there a considerable amount of ground belonging to the prison?—No, only what you see the prison standing in; nothing outside it.

612. Does not the ground at the south belong to the Government?—There is only the ground that is within the walls.

613. But if there were more ground attached to the prison, you think men might be employed upon it?—Certainly, they could be employed on gardening. A certain number are so employed in most prisons.

614. If an unskilled labourer found his way into prison, would not that kind of labour be better adapted to his physical condition, and be a better training for industry when he leaves the prison?—Yes; in many cases.

615. I pass now to the position of the medical officer of the prison. I suppose he reports periodically?—He sends in an annual report.

616. To whom does that go in the first place?—To the Commissioners.

617. Does he also report upon special incidents that occur in prison?—Yes, he enters them in his journal.

618. And they come before the Commissioners?—Yes; and they come before the inspectors at their monthly visits.

619. Has your attention been drawn to the increase in the proportion of infirmary cases among the women in later years?—No.

620. I will illustrate what I mean. In 1880, for instance, the total number of infirmary cases appearing in the return was 1,011 among women, and in 1893 the number was 1,591?—What return is that?

621. I refer to a return in the report of the commissioners for 1879–80, and I compare that with the return in the report for 1892–93, the number of prisoners received into the prisons being rather greater in 1880 than in 1893. The number of infirmary cases in 1893 was 1,591 against 1,011 in 1880?—I do not know the reason, but probably the medical inspector might throw some light upon it.

622. That did not come specially before the Commissioners?—No, I think not.

623. No reason occurs to you?—No.

624. It will be found not merely to be peculiar to the return in the report of 1892–3, but also to hold good of the previous return of 1891–92?—I think the medical inspector will be able to explain it to you better than I can.

625. How are the warders, both male and female, who attend upon the sick in prison, chosen?—In the large prisons the warders are chosen from some knowledge of nursing, compounders are specially appointed in larger prisons.

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626. But I am speaking of those who attend upon the sick?—They have no special training. They put their names down for this particular employment, and the doctor chooses the best men he can get.

627. Are prisoners employed in attending upon the sick?—Occasionally, if it is necessary. If it is necessary to have a man to attend a patient who is dangerously ill it is done.

628. Then, it is not insisted upon that the attendant upon the sick shall be a trained hospital attendant?—No.

629. With regard to the question of overcrowding, I believe in the local prisons the cells are practically all much of the same size?—Yes, there are about 800 cubic feet for ordinary prisoners, and 1,000 for the infirmary.

630. You are well acquainted with the Portland Prison?—Yes, I have been there.

631. The cells in which prisoners are confined there during the time when they are not at work are very much smaller than that?—Yes, they are what are called sleeping berths.

632. They do not give much more than 200 cubic feet, do they?—220, I think.

633. Do not you regard that as a very small space?—Yes; as compared with the new ones, many have already been replaced by larger cells at Dartmoor of about 500 cubic space.

634. At Dartmoor would the cells be about the same size as at Portland?—Some of them. Two new prisons have been built there with larger cells.

635. It practically means you just double the space?—Yes.

636. I believe the plan with regard to labour is that for short term prisoners for the first week they are put on No. 1 diet, which is bread and water with stirabout gruel in the middle of the day?—Yes.

637. To what length does that go?—Seven days.

638. Would a man in prison for a month be for his first week upon that diet?—Yes, for the first seven days.

639. Have you had any reports from doctors to the effect that that was found injurious?—No, I have not, but it has recently been brought to my notice that the female prisoners in London reject the Indian meal in favour of oatmeal.

640. So that in fact a woman in London on the No. 1 diet for seven days might not even eat the whole of that?—They reject the Indian meal. On the other hand it is said that in the northern counties they like Indian meal, and that to tramps it is even attractive.

641. Might there be any modification in that according to the geographical position of the prisons?—To alter the diets would be a matter of serious consideration.

642. There is a standing order, I think, with regard to injuries that have been found when prisoners have been taken to lunatic asylums. Is not that so?—Can you give me the number of the order?

643. Perhaps Dr. Gover would know that?—Yes, I think Dr. Gover would be able to tell you better.

644. With regard to insanity breaking out among prisoners, do you consider that the proportion of those who are admitted in a sound mental state into prisons, and amongst whom insanity breaks out, is larger than that among the general population. I am not speaking of those who are found to be insane on arrival at prison and of whom there is no previous record that they have been found insane?—I have no means of answering that question.

645. I did not know whether that had been considered collectively by the Commissioners?—I think not. Dr. Gover would know more about it.

646. I was only anxious to know whether it had come specially before the Commissioners for their consideration?—No, it has not.

647. (*Sir J. E. Dorington.*) Have the Commissioners formed any opinion as to whether re-commitments are increasing in proportion to the convictions?—No, we have not.

648. You have not looked into that matter?—I have not.

649. Could you have the matter looked into for us, and find out what is the result of imprisonment at the present time as compared with former years. There is a table of re-convictions there?—Yes, at page 5, Diagram No. 13.

650. I think that only shows the population in re-conviction?—It shows the fluctuations in the estimated number of the criminal classes at large in prisons and in infirmaries.

651. Does "criminal classes" mean re-convicted persons?—No; I believe it means those known to the police to be criminal.

652. You are aware that the number of crimes in England, including the indictable offences, which are outside what are called "crime," apparently has very considerably increased?—Yes.

653 But the prison population has very largely diminished?—Yes.

654. And you would say that that is a very satisfactory result, providing that the criminality of our criminals has not increased by it?—Yes.

655. It is clear that that proves that a considerable amount of crime is punished in some other way than by going to prison, and if that is not injurious it is very desirable?—Yes.

656. The danger is that that may increase the number of re-convictions, that the criminals might be more hardened and more numerous. Do you think that is so?—I cannot say. I have not formed any opinion on the subject.

657. If you were to take the total number of convictions in any year or commitals, and deduct from it the number of persons more than once previously convicted, and then compare the numbers of second convictions with the total so found, you would know the proportion of persons who having been once committed to prison return again, and the proportions who having been once imprisoned never again enter a prison?—Yes.

658. Because no prisoner could be convicted twice unless he had been previously convicted once?—No.

659. I have taken that out for a couple of years and I think it is a return that we ought to have officially before us to enable us to judge whether our system is going on well. I have taken the proportion of second convictions on entering prisons and those not previously convicted, say in 1870, were 13·2 per cent.; in 1893 it was 12·4 per cent. That looks as if the system was a success; that although we are imprisoning very much fewer persons in proportion to the total crimes, yet the number of persons requiring to be re-committed is increasing notwithstanding that reduction. I think it will be well to probe that deeper. I want a return of the proportion of second convictions of persons entering the prison to those not previously convicted in each year, the reason being that it is clear no person can be convicted a second time unless he has been convicted a first time, and all the subsequent re-convictions must have been of persons re-convicted a second time, and if you once ascertain how many of those who are convicted come up a second time you will know whether your system of imprisonment is successful or not. That is one of the crying questions in France—the amount of recidivism which exists, I think these books do not give it to us, but they supply the means of getting it.

(*Dr. Bridges.*) We had better have the absolute numbers as well as the per-centages.

660. (*Sir J. E. Dorington.*) Yes. Then may I ask for that information to be afforded for every fifth year from 1860 to the present time?—I think we can get that. It will be for every fifth year since 1860.

661. (*Mr. O'Connor.*) What part of the administration comes specially before you?—I take my share in the different parts.

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662. Are you conversant then with the details of London prisons, for instance?—Yes.

663. You spoke of prisoners being employed occasionally only as attendants on the sick?—Yes.

664. You think the word "occasionally" represents the facts of the case?—Yes.

665. I was in a prison the other day and it was explained to me as a matter of course that the whole system was bound up with the permanent and regular employment of prisoners as attendants upon the sick?—Cooking, cleaning, and general attendance is all done by prisoners.

666. I am speaking of nursing the sick in the wards. Let us take another point. You have not much land at Wormwood Scrubs outside the prison, have you?—No.

667. How much land is attached to the Wandsworth Prison?—A considerable extent.

668. Do you know in whose hands it is for occupation or use?—A part of it is let or was let to a nursery gardener.

669. Does that meet with the approval of the Commissioners?—Yes. We have lately taken some of it for a cricket ground for the officers.

670. And with regard to the rest?—We should take it if we wanted it.

671. Do you think that is the best way of using it?—I think so.

672. But is it the business of prison authorities to farm out land for market gardening purposes?—We do not want it at present.

673. If you do not want it why do you not get rid of it?—We might want it for officers' quarters or for some other purpose, that is the reason we are keeping it.

674. You will build over the whole of that?—We might build over the whole or a portion of it.

675. Within what period do you think there is a reasonable possibility or probability of that being done?—That depends entirely on the money we have to spend.

676. Is there any maximum to the number of prisoners you would have in one prison?—No.

677. I mean for practical purposes?—I think that is in my evidence already given.

678. You would flog boys up to 17?—I would birch them rather than send them to prison.

679. Or even 17 rather than send them to prison?—Yes.

680. From 18, 19, and 20 you get sometimes some of the most troublesome prisoners?—Yes.

681. That is because they have got the spirit of youth in them?—Yes, no doubt, in some cases it is so.

682. After they have been in prison a good many years that spirit goes out?—Yes, I should think so.

683. I suppose spirit is not necessarily criminality?—I suppose not.

684. It may not be the object to crush out all spirit?—No, it is not.

685. Have you any improvement to suggest other than not crushing out the spirit?—Yes. It is not intended to crush out the spirit; one of the objects of the present system is to encourage and enable a prisoner to improve his position by good behaviour and industry.

686. I suppose some of the greatest hypocrites in prison are those who get the best marks?—Probably so.

687. Do they have Sunday exercise in prison?—Not in local prisons.

688. Why?—There is not sufficient staff for it at present. Half the officers go off on alternate Sundays to give them a holiday.

689. The absence of Sunday exercise is, I suppose, a blot on the system?—It would be better to avoid it if possible.

690. But there is not sufficient staff for it?—No.

691. Speaking generally of your prisons, are they sufficiently staffed?—They are for present purposes.

692. Except that you cannot give them Sunday exercise?—No, and if there was any larger extension of prison industries we should require more.

693. You have not the same proportion in your different prisons?—For separate prisons the staff is 5 per cent. of warders and assistants.

694. (*Chairman.*) When you say the staff is sufficient I think you said at our last meeting that it was necessary sometimes to bring in outside assistance?—In special cases, for assizes and sessions; but for ordinary purposes the staff is now sufficient.

The witness withdrew.

Adjourned for a short time.

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Mr. John Burgess Manning called and examined.

695. (*Chairman.*) You are the Governor of Pentonville?—I am.

696. How long have you been there as Governor?—Four years at Pentonville.

697. Where were you before?—I was eight years at Wakefield.

698. As Governor?—Yes, and about 17 years at Chester Castle as Governor. I was five years there as Deputy Governor and I have been in the prisons service since 1859. I was appointed Deputy Governor at Chester Castle in October 1859, Governor in 1865. I moved to Wakefield in August 1882 and to Pentonville in June 1890.

699. You have had before you the reference to the committee?—Yes.

700. I wish to ask you first some questions as to allegations about overcrowding at prisons. In your experience have you found that the available accommodation is insufficient?—To what period does that allude? Do you mean while I have been at Pentonville or during the whole of my prison experience? For four years I have been in London.

701. Then let us confine ourselves to that?—I have been obliged to apply for prisoners to be removed from Pentonville during that period.

702. Because there was not a sufficient number of certified cells?—Because I anticipated we might receive more prisoners than we had accommodation for.

703. As a matter of fact you have never had more prisoners than can be accommodated in the certified cells and the hospital?—No, we have three rooms which are certified for 19 beds in the hospital, and on one occasion I have been within one prisoner so as to have only one spare bed, but that was for one night only.

704. Have you had to put prisoners in the hospital who otherwise would not have been put there?—Yes, in the hospital cells. We have 38 cells at the hospital which are like ordinary cells, but they are at the hospital. They are certified in every way the same. Some of them have not the hospital beds, but the ordinary plank beds, and on that occasion I occupied the whole of those; in fact, I had only left seven beds vacant. We have a room nearly as large as this room where the medical officer sees the prisoners every day that have been received the day previous; and I directed to be made on that night six separate beds there, and I put an officer in with them during the night, who sat up, and who was visited by the officers on duty during the night.

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705. What year was that?—That was in 1893, I think on the 12th of December.

706. That was running it rather fine?—It was very fine. The next day we had a large discharge, and therefore I had 30 spare beds the next day. It was only for one night that I did it.

707. Do you imagine that the 17th section, sub-section 1 of the Act of 1865, is adequate under existing circumstances?—I think that was passed under different circumstances. It was applicable to each local authority, and at that time the prison for Middlesex was Coldbath Fields Prison. When that was closed the prisoners were removed to Pentonville, but I have now prisoners from other counties and other jurisdictions which would not have been committed to this prison. I get prisoners now from Essex, and also from Kent and Hertfordshire.

708. So that acting on this particular sub-section you would run some risk of not having sufficient accommodation?—Not acting strictly on the sub-section, because then it was only intended to provide for prisoners for a certain district in Middlesex; but now we have prisoners from the other counties.

709. But the practice of the Prisons Department is regulated still by this particular clause of the Act; that is to say, they take the average maximum for the five years?—Probably they may.

710. And they provide that there is an equivalent number of certified cells in each prison?—In one place or another.

711. In each prison?—It is so difficult to confine a prison now to a particular district. You cannot do it as you could under that Act of 1865. When that Act was passed every local jurisdiction was compelled to provide its own prison, but since they were taken over by Government we have a less number of prisoners; and we receive from other districts.

712. I understand that the number of certified cells in a local prison is governed by the first sub-section of clause 17 of the Act of 1865?—That was passed when every local authority was bound to maintain its own prison or to provide for its prisoners being kept somewhere else where there was an excess of accommodation, and when the Prisons Act of 1877 was passed the Government took over the whole of the prisons.

713. Subject to the regulations in the Act of 1865?—You cannot confine them to particular districts because there are now many counties where they have no prison at all. In your own county, sir, of Flint, there is no prison.

714. Certainly, but the number of certified cells does not have relation to the particular place where prisoners come from?—That was what the Act was passed for. There was no other way of sending to prisons when this Act was passed in 1865; because if you take the county of Middlesex were we are now sitting we have Pentonville Prison and Wormwood Scrubs Prison both in the same county; and you have also the City of London that was obliged to provide its own prison, which used to be at Holloway. Wormwood Scrubs was then a convict prison and although I have a large number of prisoners in custody (I have to-day 1,142) I know that there are 200 to 300 vacant cells at Wormwood Scrubs, and if I should receive an unusual number during the next few days I could get 50 prisoners transferred over there in 24 hours.

715. Have you seen this return which was issued last year on the motion of Mr. Morton?—I have.

716. Then the number of authorised cells in the second part of the term is calculated on the five years average of the greatest number of prisoners in each of the five years under section 17?—Taking the largest number of prisoners in that particular prison.

717. Yes?—Yes.

718. Then each prison is bound to have a number of certified cells equal to that?—Yes, no matter where they come from.

719. That is so?—Yes.

720. Then according to the working of that upon what you say it does not appear that that allows altogether a sufficient margin to provide against a large transfer from some sudden cause or another to the prison?—That is based on the extent of the requirement on the greatest number on a day for five years. Take, for instance, the last five years, take to 1893.

721. Excuse me; but do you say this return is based upon the greatest number on any one day in the the five years?—Yes, the first of the five years the greatest number was 1,171; in the next it was 1,165; in the next it was 1,185; and in the next it was 1,183. This is not from Mr. Morton's return because this is down to our present time. Then on the 30th of December last year I had 1,192 prisoners in custody. The 30th is the correct date; not the 12th, as I said before.

722. Mr. Morton's return is not based on that principle. It is based on the average of the five years?—On the average of the largest number for the five years, the maximum average.

723. It is not the maximum average; it is the average maximum in each of the five years; it is not the greatest number on any one day in five years?—Yes, for instance, in one year the greatest number in one particular day was a certain number; in the next year it was another number; in the third, fourth, and fifth years it was another number. You add those five together and divide by five and then you have got the average of the greatest number.

724. (*Mr. O'Connor.*) The average of the five numbers, each being the highest number for a particular year?—Certainly, and the average for the last five years is 1,169. We have 1,174 separate cells in Pentonville Prison.

725. (*Chairman.*) In addition, you have how much accommodation in the hospital?—For 19 prisoners, that is in association, in three rooms. There are 38 cells in that 1,174 that are separate cells, which are, of course, always available to sleep a man in.

726. How many associated rooms have you in the hospital?—Three.

727. Holding how many?—Nineteen prisoners.

728. Do you approve of the system of association?—No.

729. Under Rule 26?—That is separate cells with three in a cell. I think that is most objectionable. At Pentonville Prison we never put three in a cell, although it is allowed. According to my experience, I think it most objectionable.

730. Will you state the reasons for that?—I am afraid it is difficult to state them. There is always a fear of something going wrong. For instance, one man being asleep and two awake.

731. Is there any special arrangement for the inspection of such cells?—We never have them at Pentonville.

732. So that it really does not come in there?—No.

733. How is it that that system is not worked at Pentonville?—We have never been forced to it. We have always had separate beds for all the prisoners we have had there; that is occupying the 19 beds in the rooms at the hospital.

734. Assuming you have the same class of prisoners as you have elsewhere in other prisons, it is alleged that you have a certified number of epileptic or diseased prisoners, whom it is not safe to put into solitary confinement. They are, therefore, put, under this rule, in association of not less than three on the recommendation of the medical officer?—Yes.

735. Then do I understand that the medical officer at Pentonville has never recommended that they should be so associated?—Never. If a man is required to be associated, he is put in one of those associated rooms where there are lights all night and an officer always on duty.

736. But in the case of an epileptic prisoner?—He would be there, if the doctor thought his case sufficiently severe for that kind of treatment. Many men who come in say they are epileptic, but, while they are

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there, they have no fit. A man is put into the padded cells so that he may not injure himself with falling, and the light is left burning, and the men are visited almost continuously both night and day.

737. You state that you have a very strong opinion against this system of association?—Yes.

738. And you have indicated generally on what that is founded. Where have you had practical experience of the dangers and evils of that?—I had that at Chester. The accommodation was small at Chester. When we had religious riots at Birkenhead, about Garibaldi and the Pope, we had large numbers committed there, and also at the time of the Colliery riots at Dukinfield and Ashton-under-Lyne, and then I received the whole of the assize prisoners, and we were obliged to put them in association and to put three in a cell to find accommodation for them. My opinion is that it is most objectionable. I used to have the men quarrelling and fighting when they were three in a cell.

739. Have you had experience of that kind subsequently at Wakefield?—No, we had ample accommodation there. It accommodated something like 1,700 prisoners; but from the time the Commissioners took possession they reduced it by distributing some of them and sending them to the nearer prisons. That reduced the number, so that when I went there we had never above 1,000, and when I left we had only about 600 prisoners in.

740. You would be in favour of the complete abolition of this three in a cell system?—Certainly, most decidedly.

741. (*Mr. O'Connor.*) Your objections to three in a cell would be the same as your objections to two?—Two is not allowed. That is illegal.

742. But the objection would be the same?—Certainly.

743. (*Chairman.*) Now with regard to the question of visits to prisoners and communications with them, are you satisfied with the working of the existing rules?—Yes, I have no occasion to find fault with them.

744. You are not of opinion that it would be wise to allow a freer system of visits, where the responsible authorities are satisfied that a visit could do no harm and might do good to the prisoner?—You are not speaking now of prisoners' friends, are you?

745. I am speaking of any visits?—By people who fancy they have a mission for doing good among the prisoners?

746. Yes?—No, I think we have ample means of doing that good. We have two chaplains, a Discharged Prisoners' Aid Society, and we have a gentleman from the St. Giles' Christian Mission and we have the Salvation Army people.

747. At the present moment I am speaking rather of the earlier period, and not of the period before discharge. Take the case of a man who is sentenced to 18 months or two years. I suppose that the representatives of the Discharged Prisoners' Aid Society would not come until within the last month?—No.

748. Then, so far as the earlier period is concerned, you think that the existing system is sufficient, and that it would not be desirable to extend facilities for visits to prisoners?—That is my opinion.

749. Do you personally go round every day?—I do.

750. Do you see every prisoner?—I do not. I see about half the prisoners. I have a Deputy Governor, and we each exchange wings alternately, so that I go to half one day and the deputy goes to the other half, and then I follow him the next day, but any prisoner who wishes to see me, applies in the morning to the officer, and he is brought down to the office where I hear complaints and applications.

751. Is that system of exchange generally done according to your experience?—Generally, where there are deputies. I did the same in Wakefield when my deputy shared the duty with me and I found it in operation in Pentonville and have continued it.

752. Would the same system be applied where there is a chaplain and an assistant chaplain?—They divide according to their sentences generally. One will take the long-time prisoners, say, of three months and over, and the assistant chaplain will generally take those for under three months.

753. With regard to the Discharged Prisoners' Aid Society there was a circular issued I think from the Home Office at the end of last year?—Yes.

754. Which was to be handed to prisoners before their discharge?—Well, it was stated that prisoners were to know of it before their discharge. We have had a notice put in all the cells that anyone wanting assistance must apply a fortnight at least before their discharge. Those circulars have not been withdrawn.

755. Is this circular only given on application by the prisoner?—The others are in their cells. We have a small notice. I have not withdrawn them from Pentonville, I found them in use there.

756. You mean the old notice?—Yes.

757. I understand rather that this circular was to take the place of them?—Well it was, but I have never been clearly informed whether there was to be a copy in every prisoner's cell. I have not received enough of them to put them in every cell, but I think it was stated that the prisoners were to have it put where they could see it, and they cannot see it except in their cells, because you cannot have them stopping in the corridors; and to have it put up in the lodge when they are coming out is perfectly useless.

758. Have the prisoners any opportunity of seeing a list of the societies which may give aid?—No. I think that circular directs that it shall be the Discharged Prisoners' Aid Society in connexion with the prison, but that society may refer it to others if they think fit. My experience is that they never refer one to another. There is a little jealousy between them, I think.

759. Then this circular puts the responsibility on to the Discharged Prisoners' Aid Society?—Yes.

760. And then that society can communicate, if it is desirable, with certain other agencies?—Yes.

761. That is to say, it leaves the whole discretion in the matter to them?—It does as far as that circular goes. They may have communications with other Discharged Prisoners' Aid Societies, but they do not refer one to another in the same prison.

762. Do you see any objection to putting a notice in the prisoner's cell that before his discharge he can, if he chooses to apply for it, be supplied with a list of all help agencies, and that he will be allowed to choose the agent of any particular society?—I do not see that there is any objection to that, but it is only the experienced prisoners, who have been in prison repeatedly, that would know the difference between these societies; and I find they frequently try to get the benefit of both societies at Pentonville. A man will put his name down at Pentonville for the Discharged Prisoners' Aid Society. It is never refused. If I can recommend it I do so; but if I think there is no hope in the man's case I send it to them; if I cannot recommend it I submit it to the society and let them deal with it. They are the responsible people. The applicant will often make an application to see Mr. Wheatley, of the St. Giles' Christian Mission.

763. I understand you see no harm in supplying a list to prisoners if they wish for it, nor to allowing them to see any one gentleman of any society they please?—Not the slightest.

764. The question has been referred to us as to whether the existing arrangement under which where there are over 700 prisoners there should be a Deputy Governor. It has been referred to us as to how that system works. Have you any views on the subject?—Well, with 700 prisoners, I should like a deputy.

765. Do you think 700 is a right division to make?—Well, I cannot exactly say. That is a subject which I have not thought about. I should like a deputy with 600 prisoners.

766. Perhaps you would like a deputy with 200?—No, I should not care about a deputy with 200. My numbers got down to 600 at Wakefield, and the

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Deputy Governor was transferred. I made no objection to that, because I visited the prisoners myself.

767. You managed 600?—Yes.

768. But that would be about the limit?—Yes, I should not like more without a deputy.

769. Do you think it more desirable to have two prisons of 600 or one of 1,200, in the interests of the prisoner and the supervision by the authorities?—I should prefer one prison of 1,200 with a Governor and a deputy. That is, taking such prisoners as we receive at Pentonville, because it is only a few of them that want attention. 12,341 prisoners, I think, I received last year, and above half of those were for 14 days and under. 12,341 was our gross reception last year, and 6,300 odd of those were for 14 days and under.

770. Have you any view upon the practice of appointing to the charge of a prison a chief warder where the number of the prisoners is below 100?—The present practice is 100. I think that is going rather high. There should be some few small prisons for men who are chief warders to look to get the governorship of, I think; but I do not think it is wise to extend it too far, although I am a man who has risen myself.

771. Do you give that opinion upon your own observation?—My own observation is, that I have had with me, men that have passed on to be chief warders in charge, and I know that some of them were, I may say, almost so illiterate to a certain extent, that they would be to a great extent at the mercy of their clerk as far as official correspondence went. Then I know that in some prisons they have met with some little opposition from the chaplain and the surgeon who have objected to receive their salary almost from an officer that was compelled to wear a uniform.

772. Are the warders in charge compelled to wear a uniform?—Yes.

773. What kind of uniform do they wear?—An ordinary chief warder's uniform.

774. With any distinctive mark?—Not for being in charge. It is an ordinary uniform of a first-class chief warder, and whenever he is on duty he is supposed to wear that uniform. I know I had one—a very good man—who was in charge of a prison that I will not name, and I know he had a good deal of unpleasantness both with the surgeon and the chaplain.

775. That would not necessarily show that he was not fit for the position?—No, it was rather a large prison. It was close on 100 prisoners, and I think they did not like it.

776. Do you think that the general system of punishment is satisfactory?—I think so.

777. You have no proposal to make for any change? No. I think that our present powers if used patiently and fairly and with discretion are sufficient to meet all cases.

778. Are you in favour, as a matter of general principle, of light punishments?—Yes.

779. And short?—Of light punishments, and short but progressive. If a man is brought before me for not doing his task after he has been shown it and has had time to acquire knowledge of the work, the first time I generally caution him. He will say perhaps, "I cannot do this," but I say to him, "we know from "long experience better than you can what can be "done and the law is that you must do it. If you do "not you will compel me to punish you, but this time "I will let you off with a caution, though you must "remember that I shall not be able to do it again." Many of them go back to their work and do it like men, and if a man comes again I give him the least punishment I can. If he is a man for more than a month and certified for first-class hard labour, I order him to earn a few extra marks in the first stage, but if he is a short period man, for less than a month, I have no alternative but to give dietary punishment and all I can do is to alter his diet. The rules say I may alter it for one day, but I generally give it for three-quarters of a day in the first instance. I rarely go to the extent of my power with regard to the No. 1 punishment diet, and I think I have never gone to the extent allowed me with either No. 2 or No. 3.

780. Have you been fortunate in the punishment record at Pentonville?—I do not quite grasp your question.

781. Does Pentonville show a favourable record with regard to prison punishment?—I am not certain. I have not compared it carefully with others.

782. But you have not had any particular difficulty in controlling it?—No, I have not. I have got a deputy governor who had seen nothing of prisons before. He has repeatedly expressed his astonishment that the prisoners were as well behaved as they are.

783. Coming to the cases where you think a more progressive punishment is necessary, are you in favour of making it short and sharp?—With dietary punishment you cannot go to any great extent. I am limited to three days. I can give three days bread and water diet, but I never do that except for very bad cases.

784. Are you in favour of flogging?—No.

785. Have you often had occasion to flog?—We have a good number at Pentonville. At Pentonville the Visiting Committee orders flogging in nearly every case I bring before them where they have the power and the prisoner is certified as fit for it.

786. Do you approve of that?—I do not personally. I am sorry to see it inflicted, and I generally tell prisoners so. We have prisoners of contentious character, who seem ill at ease with their surroundings and who seem inclined to fight, and I tell them if the effect of my conversation with them is not sufficient that I shall send for a magistrate and that they will be flogged. I tell them it is a painful and degrading punishment and one which I am sorry to see inflicted, but I cannot help it if they will not conform to the rules.

787. (*Sir J. E. Dorington.*) What punishment do you want the magistrates to give?—They have power to alter the diet. They can give a longer period of No. 1 diet.

788. (*Chairman.*) Do you think from your experience that magistrates are more inclined to inflict severe punishments than Governors are?—I think so.

789. Do you think the system of punishment in local prisons by Visiting Justices answers well?—Yes, I believe it does. I have nothing to say against it. We have reports, and although I have 1,100 prisoners in custody I have frequently not a single report.

790. Do you think the power of the Governor is too limited?—I do not think it is. I think it is quite sufficient if used with judgment and discretion.

791. You would not be in favour of any further limitation?—No, I think not. I like to have the power to tell the prisoners that I can go to greater lengths if they compel me to do so. I think it has a deterrent effect.

792. (*Sir J. E. Dorington.*) You have the punishment cell as well as the dietary to rely upon?—We have really no punishment cell at Pentonville.

793. A partially dark cell?—No, I have no partially dark cells. The only ones we have are cells with three doors to them, and if a man is noisy we put him there, and he does not disturb the other prisoners. The squares of glass in those cells are smaller, so that, even if he is inclined to do it, he cannot break his windows and do so much damage. The magistrates order a dietary punishment sometimes in the punishment cell, and then we send them down to these strong cells.

794. (*Chairman.*) Do you fully approve of the existing mark system?—Yes.

795. That works quite equally among prisoners?—Yes, I think it does.

796. I mean, for instance, a physically weak prisoner is able to earn as many marks as a strong prisoner?—Certainly; all those facts are taken into consideration, and they are not put to anything unless the doctor certifies them as fit for it, and a weakly prisoner on entering is seen at once and brought to

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my notice, and he gets his eight marks, his full marks, if he does his best.

797. They have all exactly the same advantages?—Yes, no matter what their physical condition or previous circumstances may have been.

798. Have you formed any opinion as to whether the best warders come from the military and naval classes or from the civilian classes?—I prefer the military men, because we get the pick of military men for the prison service. No military man is looked at unless he has a six years' good character. He must have been discharged with six years' good character, and then they are more alert than civilians. They know the importance of strict obedience to all orders, and some of the men that we get are remarkably good. We have about an equal proportion of military and civilians at Pentonville. I think we have a total staff of 100 all told, and I think we have about 46 that have been in the army and navy, and the remainder are civilians.

799. But, on the whole, you think that the warders drawn from the military and naval class make the best warders?—Well, we get very few naval men. I do not know very much of naval warders. I have had one or two mercantile marine men, and I do not prefer them, because they are noisy, shouting fellows, and I do not like any noise in my prison, and I forbid any officer to put his hand on a prisoner.

800. You prefer the warders from the military?—The characters being equal, I should take the military man in preference to the other.

801. Then you are not disposed to think there is any evil arising from what has been called "militaryism" in the newspapers?—No; I have seen that statement in the papers, but I do not think there is anything in it, as far as my experience goes.

802. In giving that answer do you take into consideration all classes of officials in prisons, Governors as well as warders?—Yes, I do. At present we are generally getting military men as Deputy Governors, and I know that the strictest inquiry is made as to their antecedents, their treatment of men, and whether they have been in difficulties of any kind, also their temper and disposition, before they get appointed—they are sent to a few of the large prisons where they are under an old Governor, and where they have a lot of experience before they go to take charge of a prison. I can tell you a tale of the old days when a particular prison governorship was considered the plum of the service and half a dozen Governors were selected after careful inquiry by the Visiting Justices, but when the matter came before Quarter Sessions a gentleman who had had nothing to do with the prison before, whipped up the whole of the County Magistrates and they put the whole of the six Governors on one side and selected him as Governor, the result of which was that the Committee resigned in a body. Take my own case. I was a Deputy Governor for five years and a candidate for the governorship of Chester Castle. I sent a circular round and I said I could not from my position canvass the magistrates for the appointment. An adjutant who was stationed at Chester Castle was also a candidate, and the whole of a bench of magistrates voted for him because I had not canvassed them for their votes, although I had sent a circular round. That was the old style of appointment.

803. You think there has been considerable improvement since then?—I think so.

804. Do you think the hours of labour are too long?—No, I do not think we could manage with less hours.

805. Do you think they would be more efficient servants if their hours were shorter?—I do not think they would. I have 85 subordinate officers, and I do not know that there is a more respectable or better looking lot to be found in London. It is very rare that any of them come late, though they have to be there by 6 in the morning; then they have breakfast and dinner and leave at 6 in the evening, and there is no complaint to make.

806. (*Sir J. E. Dorington.*) At what time do they come in?—At 6 in the morning. You will always find some dissatisfied men who are agitating, and I know that there were some persons that were agitating and trying to get up an agitation for shorter hours, but my officers did not join in it.

807. (*Chairman.*) I am afraid that is a common practice now?—Yes. You were speaking about visiting. I thought, perhaps, you were going to speak about the ordinary visits to prisoners.

808. I was speaking generally of the existing system and as to whether it should be extended?—I was thinking of ordinary visits to prisoners, where their friends come to visit them.

809. Have you any view on that?—Yes, I have thought that after the first three months they might get a little more indulgence.

810. That is what I rather wanted to get at?—A convicted prisoner must wait for three months before he can get a visit. A trial prisoner can be visited every day and he can write a letter every day.

811. You would allow rather more latitude in that direction?—I think so after the first three months.

812. Subject to the discretion of the Governor?—And the prisoner's conduct.

813. And as to the character of the visitor?—Of course, the Governor always has power to refuse admission to objectionable visitors, and I do refuse them. If they are men that have been repeatedly convicted and recently discharged, if they come to see a friend I tell them it is only intended for respectable friends. I explain it to them and they are always satisfied, and I never hear anything more about it.

814. Have you anything more to state on that point?—No, trial prisoners, I think, get everything they can expect. I think that bailing might be used with advantage more freely for trial prisoners and that a man might be allowed out to earn something for his defence when his trial comes on. I know that is done largely in Sheffield. Mr. Jackson (Chief Constable) is a man of great experience and tact, and a man must be a very bad character who is committed for trial if he does not get the opportunity of bail if anyone is willing to be bail for him. I was there for eight years and we had hardly a case of estreated recognizance. The men turn up there and take their trial, and if they get their term commence to serve it.

815. I come now to (*e*) in the reference, regarding prison labour and the health of prisoners. To what extent do you have associated labour at Pentonville?—To a very small extent. Do you call the treadmill associated labour, sir?

816. Well, I can hardly say without having seen how it is worked?—There is no opportunity of talking. It is in a large room like this and the cells are on each side.

817. It is not in cells?—They are in partitions but open at the back.

818. (*Sir Algernon West.*) There is a kind of wings between each prisoner and the wheel?—Yes, there is a wooden partition.

819. (*Mr. O'Connor.*) They cannot see each other?—Not when they are working, except when they come down to rest.

820. (*Chairman.*) That would be called associated labour.—We have that, and we have the bakers in association, and we have a workshop where we employ joiners, tinners, blacksmiths, and plumbers. In the washhouse they now wash in boxes and there is a flap to the door there, so that they are more shut in than the mills are. We have some few in the grounds, such as gardeners, but they are generally scrofulous men, or men to whom the doctor's attention has been called, and they are generally put out as gardeners. They, perhaps, have swollen glands, or something of that sort.

821. What per-centage of prisoners would work at associated labour?—Including the mill; I suppose we have about a quarter of our prisoners at it.

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822. Have you any official definition of associated labour?—No. Well, where men are together; where they are not separated in their cells. "Associated" or "cellular" is the only distinction, and we have no space at Pentonville for much outside labour.

823. You would be glad of more associated labour of an industrial kind?—No, I do not think it is well to have the men work in workshops. The experience of those has always been bad. The men will communicate and can communicate, and if ever I have a complaint made of people writing letters, getting pieces of metal, or pieces of a joiner's pencil to write with it is generally from men who are working in association.

824. Those are drawbacks; but, on the other hand, are not there considerable advantages?—I do not know that there are.

825. Would not it humanise the prisoners rather more?—I cannot say that it does. The old hands—men who have been in repeatedly—always crave for association and try to come where they can get the opportunity of talking with others, whereas the respectable man, the timid man, who comes into prison for the first time, is glad to get away from everything and away to his cell, so that he may not be recognised.

826. Then would you be in favour of extending industrial work in isolation?—I would employ them in their cells if I could.

827. Are you in favour of non-productive labour?—No, of productive.

828. Would you wish to abolish non-productive labour?—I should be glad to see it abolished; but we have really no non-productive labour. Oakum-picking brings in something, though not much, and our treadmill we grind corn with.

829. Have you no crank?—No.

830. You have no unproductive labour?—No.

831. (*Sir Algernon West.*) I suppose the treadmill grinds corn?—Yes.

832. That is merely a means to an end. You could grind the corn with far more economy?—Well, there would be an expenditure on fuel. You would require fuel and stokers, and such things, if you were to do it. At Wakefield it is used for pumping water. They pump the water for the prison with it.

833. (*Chairman.*) Then how do you provide labour for prisoners when they are admitted?—When they come in at first do you mean, sir?

834. Yes?—We generally put them to oakum picking for a day or two. That is a stop gap in all prisons. It is a thing you can put anyone to, and a month's man cannot do much else, because if he is certified for first-class hard labour he is put on the mill for six hours, and he has only a portion of his time left for oakum picking. As soon as he gets 224 marks he gets off the mill, and then we learn him anything we can do for the Government. We make letter bags for the Post Office, and coal sacks for the Navy.

835. The view has been expressed to the Committee that in the case of a certain number of prisoners on admission it has been found that they are physically unfit for labour requiring any skill?—They are undoubtedly.

836. And that even oakum picking is rather beyond them, and that the only thing for them is the crank?—We get them all to pick oakum. The crank is perfectly useless.

837. Your experience shows that you can set prisoners to work on admission without the use of what is called non-productive labour?—Certainly. You will find every prisoner employed the day after his admission into Pentonville Prison. He will be picking oakum or something.

838. What is the maximum number of hours in hard labour?—Ten, but we do not take more than six at the wheel. We are limited to six hours at the wheel in first-class hard labour, and the only first-class hard labour we have is the treadmill.

839. Do you think that maximum is too large?—No.

840. There is no danger from it?—No, I do not think there is.

841. You, of course, have had experience of the withdrawal of mat-making and other industries from prisons?—Yes.

842. Did you think that was a misfortune?—I think it was a great misfortune. I was sorry to lose it as a prison employment. I looked upon it as peculiarly a prison employment.

843. You would like to see it introduced again?—Yes, I should like to see it introduced again.

844. Any extension of a suitable industry you would welcome?—Yes.

845. Now with regard to the system of distributing books. That is in the hands, as I understand, of the chaplains and the schoolmaster warders?—They do it; but the order is that the prisoner's books are to be changed once a week, and that is done strictly.

846. That is not the universal system. It is once a fortnight, is it not, in some cases?—No, it has been once a week for some time. I think it is an order from the Commissioners.

847. At all events it is once a week in Pentonville?—Yes.

848. Would you be in favour of allowing prisoners within certain hours to read as much as they liked?—Well, we could not exchange the books oftener than once a week where there is such a large number to exchange. When a man has done his task or when he is having his meal he may read, but he must not neglect his work for the purpose of reading.

849. Has he his book in his cell?—Yes, certainly.

850. He is liable to be inspected?—He is continually inspected. Officers are continually going round and seeing how they are doing their work.

851. If it were practically possible and provided it did not interfere with the prison hours of labour, you would be in favour of allowing prisoners to retain suitable books as much as they liked?—I do not see any objection to it, but we could not, I think, change them oftener than once a week.

852. That is a practical question?—Prisoners will come and say "I have had this book before and I "have read it." I will say "Who is it by?" Perhaps he does not know. "What is it about?" He cannot tell. I tell them that books are given for their improvement and not merely to skim through; but when once they have read a book through they ought to be able to pass an examination upon it.

853. (*Mr. O'Connor.*) What do you understand by the words "Exchange a book once a week?"—The schoolmaster goes round with trays of books and each prisoner who is entitled to library books has a library card in his cell, so that the officer can see what books he has had, so as not to give him the same one again. Sometimes he will ask for the same book.

854. I understand the mechanical arrangement, but do you mean that there is in a prisoner a right to ask for a new book once a week?—Yes.

855. Or to retain the old one?—Yes; he can ask to be allowed to keep it another week and he is allowed to do so.

856. (*Chairman.*) With regard to prisoners who show signs of insanity, what precautions do you take?—Of course, we call the attention of the medical officer to them at once. He directs them to be put in what we call "observation cells." They are ordinary cells but they have lights always at night, and they are visited every half hour night and day. The man is watched there.

857. Do you think it is becoming an increasing practice for prisoners to be sentenced or sent to prison, though even in the court there are, at any rate, *primâ facie* grounds for supposing them to be either insane or on the verge of insanity?—I do not think that it is increasing, but it is a constant practice, and the friends of prisoners and the local authorities sometimes will try to get rid of those crazy individuals by sending them to prison; and as soon as they are sent there they will send a medical certificate or something to say that the man has been troublesome, and they were afraid of him when he was at large, and they hope some steps will be taken to get him into a lunatic asylum. That is, they try to shift the responsibility from the local authorities to the prison authorities. There were one or two cases at Wakefield. One where a man was committed for trial, and no doubt was insane at the time he was committed, who was removed to an asylum, and the Prison Commissioners to this day are paying something like 12*s.* a week for the man's maintenance there, which is far more than the average cost of patients in the asylum.

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858. (*Mr. O'Connor.*) Do you mean that was the result of a conspiracy by the man's friends?—It was not conspiracy, but it was a shirking of responsibility.

859. (*Chairman.*) Have you any increase in insanity amongst your prisoners?—No.

860. Do you think prison life and discipline has any tendency to produce insanity?—Not at all. If you take up a volume of judicial statistics it would seem that the per-centage of lunatics to the population of every age is very large, but of those that are sent away as lunatics you will find the great majority of them were lunatics when they came to us, and perhaps had been so for a long time. Very few men come perfectly rational to prison, and go on for any length of time, and then become insane.

861. The strain on the prisoner is generally during the first period of confinement?—Yes, the first portion of his first sentence. I think the mental anxiety is then greater than at any time, and also just previously to his discharge. I have known men to serve a long sentence, and to go on well, and then during the last month run down frightfully from anxiety as to what will become of them in the future, and how their friends will receive them.

862. Having regard to that, would you be in favour of making any relaxation in the present system?—I do not think you could because they would always know when the end was coming, and the mental anxiety would always come accordingly.

863. But still a little gentler treatment would mitigate that?—I do not think it would, it is anxiety of mind as to the future.

864. (*Mr. O'Connor.*) It is the absence of hope?—The absence of hope and the idea of what is to become of them when they go away, and how they will be received by their friends.

865. (*Chairman.*) Has the general health of your prisoners always been satisfactory?—Yes.

The Committee adjourned until Thursday the 12th of July, at 10.30.

THIRD DAY.

Home Office, Whitehall.

Thursday, 12th July 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
RICHARD BURDON HALDANE, Esq., Q.C., M.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., *Secretary.*

Mr. JOHN BURGESS MANNING recalled and further examined.

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866. (*Chairman.*) Coming to the question with regard to juvenile offenders do you think, speaking generally, the present arrangement is satisfactory?—No.

867. You do not think it is satisfactory?—I do not; I think it is a pity to send juveniles to prison as they are sent.

868. When you say "juveniles" do you mean boys or girls of 16?—Boys or girls under 16.

869. But do you think that is sufficient definition of the term "juvenile"?—Well, for not sending them to prison I think it is; but where we take them as juveniles in prison I think that age might with advantage be extended.

870. What is your opinion as to the effect of imprisonment upon young persons (I am speaking now of prisoners say under the age of 20 or thereabouts), and the older men?—Well, I think they all lose the dread of prison when once they have been in it.

871. Do you think that the younger prisoners have not the same feeling with regard to prison, and do not look upon it in the same way as the older men?—I do not think there is much difference. I think most people dread a prison until once they have been in it; but, once they have been in it, a good deal of that dread is gone, particularly amongst the juveniles.

872. Do you think that a prison is as deterrent to a lad of 17 or 18 as it is to an older man?—Do you mean before he has been in or when once he has been in?

873. I mean when once he has been in and when once he experiences what prison is?—I do not think there is much difference; I cannot think there is.

874. Captain Stopford seems to think that the younger prisoners did not feel the effect of imprisonment so seriously, and treated it to a certain extent in a spirit of levity?—There is no doubt that is true, because they cannot look ahead like the older person can, the person who is more advanced in years feels the consequences and sees the consequences of it as it will affect him in after life, and I do not think the juvenile does realise that. He finds that prison is not as dreadful as probably he has pictured it to himself, and then he has less fear of it afterwards than he had before.

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875. I suppose you would say it would be natural that a lad should have high spirits?—Yes.

876. And therefore would be able to bear imprisonment better, and even to look at it as a change not altogether unpleasant from the life he has been accustomed to lead?—That would only apply to the lowest class, I believe.

877. But still you would agree that so far as the actual effect of imprisonment is concerned, the younger prisoners would not feel it quite in the same way as the older prisoners?—Certainly.

878. Then so far as that is concerned it would not be in the same degree so much of a deterrent in the case of the young prisoners as in the case of the old?—No, it would not.

879. Then looking at it from another point of view, the effect of imprisonment upon a lad or upon a girl cannot really be estimated by them?—No.

880. But it has very serious consequences for them in after life?—I believe so. That is my impression. Once the stigma of the prison is attached to them I think it is a heavy weight in life afterwards.

881. Then if that is true do not you get at once a fruitful cause of inequality in regard to the effects of imprisonment as between the young prisoners and the older men?—Yes, there may be something in that.

882. The after effects of imprisonment stay with a lad for many years—possibly all his life. Do not you consider that possibly it may be a punishment out of all proportion to the crime which he originally committed?—Quite so.

883. Then if that is so the present system is not altogether satisfactory?—It is not satisfactory, and I am afraid the recent change in the law will not be quite satisfactory. In September of last year an Act was passed by which magistrates could send a lad to a reformatory school without sending him to prison. Up to that time he could not go to a reformatory school without going to prison first, but now it is optional. Some magistrates will act upon it, but my experience already is that some do not act upon it.

884. They will send them to prison?—Well, within the last couple of months I have had a couple of boys sent to prison, one from the police court and the other from the Central Criminal Court.

885. What age are those boys?—One is about 16; the other is about 13. I am not quite sure what the age of the younger one is.

886. What imprisonment are they sent for?—For 10 days, and then they will go to the reformatory, and of course they will make out amongst the other lads that they are heroes and have suffered more than the others have, which will have a bad effect, I think, in the reformatory school where some go to prison and some do not. There will be the leaven of the old school still attached to the reformatory lad.

887. Then do you think that the change is in the wrong direction?—No, it is in the right direction; but I think it ought to have been compulsory, and that they ought not to have been sent to the prison.

888. Does not that rather point to the setting up of a different class of reformatory?—It would make the reformatory like an industrial school.

889. To a large extent?—Yes, to a large extent, but I am afraid it will go back to the old groove. That is my fear. Now it is left optional with the magistrate whether he sends the boy to prison or not. Some clerks will say it is very much easier to send this lad to a reformatory school, and to let the prison authorities find out where he is to go. Then they merely commit to the prison for a certain number of days to go to a reformatory school. In the other case, if they do not send the boy to prison, they have to look out for a reformatory school themselves.

890. But of course it is rather too soon to judge of the effect of the Act?—Well, some magistrates are still sending them.

891. But it is possible that the practice may become general to take advantage of the Act, and not to send the boys to prison?—I should fear it would drift rather in the other way. There is such a tendency to put a responsibility somewhere else, and to leave it for somebody else to have the trouble instead of taking it yourself. I know that many old reformatory managers, and good managers, were strongly in favour of a boy going to prison first. They said, "Let him go to prison and be punished," and when we receive him we can say, "You have been punished for your "offence, and we are taking you in hand to reform "you, and try to make a good man of you." But I always thought they might with as great ease have said, "We are saving you from going to prison altogether; we are taking you in hand not to punish "you, but to make a man of you if you will make an "effort yourself."

892. It has been proposed by some that what is called a penal reformatory should be set up half way between the prison reformatory and the prison?—Where the boys would go before they went to the reformatory school?

893. Yes, possibly. I do not know that that has been fully thought out, but it is held that there is at present a gap between the reformatory schools and the prisons, and there are a certain class of young offenders too bad perhaps for reformatories, but who are too young and too unformed to send to prison and to receive the stigma of prison. Do you imagine that the difficulty might be met by the setting up of an institution something like that?—I am not certain that it is, because the time for which they go to prison is very short. It is little that can be done with a lad there; it is more with the idea to punish them that they are sent to prison. At Redhill, in Surrey, they will take the worst lads. In fact, the manager has said, "We would rather have lad a that is found hope-"less, than a good lad who commits himself for the "first time."

894. I want to press you a little upon this question of juvenile prisoners?—Yes.

895. The juvenile offender according to the Act is 16 or under?—It is.

896. I think that Captain Stopford is of opinion that there was a certain discretionary power with Governors to give some latitude to prisoners of 17?—Yes, I have exercised some power. I do not know that I have any particular authority for it, except my desire to do the best I can for the prisoners.

897. Then would you limit that to prisoners up to 17?—Up to 20.

898. In what respect would you make a difference?—I do not employ them outside their cells. I do not allow them to go cleaning in the wards. And I think with good results.

899. You take special care that they shall not be contaminated by other prisoners?—Exactly.

900. But so far as visits from friends or relations, and communications with the outside are concerned you do not allow a difference?—No. They are entitled to a visit when they have done their three months. Then at every interval of three months afterwards they are entitled to a visit.

901. But what is true now of lads of 16 and 17 is also very often true to a considerable extent in the case of lads of 18 and 19?—Yes.

902. Or even higher?—Up to 20 or 21; but then I think I ought to add that amongst that number we get some very bad criminals; young fellows that have been in trouble over and over again, and who seem to glory in their degradation, and who seem to think it manly to do wrong and to give way to wrong inclinations.

903. Would you say that you had got habitual criminals in the person of prisoners under 21?—Certainly.

904. Have you a considerable number of prisoners under 21 whom you would call habitual prisoners?—Not a considerable number. I have never looked that out, but still there are a large number of men that are habitual criminals before they are 21 years of age.

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905. What in your mind constitutes an habitual criminal?—A determination to live by crime, returning to their evil ways directly they are released from prison and back to their old associations.

906. You do not regard one as an habitual criminal according to the number of times he has been in prison?—No.

907. So that by your definition it is quite possible that a lad or a man may be an habitual criminal without ever having been in prison?—They may. A man may associate with criminals and live by crime, but he may not be detected, until he is 20 or 21 years of age. Therefore I think if you had any scheme for separating these lads their previous history ought to be carefully inquired into, not taking it as we do now on their mere statement. We have nothing now to go by as to the age but their own statement.

908. But that is never verified?—No.

909. They can say what they like?—Yes, and we put them down according to their statements unless we recognise them in the prison; but if you are going to make a separate class of them great care should be exercised, or great wrong will be done. There should be some mode. It ought not to be difficult to do it. There are the school board officers, for instance, that look after truant children and the like, or you might even put the responsibility of proving that they are first offenders, and that they have not been the associates of criminals upon the prisoner and his relatives and let some one see that you are not mixing habitual criminals with lads that have not been leading a bad life.

910. Do you think that the majority of young prisoners who come to you, say of under 21, have been in reformatories and industrial schools?—No, the majority have not been in reformatories and industrial schools. I believe that great good has been done by reformatory schools. I have seen statements to the contrary, but years ago I interested myself a good deal in reformatory schools, and I found a very large per-centage did well afterwards, and that only about 5 per cent. came back to prison, but those who do come back to prison after having been through a reformatory, and have been found hopeless there, are the very worst of criminals. That sometimes I think casts an odium on reformatory managers that when a lad has once been there before and all the influences of the reformatory are thrown away upon him a young convict as soon as he is at liberty returns to his old ways, and then as soon as he gets into prison again he is one of the most difficult we have to deal with.

911. In any change that is made that class of prisoners would constitute a very considerable difficulty?—They would.

912. You have given me your opinion that on the whole prison does not work quite equally as between young offenders and old offenders, and also that the after effect of imprisonment is much more serious in the case of the one class than of the other?—Yes.

913. Is not it also true that you have a better chance of reforming a young prisoner than an old one?—Well, I am not certain of that.

914. At any rate, if that is not clear it is in a sense more important?—It is far more important.

915. It is more important that the effort should be made?—With the young, yes; although I say we cannot do much. I do not think you can do much more in a prison with the young than you can with the old, but still I think outside the prison far more can be done with the young than with the old.

916. You say not so much can be done with the young in the prison under the existing arrangements?—Just so.

917. Do not you think it is possible by treating the young prisoners as a class apart to provide a system somewhat different to that which is necessary in the case of older or habitual offenders?—Quite so, with the safeguard I have mentioned, that the previous history should be carefully investigated of everyone.

918. And I suppose following that, you would require that greater latitude should be allowed to those immediately responsible for the keeping of these prisoners in order that they might adapt the treatment to the special requirement of each case as you might find desirable according to the inquiries you made?—Certainly. I suppose that is the reformatory practice.

919. Does not it rather come to this, that you require a different kind of prison or place of detention for the young prisoners?—Quite so.

920. Under the present system you have more or less a hard-and-fast line?—We have.

921. And sufficient latitude cannot be allowed for the differential treatment of the young?—No, we cannot vary it to any great extent.

922. Up to what age would you be disposed to carry this change?—Up to 20.

923. 20 or 21?—Yes, 20 or 21.

924. I suppose you would have to reserve power in in the event of the young prisoner, who is being kept under a more modified form of prison treatment, to transfer him if he showed himself incorrigible to the more penal class of prisons?—Yes, that would be desirable.

925. On the other hand, if you see a prisoner, say, of 19 or 20, and he showed himself desirous to improve and behave well, you would keep him under the modified form of treatment?—Certainly, you would not degrade him in any way. You would rather encourage him to go right.

926. Now, with regard to the possibility of contamination under the present system, do you think that sufficient safeguards exist to prevent contamination?—Well, I think they do. I do not see that we could carry it much further. I do not think the great amount of contamination that is often spoken about takes place in prison. The worst thing that takes place in prison is the power of recognition and of knowing the prisoners after they are released.

927. That might give a hold to the older men over the younger men?—Yes.

928. And they would pull them back into crime?—Yes.

929. Could that be held to be in any way an argument against putting local offenders into one prison?—Well, it is an argument against putting the confirmed offenders where they can communicate with or recognise those that are sent to prison for the first time. They ought not to see them if possible. They ought to be apart from them. Of course, it is easy to recognise any one. I am associated with criminals in a prison, but I never talk to any one to contaminate them and they recognise me in the street. I take no notice of it. I pass on. They are never rude to me; but if I had had the misfortune of being a prisoner they would at once hang upon me and say, "I re-"member you at Pentonville," and unless I squared it with them somehow or other, no doubt I should have trouble with them.

930. It is said sometimes that it is the police who drag the prisoners back?—I think that is an excuse that is only made by persons when they have fallen themselves. My own experience is that the police are very willing to help them, and if a man is willing to make an effort to do anything, I can always with confidence apply to the police for assistance, if I cannot give it.

931. You think the real danger is in being recognised?—Yes, the older man who has seen them before can bring pressure to bear upon them.

932. I suppose you take special precautions in the case of the younger prisoners, to keep them apart for that very reason of preventing recognition?—We do, and they are located in a separate part of the prison; they exercise in a yard where they are not seen by the older men, and at chapel they are the last to go in; they sit at the back, and they are the first to go out.

933. Do I understand they exercise in a separate yard?—Yes.

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934. That is not the practice at other prisons?—I am not aware of that. I do not visit many prisons now.

935. With regard to chapel you are satisfied that no communications take place?—I am satisfied of that. I have seen statements about it, and I had some talk with a gentleman who visited the prison, and he said that he had been on board ship in the stoke-hole and the forecastle, but he had heard more swearing in that chapel than he had heard in either of the other places. I ventured to say I thought that was an exaggeration, because there are officers stationed all over the chapel. I attend chapel myself whenever I possibly can, and it is very rare I have complaints about misconduct in chapel. Sometimes there are; but if a man used bad language, it can only be heard by the man on each side of him without instant detection. If one man speaks, another will turn his head directly. That is seen by the officer. I do get complaints of talking in chapel. I had two the other day when each man made the same excuse, and said that for the moment he forgot himself.

936. So that you think as between ordinary prisoners it is difficult, and that as between older and younger prisoners it is almost impossible?—Yes. I think the great fear is recognition, the getting acquainted with their faces, so as to know them outside.

937. With regard to this class that you keep apart, up to what age do you do it?—That is only up to 16.

938. Then would a lad of 17 be sitting with the ordinary prisoners?—Yes, he would be sitting with the ordinary prisoners.

939. And contamination would be possible in that case?—Well, words might be passed, but they would be very few.

940. Still the only way to make it absolutely secure would be by making the younger offenders a separate class?—Yes.

941. And, speaking generally, you would be in favour of making such a change in our present system?—Yes, with the safeguard I have mentioned, that it should not be on the prisoner's mere statement that he had not been in prison before.

942. I do not know if you have any view to express to the Committee on the question of untried prisoners?—No, I have none at present, but I have had considerable experience with trial prisoners.

943. Have you anything to say with regard to the present system?—No, only what I mentioned the other day; I think they might be more largely bailed. Instead of waiting in prison they might be allowed bail to earn money for their defence and the support of their families until the trial comes off. I mentioned where it was done, namely, at Sheffield, and during the eight years I had the control of the Sheffield prisoners I think it was done with good effect.

944. But with regard to their actual treatment in prison?—No, I have nothing to suggest.

945. Do you think it would be advisable to give governors greater latitude in regard to their treatment?—No, there is nothing that occurs to me which we are not authorised to do by the rules that it would be desirable to do.

946. Do you think that under the present Acts, and under the rules and regulations governing the system that sufficient discretionary power is lodged in the hands of the Governors?—I do.

947. Of course you have given your opinion in favour of a change with regard to young offenders?—Yes.

948. But, speaking generally, concerning the administration of the prisons, do you think that Governors have sufficient discretionary powers left to them?—I think so. Could you suggest to me in any way where you think there might be a doubt, sir?

949. Well, take for instance the question of visits to prisoners and letters?—I have no authority to allow a prisoner to write special letters, but there is an authority if a letter is received which concerns a prisoner in any way for me to communicate its contents to the prisoner. On the other hand, if a prisoner can show cause why some particular information should be communicated to his friends, I can do that, and, of course, I avail myself of both those privileges.

950. Supposing it came to your knowledge that there might be a very considerable moral advantage to a prisoner from being allowed to receive a letter, and to answer it, or *vice versâ*, have you discretionary power?—Not for him to receive a letter or answer it, but I can communicate the contents of any letter to him, and I can communicate to his friends the prisoner's wish on that subject; but if it came to my knowledge that it would be to his advantage, either that he should write or receive a special letter, I should represent it to the Commissioners; and leave has never been refused. I get the letter back by the next post to say "approved."

951. But is not it possible that the present system is rather too hard and fast with regard to this question of letters?—I do not know that it is. If I thought it desirable that a prisoner should write a letter, I have power to allow him, but I must report to the Commissioners that I have done so.

952. But does not that very fact deter Governors from writing, when, in fact, they would be inclined to give permission, because they may say, "I cannot "be always bothering the Commissioners to make "these special exceptions"?—No, I do not think so. Prisoners are placed at such disadvantage that I think there is no Governor but what would be willing to help the prisoners within the strict line of duty.

953. I have no doubt you yourself have written letters on behalf of prisoners before now?—Yes, frequently.

954. Then you would say that, as a general practice, it would be right to allow prisoners to write or receive letters which might have a beneficial effect upon them, and help to reform them. As a general principle, would not you agree with that?—Yes, as a general principle, I would. In fact, it is the general principle that is followed. The only thing is, that instead of having power to do that by itself, I refer it to the Commissioners and I get their authority.

955. But the rules provide that prisoners shall only write and receive so many letters?—Yes.

956. That is the ordinary rule?—Yes.

957. And whenever you write to the Prison Commissioners it means making an exception to that rule?—That is provided for either in our rules or standing orders.

958. But what I rather mean is that while that rule may be perfectly right with regard to a suitable number of prisoners such as a man who would only write and receive letters for the purpose of breaking the prison monotony without any idea of improvement; is not it possible there is a considerable number of men upon whom freer communication with people outside might produce very considerable effect?—There are cases where, as I suggested the other day, after the first three months I thought there might be some relaxation of that rule, and that they might communicate more frequently with their friends.

959. But then in that case would not a larger discretionary power have to be given to the Governor?—Not if the rule was altered that it might be done in a month. I like to have a firm rule in dealing with a prisoner, and be able to say to him "This is the "rule, and this is the law," because if you have a wide discretion, it may lead to favouritism, and you may favour some prisoners unduly.

960. You were in the prison service before the Act of 1877?—I was.

961. Could you give the Committee generally your view of the effect of that change upon prison discipline having regard to the effect of imprisonment on the prisoners?—Well, it has rendered prison treatment far more uniform than it was before.

962. Is that altogether to the good?—That is altogether to the good I think. In fairness to the prisoners, they are treated and dieted the same now in every prison, and there were many anomalies before.

963. Do you think more is now done for a prisoner since the transference than before?—Certainly, because they can earn gratuities now, and it was only in a very few prisons they could earn gratuities before. That was one of our difficulties. A man's time expired, and he had not got a shilling, and no friends either to go to, and he would say "I must either beg or steal as "soon as I get outside."

964. You think the prisoners altogether are better looked after in the prison?—Yes.

965. And the treatment is more adapted for beneficial effects after release?—I think so.

966. And in fact you think that the Act of 1877 produced a very distinct change for the good?—I think so. That is my impression. I served for about 18 years under the magistrates, and experienced great kindness at their hands, but I must say that the Prison Commissioners know far more of prisons and prison rules and everything of that kind than the magistrates could do.

967. The magistrates in different localites would interpret rules differently?—They would and they would not agree to the same thing. In the county I was serving there were two prisons: in one there was a progressive dietary and in the other there was not. Well, two men might commit an offence and one of them be apprehended just before the quarter sessions. He might be tried at Chester, and get, say, 12 months' imprisonment with hard labour. He would begin with a progressive dietary, and he would not get the largest dietary in the prison until he had done six months of his sentence. The other man by evading arrest for a few days might be apprehended by the same police officer, taken before the same magistrate, and committed to sessions. He would have gone to the adjourned sessions at Knutsford, in the same county, to be tried before the same chairman at the quarter sessions, and might get exactly the same sentence of 12 months' hard labour, and he would get the largest diet in the prison the day after his conviction.

968. (*Sir J. E. Dorington.*) Did not quarter sessions establish the dietary for the prisoners?—No, the visiting justices of each prison.

969. And they were not directed by quarter sessions at all?—They had to get the approval of quarter sessions before they sent it up to the Secretary of State.

970. And the quarter sessions approved two different dietaries?—And the Secretary of State did. The visiting committee of both prisons met and had a large conference, and the magistrates at Knutsford said, "Well, the progressive dietary might do, but can-"not you take our dietary as the progressive one?" I ventured to say that probably it had not been framed with the progressive dietary being in view, and the dietary that was suggested was one that had been in use for some time at a large prison in an adjoining county. One magistrate said, "Well, is "this another suggestion from Chester?" "Yes." "Oh, well, we cannot give way to Chester in every-"thing"; and the Committee broke up without coming to any decision.

971. (*Chairman.*) Well, you see various advantages which have arisen under the Act of 1877. On the other hand do you see any disadvantages?—I do not.

972. You think that the change was beneficial all round?—I do, and a great saving undoubtedly to the country

973. (*Sir J. E. Dorington.*) You said something with regard to imprisonment previously to reformatory treatment. I suppose you think the only boys that ought to go to reformatories are criminal boys?—Certainly, because there are industrial schools for the non-criminal.

974. And that they ought to be rather specially criminal boys and not slightly criminal?—No, I do not say that, but I mentioned the Redhill School where they prefer the special criminal boys.

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975. At Redhill they think the business of a reformatory is to deal with the special criminal class?—And the managers have said that some of these special criminal boys have more grit in them than some of the quieter boys.

976. Supposing a boy, being a criminal, has been in prison before, can there be any objection to his being imprisoned again when his case is considered to be sufficiently serious for him to be sent to a reformatory?—Not if he has been in prison before.

977. Is not that rather the class that ought to go to reformatories?—I think they ought to go to reformatories instead of going to prison in the first instance.

978. Is not that rather a case for an industrial school?—They cannot send them to the industrial schools if they have been once to prison, and I have seen unfortunately lads of from 10 to 12 years sent to prison for a few days, which, of course, at once blocked the industrial school for them.

979. And that is a sufficient reason in your opinion to do away with imprisonment?—I think the chief reason is to avoid the stigma of a prison being attached to a lad's name.

980. If the boy has been sent to prison first of all, and not to the reformatory?—Yes.

981. Then the stigma question does not come up, does it?—If they are sent to prison, yes.

982. But they are sent to prison first of all, and not to a reformatory; then if there is a subsequent conviction and the case is considered grave enough to send him to a reformatory, is there any objection to sending him to prison then?—No, because he has been in prison before.

983. Is not that exactly the case of a boy that ought to be sent to a reformatory?—That is the class of boy.

984. And not the class of boy that has never been to prison before?—I do not quite follow you.

985. Is not it the case that industrial and reformatory schools are established for the purpose of the classification of schools for children?—Yes.

986. So that in industrial schools you may see young children who are tending towards crime, but who are not criminals?—Yes.

987. And to reformatory schools you are to send those who are criminals or who have been in prison before?—I think you may send to the industrial schools a boy who has actually committed crime if he is young enough.

988. Is not that exactly the case where you want to dispense with prison? You send them to an industrial school when you want to dispense with prison, but to a reformatory school, where they are distinctly cases for a reformatory?—Some magistrates will exercise their discretion differently from others. Some magistrates will send to reformatories first, if I am to believe the statement of the lads.

989. You think that would be an error?—I think if it were his first offence there is power to deal with it at the police station. If a lad had been birched and talked to, and sent home, he might not have got into trouble again.

990. But you would not send such a class as that to a reformatory school at all?—Not for the first time.

991. But if he had once been dealt with, is there any objection to his being sent to prison as a place of punishment before sending him to a reformatory?—I think it is as well to avoid the stigma of the prison if you can, and I think it might be avoided. I think the Act of last year was passed with that object in view.

992. You are aware that very nearly all the reformatory managers in England strongly oppose it?—I am. I know they would rather have the boy punished before he came to them, and I mentioned that just now; but instead of saying to the lad, "Now "you have been punished for what you did, and we

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" will try to do you good," I think they might say, " We are saving you from punishment for what you " have done, and we are going to try and make a " man of you."

993. Take the case of a boy who has been imprisoned for some crime, and who is again taken up and convicted, and instead of being sent to prison again is treated with much greater leniency, and sent to a place where he is comfortably taken care of, and made as jolly as possible with a lot of other boys: is that a proper treatment?—I do not see there is any harm in sending him when once he has been to prison. You are talking of cases where the lad has been in prison before, but once he has been in prison before you may send him there half-a-dozen times if you like.

994. Are not the reformatory schools specially intended for boys who have been previously convicted?—No.

995. And who are bad boys?—They are eligible for the reformatory schools, but you find many in the reformatory schools that have never been in prison except for the ten days or a month before they went to the reformatory.

996. But is not it the case that reformatory managers do try to refuse boys that have not got a serious history about them?—They do.

997. If they are sent on a first conviction?—Yes, they do not like receiving them on a first conviction; some reformatory managers do not, unless there is a bad history to the boy, or his surroundings are of a certain order.

998. If there is a bad history, should not the boy be distinctly punished?—No, that might have been the boy's misfortune, or that of his surroundings.

999. I am not speaking of that; I am speaking of the bad history of a boy, that is to say, he has committed crime and has not been dealt with?—That is a matter to punish for the crime I think, and to take each one on its individual merits.

1000. But should a boy be sent to a reformatory unless he has committed crime previously, and are boys commonly taken in who have not committed crime previously?—Yes, boys are frequently sent who have never been in trouble before.

1001. You said you would go up to 20 years of age in making a difference in prison treatment. Would you be inclined to allow the age of 16 for reformatories to be extended to a higher age?—That is a matter I have not thought about, but I do not see any reason for doing it. The general opinion seems to be that lads should not be kept too long in these reformatories. In fact, that Act that has been recently passed provides that the sentence passed should be such that it should expire by the time the boy reaches the end of 19 years.

1002. Of course, that would be a bar to extending the age at which boys might be sent to reformatories?—It would, unless you extended the age to which they might be kept, and I suppose there must be good reasons for not doing so.

1003. The establishment of the age of 19 would be a barrier to extending the age at which persons might be sent to reformatories?—Yes.

1004. You have rather indicated that you would like almost a special prison for persons between 16 and 20?—For first offenders. For lads who have not led a criminal life.

1005. That would be a class of reformatory?—Yes.

1006. In that way you would not object to it?—No.

1007. Do you think any good could be done by a reformatory treatment of that class unless there was a longer period of imprisonment or detention than that which is commonly pronounced when a sentence of imprisonment is passed in that class?—No, I think the Act provides that it shall not be less than three years in a reformatory.

1008. I am supposing that you must not detain beyond 19?—Yes.

1009. But that you have a provision that boys may be sent to a separate prison or reformatory being over the age of 16?—Well, they ought to have a couple of years at least, I think, to deal with them.

1010. But unless with a two years' sentence such a treatment would be useless?—I think so.

1011. You would not be prepared to recommend a separate prison or reformatory unless a longer period was allowed for detention in such a place than the ordinary periods of sentences of imprisonment?—Certainly not.

1012. You have said that the small per-centage who come back from the reformatories to prison are very bad?—They are.

1013. Will not that naturally be the case? The residuum of criminal population to which treatment has been ineffectually applied is likely to be rather bad?—Yes.

1014. That is no slur on the reformatory treatment?—Not the slightest.

1015. You said you would like to separate the habituals in prison from the others?—Yes.

1016. You have in your prison a record of all those who have been convicted more than once?—As far as we know.

1017. Do you think that is at all reliable?—No, it is not.

1018. But to the extent to which you have it you may already separate them, may you not?—We could to that extent but there would be the danger in trying to keep one class separately, of putting with them a very old offender who denies it when he comes there, and of whom there is no record, so that I think that there should be some careful mode adopted.

1019. With the means of information you have now you think the separation would be ineffectual?—Yes, we should have some of the bad ones amongst them who would do a lot of injury, I am afraid.

1020. Are you prepared to adopt the Bertillon system?—I have not had any instructions.

1021. With regard to prisoners having greater latitude than at present in writing letters in prison it is plain, I suppose, that you look upon the writing of a letter as a privilege, which is rather a useful element of discipline?—Yes.

1022. And, therefore, you would not like to allow prisoners to write as freely as they pleased?—No, certainly not.

1023. And you think the present rule is adequate with the amount of discretion that is permitted to Governors?—I think so.

1024. I suppose you do not know what counties were in the same unfortunate position as yours of having two dietaries?—Well, there were not many counties in that district that had two prisons, but we differed from the adjoining counties.

1025. Did you differ from Liverpool?—I believe we did.

1026. Do you think prisoners had any preference to go into one rather than into another?—Certainly, the old prisoners used to talk about where the better dietaries were, but I do not think it had much effect upon them.

1027. As regards discipline, I suppose Chester was not altered by the change of management. Your rules wedt on much the same?—Yes.

1028. Chester was a very good prison?—I thought so.

1029. And Knutsford was a good prison too?—Yes; but they had a bigger diet there, and I think it was an injustice where two persons would be treated and dieted in a different way.

1030. The Home Office had laid down a scale of dietary?—They had recommended a scale of dietary, but I think very few adopted it. They only recommended them.

1031. (*Dr. Bridges.*) Have you among your prisons at Pentonville a certain number of prisoners whom you would call weak minded?—Yes.

1032. You have none, of course, who would be insane?—If a medical man certifies a prisoner to be insane, I call on the Chairman of the Visiting Committee to attend with another magistrate, and if they are satisfied they certify, and I then report it to the Secretary of State and get an order, for removal.

1033. Supposing they belong to the weak-minded class and cannot be certified as insane they are necessarily kept in the prison?—Yes.

1034. Do you make any differential treatment of that class?—The doctor's attention is called to them, and he directs them to be kept in the observation cells where they are closely watched, and they are not tasked the same as the other prisoners.

1035. Is any difference made with this class as regards their association or as to their being kept in observation?—They are kept as a class by themselves and exercised by themselves. We have not a large number of them, and they generally include a few epileptics, say from 16 to 20, perhaps a few more than that at times. We have those half-witted creatures coming again and again to prison.

1036. Are they kept well under observation in a solitary cell?—Yes; in an ordinary cell, except that there is always a light both day and night.

1037. Have you formed any opinion as to whether isolation is calculated to promote their health?—No; I have not noticed anything. They are carefully watched, and if they seem to the doctor to get worse, he will, if necessary, order them to the hospital and association room. But there are some that are not. They seem weak and half-witted; they do not seem to get worse except gradually in the course of years, and probably they land in the asylum at last, but they are men, who, if they were tried to-morrow for any serious offence, would be acquitted on the ground of insanity.

1038. With regard to first offenders, you have given the Committee your view with regard to juvenile first offenders, but I suppose you have a certain number of first offenders who are between 20 and 30?—Certainly.

1039. Would you think it desirable, supposing you had the power of doing so, to keep those adult first offenders away from the others?—No. I think their minds are strong and settled at that period. I do not think the surroundings have much to do with it afterwards; there are so few opportunities in a local prison for association, conversation, or contamination.

1040. With regard to the women, the women who work in the kitchen and in the laundry are more or less in association, are they not?—We have no women at Pentonville. At Wakefield the cooking was all done in the men's prison and the food carried down, so that we had no cookhouse amongst the women, and in regard to the washing the women washed in boxes; that is all the first stage prisoners did. If they were in the second stage and eligible for employment out of their cells they would be all employed at machines or mangling and so on, but always under the inspection of officers.

1041. I think you have told us that at Pentonville there is no associated labour among the men except the treadwheel association?—We have plumbers and joiners.

1042. Might not an adult offender for the first time come into contact with them?—He would; he would be seen by the others, and there is the danger of his being recognised afterwards.

1043. Coming to what has been said about reformatories, how would you propose to deal with that 5 per cent. residuum of bad cases?—They become habitual criminals; you cannot do anything with them I am afraid.

1044. You do not think any step can be taken at present?—No.

1045. As to outdoor labour, have you formed any opinion as to whether, especially for juvenile offenders and for these weak-minded criminals, outdoor labour like digging and other agricultural work would be an advantage?—It would undoubtedly both mentally and physically, I think.

1046. With regard to visitors of prisoners. It is maintained by some people that great advantage would accrue from allowing prisoners to be visited by philanthropic persons; of course, due provision being made as to who they were, and that they were persons of character and sense. Have you thought about that question?—I have never seen that much advantage would arise from it. In the first place, there would be the difficulty of getting these persons. Then they would not know much about the regulations, and they could not help interfering with the discipline and with the work of the chaplain, and I think the prisoners are very artful. They have always a ready tale to tell, and the majority of them would try to excite the sympathies of strangers. They will try it on with a new Governor or a new officer, and I think they would try it with these special visitors if they came.

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1047. (*Mr. de Rutzen.*) You were talking just now about young juvenile offenders, who are sentenced under the old Act to 10 days' imprisonment and a number of years in the reformatory?—Yes.

1048. Do you know, as a matter of fact, that it sometimes took time to find a reformatory?—It did.

1049. Have you ever known an instance where the difficulty has been such that the term of imprisonment has expired?—I have.

1050. And the whole thing has become nugatory?—Yes, the boy was turned adrift at the expiration of his 10 days.

1051. And never got into a reformatory at all?—No.

1052. Now, I gather from your answers that you would not have a boy, a juvenile, imprisoned at all?—I would not.

1053. On remand or on sentence?—I would not send them to prison under 16 if I could help it.

1054. You know the difficulties about getting a reformatory?—Yes.

1055. And, of course, those who have to deal with them in the first instance have less power or general knowledge, perhaps, of what reformatories will take them. It will take some time anyhow to find out a reformatory?—It takes a few days.

1056. During that time, what else is to be done with the criminal excepting to remand him in many instances?—In some instances they might be kept in police stations, and in other instances they might be sent to the workhouse.

1057. Under the present rule, supposing a boy is of reformatory age, he could not be sent to the workhouse?—I do not know if there is authority now to do it, but I think provision might be made for it. I think provision is made in that Act of 1893.

1058. Children might be sent to the workhouse up to a certain age?—I think the Reformatory Act of 1893 gives power to send to other places, and if a boy is there he can be followed and re-arrested, no matter where he has been ordered to be detained.

1059. But if he is apprehended, and there is no person who will be bail for him, and he is of just such an age at which he can be sent to a reformatory; perhaps he is a boy, for instance, who had been living in a lodging-house, and no one will be bail for him; then there is no other place to send him to at present but to prison on remand. Would that be another reason why you think a change should be made in making another place of detention for juvenile offenders?—Yes, that would be an advantage, undoubtedly it would meet that difficulty.

1060. And do you know that that is a very great difficulty at the present time?—I have no doubt it is, but at present it is not as great as it has been in years past. Some years ago the reformatory schools were filled, and we had great difficulties, so that when I received a boy I used to send two or three applications on the chance of one being successful, but at the present time the numbers are low, and if a lad is eligible I seldom have them refused.

1061. (*Dr. Bridges.*) Are you aware that very great difficulty has occurred in those instances where a magistrate has ordered the boy to be kept in a

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workhouse pending the provision of a suitable industrial school?—No. That the police would know.

1062. (*Mr. De Rutzen.*) Then I take it that in cases such as I have mentioned, and among others where it is necessary to detain a boy, that you think there should be some place of detention other than the prison?—I do.

1063. As to what you have said with reference to boys being in prison and getting sentenced, exactly the same thing applies, it makes him careless about it?—Yes.

1064. And whether on remand or under sentence, the stain still remains?—Yes, and when he gets with the other boys at the reformatory he will describe what prison was like; he will say, "There is no cane and no rod, or anything there."

1065. Just one word about the possibility of contamination. I notice that you said just now that the worst form by way of contamination was probably represented by the power of recognition?—That is my impression.

1066. Now in the exercise ground how many do you exercise together?—Sometimes 80 in one large yard.

1067. And the same 80 are exercised every day?—Yes.

1068. The same people?—Yes.

1069. And so of course, if they are there for the week they become fairly familiar?—Yes, with each other's faces.

1070. And cannot fail to recognise each other in after life?—No, that is why masks were adopted at one time; but of course they were a failure.

1071. They could see through them?—They used to turn them up and they were suffocated with them. I have never had them in prisons, but I have seen them years ago.

1072. Just one question about weak-minded people, you of course are aware of immense numbers of letters perhaps marked upon a committal sheet so as to draw attention to the state of mind of the criminal on remand?—Yes.

1073. Those are very common, are they not?—Very common, but as a rule there is not very much in them, they are often done to excite sympathy or with the idea of getting the prisoner better treatment.

1074. I mean when they come to you; when they come to the prison there is just a note on the commitment, drawing attention to the state of mind, and asking for some inquiries into the state of mind?—Certainly, they are always attended to.

1075. Do you see the letters which are sent in answer to that by the doctor or the prison chaplain?—Yes, I do; but we have not so many as they have at Holloway or in the remand prisons.

1076. No; but I am now speaking of this because you have had them before you?—Yes.

1077. And you know the sort of answer which from time to time comes?—Yes.

1078. It is generally in a sort of stereotyped form, "We find that So-and-So is of weak intellect; but "we have seen no absolute sign of insanity." That is very often the case?—Yes, in the majority of cases.

1079. I ask that question for the purpose of ascertaining the state in which a great many go into the gaols?—Yes.

1080. (*Miss Orme.*) How many seats have you in your chapel at Pentonville? How many can you seat there, do you think?—I can tell you exactly by referring to a little book in my pocket. It is 753 in the Protestant chapel.

1081. And what is the average attendance?—We have about 880 prisoners; that is about our average of Protestants, so that the whole of our prisoners do not attend chapel every day; that is if we are full.

1082. But on Sunday?—Some would only go to one service.

1083. And you have two services in the chapel?—Yes.

1084. About how close do the prisoners sit?—They sit side by side on the seats.

1085. Without a space between them?—Yes.

1086. And you say you very often attend yourself?—I do.

1087. Do they join in the responses much?—Very freely.

1088. So that you get a general murmur of sound?—Yes.

1089. Do not you think a good deal of conversation goes on during those responses?—I do not think so, because they would have to watch all the stops and everything if they were to attempt to carry on a continuous conversation. The prisoners are, say, sitting *here*, and the officers are seated above them and can readily see if they are putting their heads together for the purpose of talking.

1090. If they are sitting together without any space at all between them, then if they said a short sentence, about the length of a response in the Litany, for instance, they could communicate with each other, and the warder would not hear them?—Yes, but it could not go on to any great extent, not to the extent I have seen it represented in some of the papers.

1091. With regard to untried prisoners you said you had no suggestion to make?—I have not.

1092. How are they occupied during the day?—They generally read or write; they can write to their friends, and some prisoners will ask for work; some will pick oakum rather than sit in their cells doing nothing.

1093. And you would always give them oakum to pick?—Yes.

1094. But there would not be a variety of employment for them?—No.

1095. Do you think it would be an improvement to vary it?—It would not be desirable to introduce tools into the cells, I think.

1096. And you have no suggestion to make as to their employment?—No.

1097. (*Sir Algernon West.*) So much of your evidence turns on the question of age as to juvenile offenders?—Yes.

1098. I want to know if your experience shows that boys are very apt to exaggerate their age so as to get among the men?—There is no doubt that lots of boys under 16 have stated that they were over 16. In the first place they escape being sent to a reformatory, and in the second place, being over 16, they get men's diet, and from their physique and build they cannot do first class hard labour. The doctor would not pass them for it.

1099. There is every temptation for a boy to say he is over 16?—Yes, and some come there and say they are over 16, but to look at them you would not think they were more than 13 or 14.

1100. That makes a difficulty of demarcation?—Yes, I think if they are to be separated according to age that ought to be verified.

1101. Do you believe that the Acts of Parliament at present in force and the regulations of the Home Office are thoroughly well carried out throughout the country?—I think they are.

1102. You have given us your opinion about juvenile offenders generally speaking. Have you any other suggestions to make as to improvement in the law or in the regulations?—No.

1103. (*Chairman.*) I just want to pursue one matter a little further, I think you said in reply to Sir John Dorington that supposing a change were made with regard to young offenders there are some of those whom a short time of imprisonment could not improve, and you would require something like two years in reforming them?—Yes.

1104. But then, do I understand, you are in favour of making this change in the direction of the present reformatory system?—In the present reformatory system; not in prisons.

1105. My point has rather been that there is a class of young offenders whom it is necessary to send to prison, but for whom the present prison treatment is not adequate or altogether right in its nature. Would you propose practically to abolish imprisonment for this class of offenders?—For boys under 16.

1106. But I am rather speaking now of the young offenders under 21?—No.

1107. Then does not it rather point to having a reformatory in two directions; first of all to set apart a prison or part of a prison for young offenders who would be treated as a class apart?—For first offenders, sir?

1108. Well, I am now speaking of young offenders and not necessarily of first offenders, and who would be subjected to treatment differing from the present prison treatment, and calculated more for the special cases of young offenders?—I think it would be desirable to separate them and treat them in the way you suggest as first offenders, but if they come afterwards two or three times, they are like the residuum of the reformatory class, and there is little hope, I am afraid, of any treatment ever doing them much good.

1109. To take the case which you have suggested arises pretty often. We will take the case of a young fellow who leaves prison, and whose good intentions have been acted upon by the advice and help he got in prison. He comes out and meets an old offender, and being rather weak, he is dragged back into crime, and re-appears in prison?—Yes, there are hundreds of such cases.

1110. But surely a case of that sort you would not like to relegate to prison among old offenders; you would think there was a chance for him?—If he comes in, in that way and yields to temptation of that sort, I think there is little hope for him.

1111. But do not you think it is worth trying?—Yes, that is where the Discharged Prisoners' Aid Society and the St. Giles' Christian Mission come in. If any young person says, "Will you write to my "employers or my parents"? they are always ready to do that for him and to take him in hand, and they will find him shelter and food until they can provide something for him.

1112. I was rather thinking of the period of imprisonment in which it was necessary to prepare the young offender for his release. After his release the Discharged Prisoners' Aid Society no doubt will do a great deal for him; but it is important to give him such treatment in prison as will prepare him for living a more honest and better life when he leaves?—That is our chaplains' work, and that is what the chaplains are there for.

1113. But I think you have said that the prison system does not altogether meet the cases of these young offenders. You have not sufficient discretionary power to give such treatment to these young offenders as you may think their particular cases may deserve?—I confine it to first offenders, I cannot go beyond that. When they come again I am afraid there is not much to be done for them.

1114. Then I rather understood you, in reply to Sir John Dorington, quite apart from this question of treating the young offenders as a different class in prison, and giving them a different treatment, to be in favour of some extension of the reformatory system; so that in the case of young offenders, who, under the present law and present regulations, could not go to a reformatory school, power should be given to the authorities for sending, say a lad of 18 or 19, to a reformatory school for say two years?—Yes, but only for first offenders.

1115. You would limit that to first offenders?—Yes.

1116. You are not prepared to advise any change practically with regard to the prisoners who came in for the second time?—No, except that I would separate them in the way I have stated. I would not allow them to go working amongst the other prisoners. They might be separated in chapel too.

1117. Would you carry that out up to the age of 21?—Yes.

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1118. But you would have to exercise your discretion as to whether the particular prisoner was incorrigible?—I would separate him from the other no matter what his age might be when he is in prison; but I would not mix him with the first offenders. I think that is the ground where good may be done.

1119. Then I think you expressed the opinion that it was not desirable to send prisoners on remand to prisons?—The young prisoners?

1120. Yes?—Yes, I would not send them under 16 to prison. That is an idea of mine.

1121. Where would you send them?—There is the difficulty, unless you had such a school as one of the gentlemen of the Committee mentioned, namely, a school where you could send them while you are making inquiries.

1122. But it might not be difficult to provide such a place in London or in populous centres?—No.

1123. The difficulty would arise in the provinces?—No. There you would get the assistance of the police, and there for days and days the police stations are unoccupied.

1124. But is a police station a desirable place for a lad of 16?—Well, it has not the stigma that the gaol has. If he is locked up and kept there, he is taken for examination before the magistrates, and they could keep him in the police station very well.

1125. He would be there under the charge of a sergeant of police?—He would.

1126. And for many days?—No, I do not think for many days.

1127. But still for some days?—For three or four days he might be.

1128. You do not think there would be any great danger in that?—I do not think there would. I do not think there would be danger, and I do not think there would be difficulty.

1129. I think there are some points on which you wish to make remarks on the evidence you gave last time?—Well, I was asked the other day about the appointment, as warders, of soldiers and others, and I professed a preference for military men; but I ought to have added that if a person applies for prison employment and brings satisfactory testimonials, comes up to the required standard of height, and passes his medical examination, there is no distinction made. The cases are sent forward whether they are soldiers or civilians.

1130. Is the process of that application that a man comes to the Governor?—He applies to the nearest prison.

1131. He applies to the Governor?—Yes.

1132. And then the Governor makes the necessary inquiries?—He is measured to see that he has the standard height. If he has not, it is no use going any further. Then the question arises, has he good testimonials, because he is asked to bring testimonials of a recent date. I look through them to see if they are satisfactory. I cannot go further than that. Then inquiries are made afterwards. Then he goes to the medical man, and, if physically fit, he fills up his form of application, and I forward it to headquarters without prejudice. If he is a smart or intelligent looking man, I generally add a note to that effect. Sometimes I am obliged to say his education is defective; for instance, if he cannot spell the simplest word.

1133. Then the appointment is made by the Prison Directors?—Then inquiries are made, and he is directed to attend before the Civil Service Commissioners to pass an examination, but it is a very simple one; and if he passes that, then his name is put on the list of approved candidates, and when it comes to his turn he is offered an appointment wherever the vacancy may be.

1134. Then I think you wish to say something about flogging?—When I was asked whether I approved of it I said no, without any reservation, but I should be sorry to see the power to flog abolished. I think it desirable in some cases. I have known some

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cases where we could not influence the man by any other means, and there are some that, without the fear of the lash, I am afraid would not keep their hands off the officers; but I only like to see it applied in extreme cases. I am always sorry to see it applied for a first offence unless it is for a violent assault upon an officer.

1135. Then about Deputy Governors you wish to say something?—I spoke of 600 before, and I expressed my preference for a Deputy for that number. My opinion is that it is a great strain with 600 when you feel the responsibility is your own, and that you can never leave the prison for a few hours or half a day without feeling some difficulty may occur, and I am to be blamed for not being present, or someone being there to decide what is to be done.

1136. Who takes charge when there is no Deputy Governor?—It is left to the Chief Warder.

1137. And he would have charge of the 600 prisoners during the Governor's absence?—Yes, and if any difficulty arose he would have to decide upon it, and exercise his discretion.

1138. (*Sir Algernon West.*) In the case of annual leave would they send another Governor to a prison with 600 prisoners to relieve, or would it be left in the hands of the Chief Warder?—It has been left in the hands of the Chief Warder. At Wakefield the Chief Warder took charge in my absence.

1139. (*Chairman.*) For six weeks?—We are entitled to six weeks in the year, but under these circumstances I never take more than a week at a time, and so keep constantly in communication with the prison; but with a Deputy Governor I feel I can take a month at a time, and go away and leave everything in his hands.

1140. In your experience did any serious difficulty arise?—No.

1141. But you took such precautions by shortening your own leave of absence?—Yes, and of being in constant communication with the prison.

1142. Is there any other point you wish to clear up?—No.

1143. (*Mr. De Rutzen.*) Prisoners who are sentenced to penal servitude, say for three years, are entitled to a remission if they have behaved properly and well?—Yes, they can earn a remission of nine months, so that it comes to two years and three months.

1444. Now assuming a prisoner sentenced to two years or 18 months hard labour, or any lesser term, he has to suffer to the very day for which he is sentenced?—Yes.

1145. With no power of remission?—With no power of remission.

1146. Now considering that the penal servitude man for three years can expiate his offence with two years and three months penal servitude, do you consider it hard that the man who is sentenced to two years should have to serve until the last hour of his sentence?—Well, I consider that the two years' hard labour is a more severe sentence than the three years penal servitude, because the convict only does nine months in separate cells.

1147. And it is the hardest punishment which a prisoner can undergo?—Yes.

1148. A very hard punishment?—Yes, a very hard punishment.

1149. Now, assuming that the two years' man has behaved as well in prison as the penal servitude man, do you think it would be to the advantage of the prisoners that there should be some power given of some remission of the sentence?—There might be advantages and there might be disadvantages with it, because there would be a difficulty in drawing the line where remissions should begin.

1150. That is the difficulty?—Yes; and then in the discipline. I find convicts are a contentious lot, and if a man comes and he is not getting the whole remission possible it is never his fault. It is always some officer that has done it out of spite.

1151. But it is an extra hardship upon a man, who, we will assume, has been thought worthy of being dealt with by imprisonment and with a sentence short of the penal servitude sentence?—Yes, there are other disadvantages in addition to that. For instance, the man with two years has the clothing he brings in with him fumigated and put aside, and he puts it on when he goes out of prison. The gratuity he earns in the prison can be only 10*s.*, but the convict gets a new suit of clothes when he is released, and he gets a larger gratuity; he gets a better diet, and he is employed during the latter part of his sentence in outdoor work.

1152. And in that sense what I call the two years' man is in a great deal worse position than the man who has been convicted and sentenced to penal servitude?—He is in a worse position. I receive the convict lodgers weekly from the different convict prisons that are to be discharged in this district, and they come in brown, sunburnt, healthy-looking fellows, making quite a contrast to our prisoners.

1153. One other question upon that is this. A man who gets his one hour's exercise a day (and taking the mass of me nwho are sent to goal for long or short periods, they get one hour's exercise a day), do you consider that physically he is fit to take up that employment which is likely to fall to his lot when he goes out?—That would depend upon circumstances. In some instances he would and in some he would not.

1154. And I suppose it would be the case in a great many instances that he would not be physically in such a state as to be able to take up hard manual labour?—The hands would suffer undoubtedly by going to manual labour.

1155. Yes; and there would be want of muscle too?—Yes, and want of muscle.

1156. With reference to the visits to prisoners what is your mode. Is there a long sort of corridor?—Yes, with boxes on each side.

1157. And those visits are paid within a certain time of the day?—Yes, between 10 and 12 and 2 and 4.

1158. Do you find that the noise is such when they are paying their visits as to make it impossible for them to be heard?—Yes, unless they are carefully looked to.

1159. And that will not make it much better, will it?—If any party begins to shout their visit is stopped for the time, and the prisoner is turned the other way, and they are told if they can speak in a loud whisper they can be heard and not disturb their neighbours. When I came to Pentonville it was usual to hear them scream out at the top of their voices, and it was only a loud-voiced man that was good for anything.

1560. The visit was not worth having?—No. I told them they could whisper across, and the prisoner stands so that he cannot be seen to the right or to the left, and cannot be seen by any other person.

1161. (*Mr. O'Connor.*) Do you know the visiting system at Holloway?—I heard of it once.

1162. Were they visiting at the time you were there?—There were some in.

1163. Was there more noise than in your prison?—There was not. At that time everything was quiet and orderly there. I only went there once, and that was just after the time when some complaint was made of the noise that was made at visits. I went to see the alterations there. They put the officer on a raised platform, but I did not think there was any improvement in that.

1164. (*Dr. Bridges.*) With regard to the appointment of the prison warders. Where a warder is appointed to supervise a workshop I suppose it would be an advantage that he should know something about that trade?—It would.

1165. So that in that case a civilian perhaps would be a better person for the post than a military man?—He would be useful for repairs about the prison. I am not sure about a workshop. We have an artisan warder attached to all prisons now. The officer who is there would have to enforce discipline and see that the prisoners did not communicate with each other. For him to direct a prisoner, or begin

to look closely into the work of one prisoner would throw all the rest out of gear.

1166. With regard to a joiner's shop an engineer would be hardly capable to direct that part of the work?—Yes.

1167. With regard to making hammocks it would not require much skill?—No. We have a sealed pattern to go by, and an intelligent officer can see whether it is made by the pattern.

1168. You do not see the advantage of appointing as warders men who belong to trades?—We are very glad to get them, because as a rule they are more intelligent than any other class; and, if we have any breakdown we can send that officer with one or two prisoners perhaps to look to the repair or whatever it may be.

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1169. (*Mr. O'Connor.*) It has been stated to us that the deterrent effect of the prospect of imprisonment is greater in the case of adults or persons over 21?—Yes.

1170. (*Chairman.*) Do you use some of your cells for storage purposes?—No.

1171. They are all available?—Yes, they are all available for receiving prisoners.

The witness withdrew.

Dr. GOVER called and examined.

Dr. Gover.

1172. (*Dr. Bridges.*) I think you hold the office of Medical Inspector to Prisons?—I do of local prisons, and I am Superintending Medical Officer of Convict Prisons.

1173. You have presented in your annual reports statistical reports of the mortality in prisons?—Yes, I have.

1174. In the report for 1893 I think you gave the death-rate for many years?—Yes, I think I have done so. I have prepared a table showing the return. That table, I think, shows it for the last 20 years.

1175. Will you give me the page that we may have a reference to it on the notes?—It is on page 60 of the Appendix to the 16th Report of the Commissioners.

1176. From this report it appears that in 1893 the death-rate was 7·1?—Yes.

1177. The death-rate has diminished, has it not, of late years?—It has on the whole; most decidedly.

1178. Do you consider that it has diminished since the prisons have been under one control?—Yes, there has been that tendency, I think, distinctly marked.

1179. It appears from the return you have been so good as to refer us to?—Yes. If you take the 10 years following the year 1877 and the 10 years previously you will see at a glance, I think, that the mortality is much less during the latter period.

1180. Is that death-rate that you give for the prisons in your opinion to be in some respects qualified by the discharge, prior to the expiration of their sentences, of prisoners who are dangerously ill?—It is to some extent qualified by that, and I have worked out the figures for the last six years which I thought would be a convenient period. The mortality per 1,000 per annum of prisoners in local prisons was 7·6 during the six years ending 31st of March 1864. The releases on medical grounds during the same period were 4·5 per 1,000 per annum. Now supposing you reckon all the releases on medical grounds as deaths, and supposing you add them to the actual deaths, then the rate of mortality would be 12 per 1,000 per annum. It makes a difference of 4·5 per 1,000, supposing you reckon them all as fatal cases, but they are not all cases that would probably be fatal.

1181. Could you describe those cases that would not be likely to be fatal?—Yes. Among the cases discharged during those years are stricture, chronic abscess, chronic bronchitis, debility, abdominal tumours, blindness, paralysis, and infectious diseases.

1182. Would not there also be pregnancy?—Yes, but I have not reckoned the pregnancy cases amongst those.

1183. You have left those out?—Yes. I should have said exclusive of pregnancy cases.

1184. Could you form any estimate of the proportion of those released prior to the expiration of the sentence who would in all probability have died if they had remained in prison?—Roughly speaking I should say it would be 50 per cent.

1185. Therefore supposing the nominal mortality to be 7 per cent. you would think it right to add 2 per cent.?—2 per 1,000.

1186. That would bring up the mortality in the prisons for the last five years to 9·6 per 1,000?—Yes, about that.

1187. We cannot, of course, fix this increased proportion very accurately?—I can give you the figures of the convict prisons for the same period.

1188. Will you do so?—The rate of mortality for the six years ending 31st of March 1894 in convict prisons was 11·1 per thousand per annum. The releases on medical grounds are much smaller in the convict prisons than in the local prisons, so that they make very little difference to the rate of mortality, and they were actually ·9 per 1,000 per annum, so that if you reckon the releases as deaths and add them to the actual deaths it would give an actual mortality of 12 per 1,000 per annum in the convict prisons.

1189. Would you say that the average age of the convict prisoners was higher or lower than that in the local prisons?—It is somewhat higher, I think.

1190. The range of ages, I suppose, would be rather different in the two cases?—Yes. It would be rather different. It has been worked out, but I have not the figures with me. In the convict prisons it is distinctly higher than in the local prisons.

1191. In taking the local prisons the majority of the population would be I suppose between 20 or 40?—Yes decidedly that would be so.

1192. The number above 40 would not be very great?—No.

1193. To compare therefore the mortality in prisons with the mortality of the general population, might you not take the number of persons in prisons between the ages of 20 and 40, take the deaths at that age, and compare it with the deaths between 20 and 40 of the general population?—Yes, I think that would be a fair process. I might venture to state that there is a very able and elaborate paper by Mr. Walker, the Medical Officer of Holloway Prison, in the "Sanitary Record" for the 15th of June 1891. In this paper Mr. Walker shows by some very careful calculations that the mortality in convict prisons at the several ages is exactly that of the general population. It is exactly the same to a fraction minus the deaths in the general population from zymotic diseases.

1194. Can you put that in?—Yes. (*The Article was put in. See Appendix VII.*)

1195. Turning from the death-rate to the sickness rates, you, in your annual report, supplied information as to the rate of sickness?—As to the number in hospital, but in order to furnish the rate of sickness it would be necessary to know the number of prisoners in hospital for every prison for every day in the year and I have not had time to ascertain that. We do not give that in our printed reports; but speaking from my observation I find that the average number of patients in the hospitals of local prisons is about

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2·5 per cent. of the population. In the convict prison the proportion of prisoners under treatment in hospital is somewhat larger and amounts to between 4 and 5 per cent.

1196. And in your annual report you give the daily average of prisoners during the year in each prison and also the total; and in the column immediately following, you give the total number of cases of sickness treated in hospital?—Yes, quite so.

1197. I wish to ask you this question. In the summary of medical statistics for the year ending March 31, 1880, in the third report of the Commissioners, page 64, the daily average of female prisoners is 3,396, and the total number of female infirmary cases is 1,011. In the 16th report, page 46, it appears that the average number of women in prison was 2,317, and the total number of cases treated in hospital is 1,591; showing that the number of infirmary cases amongst women had very greatly increased in those 13 years?—I do not think that that shows any increase in sickness. It shows a difference of administration purely. It is purely due to myown action as medical inspector. I was appointed inspector of local prisoners at the latter end of 1878, and I found at once that the sick prisoners were not attended to properly, and that they were not admitted sufficiently freely into hospital, and as a result of my visits and conferences with the medical officers I have been the means of securing a more free use of the hospitals. The sick are more freely admitted into the hospitals than they were formerly. With that additional admission into hospital there has been a decrease in the mortality.

1198. Coming to quite recent years the number of infirmary cases amongst women in the 14th Report which is for the years 1890-91 was 1,218 cases as against 1,591 in the 16th Report; therefore there has been an apparent increase in the last three years?—Well, we have had influenza amongst other things; besides in small populations there will be fluctuations that one cannot quite account for. I do not think there has been any increase of deaths amongst the female prisoners, but we have had an increase of cases requiring observation and a good many cases of pregnancy, cases not of a serious character, requiring admission into a hospital, but not indicating any serious prevalence of disease or falling off of health amongst the prisoners.

1199. Have you a table showing the number of suicides in prison?—Yes, that is shown in this table from year to year; the number of suicides is shown in the last column but 4 of page 46 of the 16th Report of the Commissioners. You will find there were seven suicides during the year ending the 31st of March 1893.

1200. I was going to ask you whether you had drawn up a return presenting the number of suicides in a series of years?—Yes, thinking it would be convenient to you, I have found that there were 48 suicides in local prisons during the six years ending March 31st, 1894, or about eight per annum.

1201. Does that compare with any previous period?—It does. I found in the course of some inquiries I made some years ago (and I daresay you may have seen them printed, in the 3rd Report of the Commissioners), that the tendency to commit suicide was greatest during the first week of imprisonment, and that 34 per cent. of those who committed suicide were waiting for trial. I also found that the tendency to commit suicide in local prisons was greater in proportion to population than in convict prisons.

1202. I was asking whether you could furnish a table comparing the last five years with the five years preceding?—Yes.

1203. You can get it from your Reports, no doubt?—Not exactly for the last five years I think, but for the five years ending 31st March 1893, I have the figures here.

1204. With regard to insanity the number of cases of insanity reported in the 16th Report is, I think, 307?—Yes, it is 307.

1205. What page do you get that on?—The table is given on page 62 of the 16th Report of the Commissioners.

1206. That gives, does it not, the particulars of each case of insanity occurring in the local prisons during the year ending 31st March 1893?—It does.

1207. Of those 307 how many showed evidence of insanity on admission to prison?—In 251 of those cases.

1208. Leaving a balance of 56 who showed no evidence of insanity on entering the prison?—On the day of admission to prison, but in 22 other cases the existence of mental disease was recognised a few days after reception and it may be therefore presumed to have occurred before the day of admission.

1209. That leaves 34 cases then, in which, so far as appearances went, they were fairly sane on admission into prison?—That is so.

1210. Do you consider that, taking the rate of insanity per 1,000 occurring in prisons, that that quantity of 34 is larger than would have occurred in the general population?—It is larger than would have occurred in the general population undoubtedly.

1211. Are you prepared to express any opinion on those 34 cases with regard to the causes that might have produced insanity?—I have questioned a good many medical officers as to the causes of those cases of insanity occurring and they have given me the following as the chief causes of insanity arising in prison. That is to say, drink is the first cause and the most important of the whole. Prisoners become insane sometimes in prison as the result of intemperate habits prior to imprisonment. Among other causes there are epilepsy, financial troubles, domestic troubles, puerperal fever, lactation, sunstroke, misfortune, worry and disgrace, disappointment in love, irregular habits, suspense and anxiety; but they do not mention imprisonment as the actual cause of insanity in a single case.

1212. From questions that you have asked of medical officers of prisons do you think that imprisonment may have been a subsidiary cause?—I think that imprisonment very often has the effect of delaying the outset of symptoms of insanity, but I do not think I can say it is even a subsidiary cause.

1213. I understood you to have rather admitted that the proportion of cases of insanity breaking out among prisoners admitted sane was larger than that of the general population?—Yes.

1214. Now the causes you have just assigned are not special causes connected with prison life, and therefore would not account for that increase of insanity in prisons?—They would account, I think, for the cases of insanity arising in prison without the necessity of attributing that insanity to the effect of imprisonment.

1215. You think so?—Yes, I think so. I do not know whether it would be convenient that I should give you some particulars for the year ending March the 31st last. Those are the figures which I have for the year previous, but I have the figures for last year.

1216. Yes, we shall be glad to have them certainly?—During the year ending 31st, 1894, 359 prisoners were reported or certified to be insane in local prisons. Of these, 287 were recognised as being insane at once upon reception: 17 more were recognised as insane within one month of reception; making a total of 304 who were presumably insane on entering the prison. This leaves 55 to be accounted for, and among this residue of 55 some are reported as having been in an unstable condition mentally on reception, or in a doubtful condition, or in a weak-minded condition. They are so returned by the medical officer when received, so that I think that really in very few cases did the insanity of this residue originate in prison. I think that in those cases of unstable mind and doubtful state of mind and cases which were not immediately recognisable on reception there must have been some unsoundness prior to imprisonment.

1217. A certain number of cases are reported as being sound on reception into prison?—Those are the cases that appear to the medical officer to be sound when he has the case before him.

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1218. With regard to those cases, are they subjected to the same rule of discipline as to diet and labour as those persons appointed and reported sound, but afterwards turning out to be insane. During the time they are sound they would receive the same diet as other prisoners?—Yes, but I would beg to remark that a great many of those cases are remanded by magistrates specially for observation, and they are placed on No. 3 diet, and are kept under special observation by the medical officer, and reported upon generally at the expiration of seven days.

1219. Will you refer to page 62 in the 16th Report, and to the prisoner who has the registered number 3,045. His mental condition on reception into the local prisons is reported as sound?—Quite so.

1220. Six weeks after he was imprisoned a mania comes on?—Quite so.

1221. What I was asking was: during the first week of that man's imprisonment would he be put on No. 1 diet?—I think so, in that case.

1222. And after the first week he would be put on No. 2 diet?—Yes, that would be so.

1223. Supposing that insanity was latent in him, that he was a person of an unstable state of mind on coming into prison might it not be that the low diet of the first week and even of the first month in prison might have contributed towards it?—I think it might contribute to it in individual cases, but I do not think it is so in any large number of cases. There may be a few cases in which that does apply.

1224. If a person is recognised on admission into prison as being of a feeble condition, would the medical officer specially diet him?—Yes, he would specially take care of him then. It would be his duty to do so.

1225. And, therefore, the only case in which that extra diet would not be given would be that no mental unsoundness was recognised?—Quite so.

1226. I pass now to the prison medical officers. Are there any special qualifications required in the appointment of a medical officer?—He is always required to have a double qualification—a qualification in medicine and in surgery, and as a rule if there are several candidates for one appointment, the medical man with the best qualifications is chosen. At all events that is one of the points which is taken into consideration.

1227. Is it the fact that any of the medical officers have had any special experience in lunacy before their appointment?—Yes, several have been assistant medical officers in lunatic asylums before their appointment. They have come from the asylum to the prisons, but I do not remember their names at this moment. I only know that as a fact. Several of our assistant surgeons have been assistant medical officers in asylums.

1228. Could you very well state the duties of a prison medical officer?—They are very numerous. There is a standing order describing them. I can give you briefly the chief duties if you wish.

1229. Amongst them at any rate one would be to examine every prisoner upon admission?—Certainly, that is so.

1230. He would see him, I suppose, on the first day of his admission?—In local prisons sometimes prisoners arrive at 9 and 10 o'clock at night. In small prisons the medical officer is not resident. He is a practitioner perhaps living at a distance, and a prisoner arriving late would be placed in the reception department, where he would be attended to by the officers and be seen by the medical officer the next day; but where prisoners arrive early in the day they are seen on the same day by the medical officer.

1231. Within a few hours?—Yes.

1232. Is an examination made of all the chief organs of the body?—Yes, a most careful examination. Every prisoner is stripped and auscultated and examined as to the condition of his joints and muscles, and his condition is entered in the reception register. Shall I put in a sample?

1233. Yes?—I will put in specimen pages from the medical reception register for the local prisoners, and the medical history sheet used in the convict department.

1234. With regard to his physical condition I see that you state the weight. Is anything noted as to any peculiar conformation of body?—In the local prisons the medical officer would notice that in his column for remarks, and in the convict prisons it would be placed in the special space assigned for those special conditions.

1235. Is there anything like what would be called an anthropometrical measurement?—There is not.

1236. There would be no measurement of his head, for instance?—No, we have nothing of that sort. I may mention that the number of prisoners received, for instance, at one prison in one day is very large. At Holloway we may receive 100 in one evening, and at such prisons as Strangeways and Liverpool very large numbers are received.

1237. Is there any examination of his mental condition by the medical officer on admission?—Well, the medical officer examines him and endeavours to the best of his ability to ascertain his condition mentally and physically, and deals with him accordingly.

1238. Would not there be an advantage, supposing it were practicable, that every medical officer of a prison should have rendered himself in some degree competent by a short stay in a lunatic asylum to estimate any symptom of actual or of latent insanity?—I think it would tend to add to his efficiency as a medical officer. At the same time I may state that the bulk of our medical officers are extremely careful men, and make very careful entries as to the condition of prisoners on reception. I think it very unlikely that any prisoner who is at all defective, either mentally or physically would be required to do the same labour, and would be treated in the same way as other prisoners. Every allowance is made for a man with such defects.

1239. Is any inquiry made as to his past history, or as to his parentage?—Not the parentage. I think we have no information as to the parentage. In fact, we have no information at all except what can be obtained from the prisoners themselves. You will see the medical officer has a space in which he enters the previous illnesses of the prisoner.

1240. This last information would be derived from the prisoner himself?—Yes.

1241. Coming to the prison infirmary, a certain number of persons are taken into the infirmary and a certain amount of sickness is treated outside of course?—Yes.

1242. They are treated like out-patients and see the medical officer when it is necessary?—Yes.

1243. And I gather that since your administration you have encouraged the reception of prisoners into the infirmary to a larger extent than before?—Yes, I have done so.

1244. In the infirmary under what kind of conditions are the patients with regard to nursing?—In all the large prisons we have specially appointed nurses who are on duty both day and night. I may say there is first of all a hospital principal warder as he is called, generally. In addition to that there are officers on duty in the wards, and also in the largest prisons nurses whose special duty it is to nurse the prisoners both night and day.

1245. Would a hospital warder in the case of men be a man of previous hospital training?—Yes, in the prisons we generally have a man who does duty during the temporary absences of the hospital warder and at other times; and who gradually learns in the course of years what is the duty of a hospital warder; and he is usually chosen to fill up vacancies.

1246. In the case of a man being severely ill, would he be attended to by the prisoners themselves?—To some extent. In the smaller prisons, where we have not got a constant staff of permanent nurses, we sometimes utilise the services of selected prisoners under supervision, but they are always under strict

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supervision. Such prisoners, for instance, do what cleaning is necessary.

1247. May I take it that in the larger prisons you always have the element of skilled nursing?—Yes, and in the whole of the convict prisons.

1248. And the hospital is never left without a skilled nurse—male or female?—Never.

1249. In the smaller prisons it might be otherwise?—In the smaller prisons, especially in the smallest, the hospital may not be occupied at all for weeks together. Then in the case of severe illness occurring and a prisoner being admitted on the ground of pneumonia, for example, arrangements would at once be made for his being attended to, and if necessary outside attendants would be hired. We very frequently hire attendants from outside and they are employed for long periods in nursing prisoners.

1250. Of course what you have said as to male prisoners applies equally to the female?—Quite so.

1251. Coming to the question of the prison generally with regard to their accommodation I believe it is the case that the cells in the local prisons are always pretty much of the same size?—Yes.

1252. They are all ventilated, are they not, in the same way?—Very much in the same way; practically in the same way.

1253. By the air coming in from the top and being sucked out at the bottom of the cells?—Yes, quite so.

1254. With regard to the convict prisons where men are employed in outdoor labour some of the cells or sleeping berths are extremely small?—They are.

1255. For instance, at Portland, would not it be the case that there is not much more than 220 feet of cubic space?—It is something like that; they are very small; they are mere sleeping cells.

1256. In the case of the halls in Portland prison, the only means of warming is by the gas jets which are kept alight all night?—Exactly, as far as I remember.

1257. Is not that a very unsatisfactory mode of warning a prison?—The cells are altogether unsatisfactory; but it must be remembered that the prisoners are out of doors a great deal, and that their health has always been remarkably good whilst occupying those cells; so that although those cells are theoretically unsatisfactory, I cannot say that I can attribute any serious evil to their use.

1258. You think that the evil of that small amount of accommodation and the bad system of warming is counterbalanced by their being employed in outdoor labour?—Yes, and the very healthy conditions they are placed under generally.

1259. But you would not think it satisfactory that a man should be confined in a space of 220 feet, would you?—No.

1260. Have you reported on that point?—No, because it is well known to the authorities that they are very small cells, and previous committees have visited them, and in reporting upon them I should be only reporting what was already known and acknowledged. Of course no construction is so expensive as that of cellular construction, and to accommodate all the convicts in cells of the same cubical capacity as those of local prisons would mean an enormous expenditure.

1261. Still you might have an intermediate size?—Yes.

1262. (*Sir J. E. Dorington.*) Do the partitions of those cells go to the top?—Yes, but the doors do not go to the bottom; the doors are cut off so that the cells partake of the air of the corridor. Besides there are good arrangements made for the passage of air through the cell itself. The extraction is good; the air is drawn through and renewed frequently, which occasionally creates draughts of which the prisoners complain. Still that shows that care is taken to change the air as often as possible.

1263. (*Dr. Bridges.*) Would it be the duty of the prison medical officer to report on unsatisfactory insanitary conditions that might occur in the prisons?—Certainly; he is provided with a form for that purpose, which he sends in quarterly.

1264. Do those returns come before you?—Yes.

1265. Coming next to the question of food I believe that the present system of dietary in prisons very much accords with the Report of the Departmental Committee of which I think you were a member?—Yes.

1266. It consists of those four classes?—Yes, it is still the same diet; the diets have not been altered.

1267. The dietary for prisoners during the first week (I am speaking now of local prisons) is No. 1 dietary, is it not?—Yes.

1268. That is the bread-and-water diet as we may call it?—The stirabout diet we call it.

1269 On the whole after your long experience of that diet are you quite satisfied as to the stirabout?—I think that in the case of the women experience shows that it may be possibly advisable to have an alternative diet which the medical officer may order for women who have an objection to the stirabout and who will not eat it. That question is under consideration at this moment.

1270. There is, is there not, rather a difference between the North and South of England?—Yes, the London women have more objection to the stirabout, for instance, than the women of the North. The stirabout is a very nutritious porridge made of oatmeal and Indian meal.

1271 But as a matter of fact in London prisons is not a great deal of that thrown away?—Yes, by the women. It is returned; and, for that reason, I am about to recommend an alternative diet which may be used at the discretion of the medical officer.

1272. Have you seen reason to think that apart from the objection the women have to the stirabout, the quantity of that stirabout diet, the No. 1 diet, is sometimes insufficient?—Not for a short period I think. It is only taken for so short a period that I think it is not more meagre than is required in order that it may be salutary in a prison sense. Of course it is admittedly a diet that does not come up to the theoretical standard as to its nutritive excellence.

1273. I quite understand. Assuming it is good and quite right for prisoners sentenced to a few days' imprisonment, you do not yourself see any objection to its use for a week by people who are sentenced to a month?—No, I do not. I must say that having carefully inquired into that point and having also taken the opinions of very experienced medical officers I am not prepared to recommend any alteration.

1274. I think for a long sentence you do not begin with No. 1 diet?—No, it is strictly confined to those very short sentences.

1275. Is it only given to those who are sentenced for a month?—Yes, for a month and less.

1276. With regard to the clothing. Is any difference systematically made between the winter and the summer clothing?—Yes; as regards the prisoners when they go out to exercise they are furnished with a cloth cape.

1277. Which they wear in the cold weather when at exercise?—But there is no difference made as to the clothing worn in the prison, seeing that the prisons are all warmed and brought up to a temperature of between 60 and 70.

1278. The prison is never cold?—Never.

1279. It is only with regard to outdoor exercise or outdoor work for which extra clothing is wanted?—Yes, amongst the convicts we are very careful. They are provided with gloves and with leggings and with other outward coverings. The convicts working out of doors, in addition to the ordinary clothing, are provided with cloth leggings and a jersey; and in very cold weather with gloves.

1280. With regard to punishment, flogging is sometimes employed?—Yes.

1281. What is the maximum amount?—36 lashes with the cat.

1282. Have you ever heard in your experience of any injury occurring from that?—Never; every man about to be flogged is carefully examined by the medical officer and the medical officer is bound to express his opinion as to the prisoner's fitness to undergo flogging. If he thinks he is unfit for the number of lashes ordered, it is his duty to certify to that effect.

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1283. Have you ever heard the opinion expressed that an attack of kidney disease has been the result of flogging?—Never.

1284. With regard to the labour of the prisoners, have you observed the physical effect produced in the convict prisons of Dartmoor and Portland by outdoor exercise?—I have not had any injurious effects brought to my notice. I think, as a matter of fact, a great many improve in health. It is one of the duties of the medical officer to exercise care and visit the prisoners at labour, to see that no prisoner is placed at work for which he is unfit.

1285. But supposing a man to be placed at Portland in the quarries to be fit for outdoor labour, and to be placed upon outdoor labour, would you consider the effect upon him was good?—Yes, and I have never known any case to the contrary.

1286. Contrasting that with the labour used in the local prisons, is it the case that the comparatively confined labour there has a rather less beneficial effect than the outdoor labour of Portland and Dartmoor?—Yes, I might go so far as to say that certainly; but I would not go so far as to say that the labour at which prisoners are placed in local prison does injury in any cases.

1287. Would not that depend very much on the kind of life they had been leading before?—It would, and that would be considered by the medical officer in his recommendation as to the employment of the prisoner. If he thought any particular employment was likely to be injurious, he would say so.

1288. Speaking of that class which I gather from what you have said is a somewhat numerous one in prisons; people of an unstable mental condition, of a feeble circulation, and a feeble brain, do you consider that for such persons as those outdoor labour would be preferable to labour and confinement in a cell?—I think, looking at the matter strictly medically, that it would be so.

1289. Are there any prisons in which there is a considerable amount of labour in the gardens or in the fields?—In local prisons?

1290. Yes.—Yes, there are some prisons in which there are large gardens, and in which the vegetables are grown for consumption in the prison. Prisoners undergoing the longer sentences will be frequently found working in those gardens.

1291. I will ask you just once more about these feeble-minded persons. Would not a long period of isolation in a cell tend rather to intensify their debility of mind than to counteract it?—I think that taking the word "isolation" in a strict sense it would be so; but I do not think there are any conditions that we could call "isolation" in local prisons. There is "*separation*" but not "*isolation.*" I do not think the "separate confinement" can be described as "isolation."

1292. Well I rather mean the system as it exists of doing work in a cell?—I think it is really so much modified that there are no ill effects from being under lock and key in a cell.

1293. I was not speaking about its effects on a healthy person, and making him ill; but its effect upon a person already in a debilitated state of mind?—I think it would be injurious in that case; and the dealing with those cases is one of the very important duties of the medical officer. He has an unlimited power to exercise a discretion in those cases.

1294. To what extent is he able to exercise a discretion with regard to the employment of the prisoner. Are there trades in the prison on which such persons can be employed under somewhat different conditions from the rest?—Some of those prisoners are very stupid as well as weak minded, and we have some difficulty in finding employment for them, but the medical officer would express his opinion to the Governor, who would employ such a prisoner out of his cell in cleaning about the prison and in going about what is called fatigue work; carrying about things and working in the kitchen, or he might be placed in an associated cell. There are various means of dealing with prisoners suffering from depression and who are in a state of mental debility; and I am sure that those cases are always very carefully attended to by the medical officers throughout the prisons generally.

1295. Have you formed any opinion about the separation of children from other prisoners?—I think they should be kept as far apart as possible, and I believe that that is done generally speaking. In a large prison it is very easy to keep them apart from the other prisoners, and I believe it is always done. I know that in a prison lately a very little boy was received, and the Governor at once sent him over to be taken care of by the matron in the female infirmary. They thought him unfit to be anywhere in view of the male prisoners, and so they dealt with him in that way, and something of that kind is done in the case of any very young juvenile prisoner, I believe.

1296. I suppose your duties have not lead you to consider the question of reformatories?—No, I have not had much to do with reformatories.

1297. (*Mr. O'Connor.*) Were you ever a medical officer of a prison?—Yes.

1298. For how long?—I was at Millbank from 1860 to 1878.

1299. Were you the sole medical officer there?—No, I was the resident medical officer from 1860 to 1865, and then I was promoted to the post of senior medical officer there on the retirement of Dr. Guy.

1300. Were there two medical officers there?—Yes.

1301. At the same time?—After that I had an assistant medical officer.

1302. There were two medical officers?—Yes.

1303. How many prisoners?—There must have been from 1,000 to 1,200 prisoners.

1304. Is there any prison in which the medical officer has two assistants?—No.

1305. Is not there one?—No, there is no prison in which there are two assistant medical officers.

1306. I suppose the business of chief medical officer at a prison with a large number of prisoners would be, if he attended to it thoroughly, very wearisome and worrying?—Very; it is one of the most arduous posts in the Civil Service, and more worrying than any private practice; at least, I think so.

1307. From the disciplinary circumstances?—Yes, there is a very heavy responsibility and a constant responsibility. There is a constant fear of some oversight.

1308. I suppose the work of a medical officer in a convict prison would be less varied than in a local prison?—Yes, somewhat.

1309. It is simpler?—Well, it is different. The convicts stay long enough to suffer from diseases, and to require surgical treatment and operations, so that there is more done in the way of surgery in the convict prisons than in the local prisons.

1310. In the local prisons, I suppose, by reason of the very rapid stream passing through of a great number of persons the work would be more incessant and very much more varied?—The responsibility of such medical officers as those at Dartmoor or Portland Prisons is, I think, quite as great as that of the medical officer of a large local prison with a large population.

1311. I suppose where you have a local prison with both male and female prisoners the responsibility and wear and tear would be greater still?—Certainly; the female element is very disturbing very often in the prisons.

1312. Long service as a prison medical officer is likely to be very trying to the individual?—It is.

1313. Are you satisfied that in these larger prisons where you have both male and female prisoners one

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medical officer with one assistant is a sufficient staff for the duties to be done?—I do not think it is always sufficient.

1314. When those medical officers go on leave what system have you of replacing them, or one of them?—In the majority of the large prisons a *locum tenens* is employed from the outside.

1315. Not from the prison staff?—No.

1316. He would have less acquaintance with the criminal population?—Quite so.

1317. He would also be a man of less responsiblity?—Quite so.

1318. Would those circumstances at all incline you to think that it would be better to have a somewhat strengthened medical staff for the general prison service?—I think it would be so.

1319. Have you ever had occasion to make any representation with regard to that?—I have not done so, because the necessity for the second assistant surgeon and medical officer is always most felt when one or the other is away on leave, and of late years the employment of a *locum tenens* has been pretty general, so that that particular difficulty has been to some extent overcome.

1320. Sometimes when you have two officers the number of prisoners is much less than in other cases where there are no more than two?—Quite so.

1321. In the larger prisons do not you think there is serious need for a second assistant?—I think there is such need in such a prison as Holloway or Walton. Now, at Holloway we receive perhaps from 80 to 100 prisoners a day for two or three days in the week. Everyone of those prisoners has to be carefully examined. The ordinary duties have to be discharged. The warders and their wives have to be attended to. So that there is a great strain on the medical officers.

1322. So that if a medical officer makes a mistake in his diagnosis when a man comes in for the first time it may come back on him years afterwards?—It may.

1323. With great responsibility?—Yes.

1324. So that in a very short time within a very few hours of the day the strain upon such a man may be very serious indeed?—Certainly.

1325. Will you kindly tell us why it was you recommended an increased admission to hospital. What was it that you observed which called for it?—On my first appointment after making a few rounds I found the sick prisoners were too much treated in the cells. They were not sufficiently freely admitted into hospital and consequently the treatment was not carried out satisfactorily and the results were not satisfactory. Therefore at my interviews with the medical officers I encouraged the more free use of the hospitals.

1326. Did you find that was pretty equal as a system, or was it more so in some places and less in others?—The prisoners I think were more adequately dealt with in the Metropolitan prisons than in the country prisons.

1327. In some country prisons there were men left in cells who were quite unfit to be there?—Yes.

1328. And the death-rate in consequence was higher than it need be?—Well, it would require very considerable inquiry to absolutely prove that, but I suspect it to be so.

1329. Your increased admissions resulted in a sensible diminution of the death-rate?—As a matter of fact there was a sensible diminution of the death-rate.

1330. Were there any other circumstances concurrent with that change in administration which would also affect the death-rate?—There was greater attention given to the sanitary arrangements of the prisons and to the preparation of food.

1331. I suppose it would be rather difficult to distinguish between the cases?—Yes; you could scarcely differentiate between the cases.

1332. (*Mr. Haldane.*) There are one or two questions I should like to ask you. The principle on which our prison system proceeds as regards diet is the subjecting of prisoners of whatever class, and whatever station in life to a uniform system of treatment?—Yes.

1333. That also is true in regard to differences of age and build. A man of six feet high has the same amount of food allowed him as a man of smaller stature, and a man of 40 the same amount as a young man of 18?—Yes.

1334. Has it in your experience struck you as a matter requiring consideration whether some greater elasticity is not needed in that respect?—There is very great elasticity inasmuch as the medical officer can recommend any increase of diet he chooses, and he constantly exercises that power.

1335. He could do that; but that is merely on specific medical grounds?—Well, if a prisoner were found after a short period of observation to be losing weight largely he would certainly have an increase in diet.

1336. Supposing a man comes in who has been accustomed to live fairly well and he is put upon the same diet as a tramp, is not the punishment in the case of a man who has been accustomed to the better sort of food very much greater than it is to the tramp?—Yes, undoubtedly.

1337. And that is an evil which if it can be met consistently with objects should be done?—I suppose it may be said that the man who has lived well prior to imprisonment is a man who has been better off in every respect. He has had a better education, a better bringing up, and is more responsible. I do not know that it is quite unfair that he should suffer more.

1338. Still, that is virtually adding to the sentence?—Yes, quite so.

1339. Is not that a matter which ought to be considered in connexion with any classifying of prisoners?—As a matter of fact the medical officers do consider even that, and instead of merely increasing the elements of the diet they will sometimes in such cases even alter the scale of the diet.

1340. The same would be true of occupation. What is sufficient for a man who had not worked with his hands may be insufficient for a man who has been accustomed to an active life; and the prison system as it exists at present provides very little room for discretion in that respect. I am talking now of the earlier stages of the sentence?—I can only deal with that question in its strictly medical aspect. If a medical officer were to find any prisoner suffering as a result of any condition imposed upon him during his stay in prison, he would endeavour to neutralise that.

1341. There, again, there would have to be some specific medical evil which would come under the medical category?—Yes, the man would have to be dealt with specifically and categorically.

1342. But in the provision of books and providing mental occupation for the prisoners there is very little difference allowed to the Governor with regard to differentiating as between the treatment of prisoners?—With regard to books I may say I have not much knowledge as to that. That is not my department. That comes more under the cognisance of the chaplain, but I know of some cases in which the medical officer has recommended amusing books.

1343. Then in a case of that kind the medical officers have gone a little out of their way?—Yes. The medical officers have such great powers of recommendation that they make any recommendation they think necessary.

1344. I am asking the question which is a little wider than your department. Does not it strike you that the time has perhaps arrived, our prison system having been perfected into the state in which it is, when a somewhat larger discretion as to differentiating between prisoners in various matters of diet and occupation might be allowed to those who are immediately in control of the prisoners?—Do you mean to the Governors?

1345. Yes, to the Governors and to the persons in charge?—Well, I think with regard to diet that the medical officer ought to have very great powers, and to exercise them freely; but I could not go so far as to recommend that the Governors should have any such power as you indicate.

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1346. We will take diet first. Would it not be a good improvement in our prison system if the medical officer had power to do what you tell me some medical officers do, of going a little beyond that, and to exercise a considerable latitude of discretion in the diets on which various classes of prisoners should be put?—Do I understand your question applies to the Governors?

1347. No. I am talking of the medical officer as a man in whom a larger discretion might be vested than is vested at present?—His discretion is so large that I do not think it could be increased. His powers are unlimited.

1348. Then is not it the case that he looks at each case entirely from what I may call a medical point of view. Let me make it plain. To a particular man the diet on which he is put may amount to almost torture, for a time at all events, without injuring his health. In that case I apprehend it would be beyond the scope of the medical officer, interpreting his duty strictly, to interfere?—Except that he might interfere in the way of prevention. He might say to himself, "From what I see of this man, and what I know of "his previous history, I am afraid this particular diet "if he goes on with it will injure him, and I will "make this recommendation." Medical officers do very often act in the way of prevention.

1349. I am talking of where it will not harm a man, but merely inflict very great discomfort on him. Would you be prepared in that case to recommend that a wider discretion should be vested in somebody as to discriminating between the cases of prisoners?—I see no harm in investing that authority—in some judicious authority.

1350. There is nothing of the kind now?—No, the whole power is vested in the medical officer.

1351. And subject to that it is prescribed rigidly by rule?—Yes.

1352. As regards both diet and occupation I was suggesting to you the expediency of vesting some wider discretion in some functionary connected with the prison?—I do not quite know whether I am competent to give an opinion on that point as it is a question relating to prison management generally.

1353. It is. That is quite true, and of course on the question of policy there might be grave objections to it, but I was asking you from your knowledge, and when one speaks of the knowledge of a medical man it is embracing a whole field of experience which is rather wider than a layman's. I was asking whether if difficulties of policy could be got over, it would not be better in the interests of the moral as well as the mental health of those in prisons that there should be a larger power of discrimination?—I am still inclined to think that the powers with regard to variation of diet, should be vested entirely in the medical officer, lest for some reason the Governor, or any other authority who had such powers should exercise them injudiciously, and do harm rather than good.

1354. That I can follow, but you think the medical officer might have a larger discretion with regard to diet than the mere medical discretion he has at the present time?—Well, the term "medical" is so freely interpreted in prisons that a medical officer does not act in a literal sense. He very often takes a large view of his functions, such a view as you indicate, and does quite as he thinks right in the general interests of the prisoner.

1355. In some prisons, for instance, does a medical officer consider it is a great hardship on one or two men to be subjected to a diet to which he is totally unaccustomed?—Yes.

1356. Apart even from the question of his health suffering absolutely?—Undoubtedly. The medical officers think diet is a hard punishment in those cases.

1357. And they do exercise a wide discretion?—Yes.

1358. That varies, I suppose, with the medical officers?—Yes, the medical officers always have some medical reason for their recommendation.

1359. That is what I wanted to get at?—Their view would not be so large as to exclude medical considerations. They are influenced entirely by medical considerations, I should say.

1360. What I was suggesting to you was—and it was going rather beyond medical considerations and taking into consideration the amount of suffering inflicted on the prisoner—what should you say as to enlarging the discretion of the medical officer?—I think that the interference with any accepted scale of prison diet is such a very serious and critical matter that I should not be prepared to recommend any extension in the way of giving discretion to any other officer than the medical officer.

1361. But I rather gather from you that you think there is at the present time a hardship in the view of the medical officer being limited to what we have called medical considerations?—I meant to say that the putting of a prisoner who has led a luxurious life prior to imprisonment upon a strictly prison diet is a great hardship, and one perhaps not contemplated by the sentence, but I have no reason to recommend empowering any officer but the medical officer to interfere with that.

1362. Perhaps you think there is a choice of evils there?—Yes, I think the interference with prison dietary is a serious matter that should be trusted to only one officer. There might be a clashing together of the governing and medical officers, perhaps. The medical officers being responsible for the health of the prison, I think should be the only person responsible for dietary matters.

1363. Would you extend that observation to occupation. Who do you think should have any discretion on that matter?—I should not extend it to occupation certainly. That is not so strictly a medical matter as diet.

1364. Would you give the Governor a large discretion in the way of allowing books and occupation to the prisoners in accordance with their antecedents as they exist at the present time?—I cannot say that I see any reason for extending the Governor's discretion in that matter.

1365. And yet it may be a hardship on a senior wrangler, for example, to be allowed only the same mental pabulum as you allow a tramp?—Yes, but a senior wrangler would be better fortified against such a position. He would be a man of mental resources not possessed by the other. He would be able to recall passages of books that he had read, and I cannot help dismissing from my mind his greater responsibility and the strict justice of the greater hardship he would undergo.

1366. But do you not think he might suffer very much more, being practically without an occupation from only having that which to the tramp, say, would be quite sufficient?—I think he would suffer extremely, but that suffering necessarily would not be injurious to him or shorten his life.

1367. You justify it on the ground of his greater moral responsibility?—Yes.

Adjourned for a short time.

1368. (*Sir. J. E. Dorington.*) As to the suicides that you say took place were those amongst persons who had been recognised as insane or were they unexpected?—I think they were unexpected in many cases.

1369. They were not among the persons who were marked as insane?—No, they were a distinct class.

1370. Were they all of one character as to the form they took?—As to the mode of suicide, do you mean?

1371. Yes?—No, they were very different.

1372. So that you cannot suggest any special precautions that should be taken?—No, we have taken all the precautions that suggest themselves, but you must have windows and window bars and ventilators.

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In some cases a suicide has been effected by simple strangulation. A man has, for instance, taken his pocket handkerchief and got a strip of something and actually strangled himself with it. That has happened several times.

1373. That is notwithstanding the constant supervision?—Yes. I do not think the number of suicides is large considering the population.

1374. There are about seven a year, I think?—Yes.

1375. Out of about 150,000?—Yes.

1376. When prisoners are discharged after long sentences in local prisons, do you think they are fit to undertake the ordinary task of labour—Oh, yes, after long sentences.

1377. You do not think they have all got soft?—No, I think not.

1378. Take an agricultural labourer, for instance, who has been kept in the warm and has been well fed and had nearly nothing to do, having been in prison for 18 months?—Well, he is kept pretty well to work, and with a long sentence such as that he is let out of his cell a great deal to do tolerably hard work in the prison and the prison grounds and the gardens and the kitchens, and fetching and carrying, and work that employs his muscles a good deal.

1379. Do you think they get sufficient work to keep them in muscular condition?—Yes; if you will go round and inspect the prisons, and have the prisoners classified, and take a group of prisoners finishing a sentence of 18 months, another of 12 months, another of six months, another of three months, and so on, you will find those who have been longest in prison are in the best condition.

1380. They are the heaviest?—Yes.

1381. And you really do not think they become too soft to perform their several tasks?—No.

1382. Because what is commonly called severe hard labour ceases at the end of the first month?—Yes, the first class hard labour, the treadwheel kind of labour.

1383. You would not suggest they should have any severer form of physical labour than what they get in the work about the prison throughout their sentence?—No, I have no reason to recommend that. I think the work is very suitable on the whole to their condition.

1384. The work done by the convicts is very much more severe?—Yes, but the convict's day's labour is not so long. I very much doubt whether taking everything into consideration it is more severe. Even the excavating clay out of a steam basin, which is one of the heaviest forms of work, is not done in such a way as to suggest any very extreme effort.

1385. With regard to the insufficient number of medical officers, I suppose Holloway prison is a very exceptional prison in regard to the number of admissions?—Yes.

1386. And, therefore, the ordinary proportion of medical officers there might be inadequate?—It is beginning to be felt to be inadequate, partly owing to the fact that so many prisoners are sent there by magistrates for medical observation.

1387. Those who are sent there for medical obervation require a considerable amount of the medical officer's time?—Constant examining and watching during their time, and reporting upon besides.

1388. Then if there are 80 prisoners coming in besides per day to be carefully medically inspected it would be impossible to get through them all?—It is hard work, besides, there is the medical attendance on the inmates already in the prison, and the officers and their families.

1389. Would you say a prison constituted like Holloway, receiving a large number of prisoners daily, not necessarily convicted, requires a larger staff than in an ordinary prison?—Yes.

1390. (*Miss Orme.*) You spoke about there being no change made in the clothing for winter and summer. At Wormwood Scrubs I found the women with what they call their summer clothing?—Yes. I referred to the males. In the case of women there is a difference.

1391. When you speak of the number in hospital, do you include those in cells, or only those in the associated wards?—I include those in hospital cells.

1392. In the local prisons you not infrequently have children born in prison?—Yes.

1393. Have you had cases of extreme depression shown by the mothers when the children are taken away from them at the end of the nine months?—In very few cases.

1394. If any trouble of that sort does arise, what happens?—Well, that would not come under my notice particularly.

1395. But do you know what powers the medical officer would have in such a case?—The medical officer would make any recommendation he thought proper, but I do not think, except it was a very extraordinary case, it would extend to keeping the child in prison.

1396. You have not heard of any cases where women have suffered from depression through not knowing where the child is sent?—No, I have not heard of any such case.

1397. (*Witness.*) I wish to guard against being supposed to say positively that the number of medical officers in any prison is insufficient. I do not think I should have alluded to the subject if I had not been asked the question, but as I was asked the question, I think that in such prisons as Holloway there should be an additional medical officer.

1398. (*Sir J. E. Dorington.*) There is a special reason at Holloway?—Yes.

1399. I ask that question in consequence of your previous evidence?—Yes.

1400. (*Mr. De Rutzen.*) You gave an answer just now to Sir John Dorington about the condition of prisoners undergoing long sentences in local prisons to the effect that you thought, under the circumstances, you mentioned they were perfectly fit to undertake the usual manual labour which was, perhaps, their only resource after being liberated?—Yes.

1401. But how about large prisons which have no surroundings such as you mentioned just now; which have no gardens, and nothing but exercise grounds?—In those large prisons there are very large kitchens. There is a great deal of fetching and carrying of clothing and food, and cleaning, and all sorts of work that has to be done in the corridors outside the cells, and the long-sentence prisoners are generally selected for that sort of work out of their cells—in the workshops, for example.

1402. But a great many prisons would have no workshops?—But still there is enough work to be done outside the cells to absorb the whole of the prisoners with very long sentences towards the end of their sentences.

1403. Would there be sufficient?—In fact the long sentence prisoners do not furnish a sufficient number of prisoners for the kitchen.

1404. I take it that would be the lightest of labour?—Well, it is sufficiently hard, I think, to exercise their muscles and keep them in condition, and it would not be an extremely hard kind of labour.

1405. I mean a perfect contrast from anything like convict prisons?—It would be very different in different cases. A prisoner who works in the kitchen would exercise different muscles and put forth a different amount of energy to a man working outside in the garden or sweeping the corridor. We have to avail ourselves of what resources we have, and I think, taking everything into consideration, that the prisoners undergoing long sentences are employed in a very judicious manner outside their cells as far as possible for some months prior to their discharge.

1406. But how would that be in the case of a prisoner, perhaps, who had been sentenced to nine months' imprisonment?—He would not be taken unless there was a deficiency of prisoners with long sentences, and there very often is that deficiency.

1407. Then the one hour's exercise will be the only exercise that he would get?—He would have his work in his cell to do.

1408. Yes, work of a purely sedentary character?—Exactly, but I have not known harm result.

1409. You would not think it judicious that a man should have some harder work to do to keep him in a fit condition?—If it were found necessary it would be recommended by the medical officer. You see it is not all the prisoners who have hard work to do before their admission into prison.

1410. That is true; but those who had?—Those who had would be less likely to be employed in the hardest kind of work that is to be done in the prison when outside; some, for instance, would be employed in such things as the carrying of coal—things that one can hardly remember at a moment's notice—but I think that adequate provision is made for all those cases.

1411. (*Chairman.*) You were asked a question with regard to the cells at Portland, and you said, I think, that no serious evils had been brought to your notice in consequence of their size?—Yes.

1412. Do I understand you to mean that you did not observe any perceptibly bad effect upon the health of the prisoners?—Quite so, and I think that is shown by the rates of sickness and mortality. The rate of mortality in convict prisons is exactly the same as in the outside population minus that from zymotic diseases. We have few deaths in prison from typhus, or typhoid, or small-pox, or any infectious diseases, and our mortality is exactly that of the general population minus those diseases.

1413. Portland prison is being made a temporary prison?—Yes; orders have been already given for a gradual doing away with those small sleeping cells and for the substitution of larger cells. The prison buildings are quite temporary.

1414. With regard to Rule 26 in the Act of 1865, have you a copy of that. It provides that every male prisoner shall sleep in a cell by himself or under special circumstances placed in a bed in a cell containing not fewer than two other male prisoners?—Yes.

1415. What is your interpretation of "under special circumstances"?—Well, prisoners are often, for example, received in a condition of delirium tremens and are unfit, locked up at night. Many prisoners are received in a doubtful condition, and we should not like to leave them locked up by themselves in cells; or they may be subject to fits; and in those cases some provision of that kind must be made.

1416. That is to say you interpret it by the last sentence of the rule?—Yes, just so.

1417. But you would leave a certain margin of discretion to the medical officers, that is to say, they would have to use their own discretion as to whether a prisoner was or was not suffering from a disease requiring assistance?—Quite so.

1418. And if he had any doubt in the matter he would be able to use his discretion?—Yes; in case of doubt he would generally act and make a recommendation.

1419. Do you approve of this regulation?—Quite so. I may say that it has now become increasingly frequent to employ attendants from outside in cases requiring supervision or observation, in cases unfit for separation and being locked up at night, for instance.

1420. Mr. Manning, the Governor at Pentonville, told us that he was very much opposed to the practice of association and in Pentonville the practice was never carried out?—Well, he was using the term "association" technically. He means outside the hospital. The wards of the hospital in Pentonville are used to some extent for the association of prisoners who are unfit to be locked up in cells; so that in Pentonville you will find in the hospital wards a few cases of the same kind that you will find in other prisons in association outside the hospital. It is simply a little difference of administration.

1421. Have you formed any decided opinion on the question of unproductive labour in prisons from the medical point of view?—Well, I would venture to say this, that the unproductive crank about which a great deal is said is an instrument not without its recommendation, particularly the crank of Appold's make. It is a very ingenious apparatus and is so ingeniously arranged that no prisoner can over-work himself. The resistance or pressure at the handle can be weighed out to a nicety—to an ounce—and the machine does not get out of order if it is not oiled; so that admitting you have work of that penal character, such as the crank and treadwheel, it is most valuable, for the reason that a prisoner cannot over-work himself. The number of revolutions is fixed at a particular resistance, and you may be almost sure that it is being carried out owing to the construction of the machine. Now, in the case of the flour mill you have an amount of resistance that can be only overcome by a man of great strength. At Wandsworth, where we have a few cell mills, we can only employ the strongest of the prisoners on those mills owing to their being so hard to work, and the cell crank on the other hand is largely used because it is exactly suited to the prisoners received: if we say that the prisoner has to work at a resistance of 12 lbs. and to perform a number of say 8,000 or 10,000 revolutions we know to a nicety what he is doing at the first, second, third, fourth, fifth and sixth hours, and so on, and we know that he cannot be overworked.

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1422. That is an advantage. On the other hand, do you see any distinct disadvantages?—The fact that it is unproductive has been, I know, mentioned as a disadvantage, as being in some sense demoralising, but I do not think that if that is a substantial disadvantage, it is overcome by the use of such a thing as a flour mill in a cell, because the flour is produced at a greater expense than you can buy it by contract. At all events nothing is saved. I believe the cost of flour produced by a cell flour mill is rather greater. It does not grind so finely, so that the prisoner is not doing in reality productive work all the time.

1423. Still he is doing productive labour in this sense, that if he was not doing that he would not be doing anything?—He is not doing productive labour in a financial or commercial sense.

1424. But in a prison sense he is?—Of course it is a question of terms. The grinding of flour is not really productive.

1425. It saves a certain amount of money in prison administration?—No; on the other hand, I think the flour is dearer than the flour you can buy by contract. The grinding is not so fine, it is not at all like the grinding by steam at flour mills.

1426. There you have the labour in prison, and through that labour you grind a certain amount of corn, and therefore you have not to go outside to buy it. The labour costs you nothing; but, if you did not use it, you would have to go outside to buy it. Therefore there is profit?—But the balance from the store accountant's point of view would be the other way.

1427. However, you have not observed that the unproductive labour has any particular effect?—No, I do not think prisoners think about it. I think they simply think about the completion of their task. The task at the crank is very moderate I may say. I have frequently worked at it myself without any discomfort.

1428. Will you say that associated industrial labour in prisons is better for the health and condition of the prisoners than isolated labour?—No, I should not like to state that as a general proposition. A good deal depends upon the kind of labour, and the kind of prisoners. I think some prisoners are very much better in their cells. Some prisoners request to be in their cells, and do not like to be in association. Of course circumstances alter cases in that matter a great deal. I do not think you can lay down any general rule of that kind.

1429. Each case has to be judged on its own merits?—Yes.

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1430. Would you say it is an increasing practice with magistrates to send accused persons to prison whom they have reason to think are of unsound mind?—Yes, that is certainly increasing, especially in London, so that last year nearly 600 prisoners were sent to Holloway. I do not know the exact figures, but I know from year to year the number of prisoners sent to Holloway for observation is increasing. They are sent by magistrates to Holloway for observation on account of some doubt as to their condition of mind. The medical officer observes them during the period of remand and reports at the end of the time to the magistrate.

1431. It would be a very difficult thing for a magistrate to stop the practice?—Yes; no doubt for the public it is a good thing in itself, but it is a very inconvenient thing to the prisons. In former times I have no doubt a great many prisoners who were insane were dealt with as if they were sane more than now.

1432. Has your attention been called to an article by Mr. Morrison in the "Fortnightly"?—Yes.

1433. You do not agree with his conclusions?—No, I certainly do not. Mr. Morrison takes no notice of the statistics that have appeared in the Annual Reports of the Commissioners in past years, showing that the great majority of insane men are unsound on admission, and that a great many are sent to prison for that very reason. Another very extraordinary thing is, that Mr. Morrison, in endeavouring to show that the ratio of insanity in prison is greater than outside, makes no allowance for the difference of ages as between the prison population and the outside population. The rate per thousand for insanity, which he quotes, deals with the population of children and infants, and includes all ages. It includes children, who are not so liable to insanity as adults. (*See Appendix VII.*)

1434. I think he takes the population of over 15 for the three years—1890 to 1892, and his figures are 8 per 10,000?—But he has taken no notice of what was brought forward in the printed reports years ago, or the number of prisoners who are being received in an insane condition.

1435. I observe, he says, the actual ratio in local prisons is 113 per 10,000 from 1882 to 1885, and the ratio in local prisons in 1890 to 1892 has risen to 226?—Quite so. That difference would be due to the fact of these prisons being used as places of observation, and also as a convenient channel for admission into the asylum. They are a certifying medium in many cases. Prisoners are sent in many cases as a cheap way of certifying them.

1436. (*Mr. O'Connor.*) I do not know whether you have had your attention directed to the increase of insanity in this country during the last 15 years?—Yes.

1437. Is there as large an increase of insanity in the prison population as in the general population?—Not in the convict prisons, for the special reasons I have named. It does not arise in the prisons.

1438. Is there a larger proportionate increase, I do not say an absolute increase, but a larger proportionate increase in the insanity in prisons generally in the last 15 years than there has been proved to be in the general population?—I think there is in the local prisons.

1439. But not in the convict prisons?—Not in the covict prisons.

1440. (*Chairman.*) That would be partially explained by the fact that there is now a closer supervision into the mental state of prisoners?—Yes, and also owing to the fact that the prisoners are sent to prison, and I believe actually sentenced and sent to prison in order that they may be observed and dealt with. It is said that the police, for instance, finding a wandering lunatic take him before a magistrate; some charge is brought against the wandering lunatic, who is sentenced and sent to prison, and there certified and removed to an asylum.

1441. That is under the Lunacy Act of 1890?—Yes, and that is becoming more frequent of late.

1442. In judging as to whether a particular prisoner is or is not insane I suppose in prisons there would be rather less difficulty and hesitation in certifying than there would be outside on the part of two doctors who are asked to certify?—Yes, there would be undoubtedly. Medical men outside a prison have now, as you are aware, to certify cases with great reluctance owing to their liability to proceedings being taken against them and they will not certify unless they are obliged to do so.

1443. And in those cases if they send a patient to an asylum it means the deprivation of liberty but that reason does not exist with regard to prisoners already there?—Quite so.

1444. Therefore in the interest of a man's health there would be a greater readiness on the part of the prison doctor to determine that the man was not in a sane condition in order that he might go to an asylum and be properly treated in his own interest?—Quite so.

1445. And in fact, so far as his personal condition under restraint is concerned, he would be better off in an asylum than in a prison?—Certainly.

1446. I rather imagine that one argument which Mr. Morrison endeavours to substantiate in his article is that the alleged increase of insanity in prisons since 1878 indicated that the transfer of prisons was partly responsible for it?—Yes, I think he implies that certainly in his article.

1447. Can you give any figures with regard to the cases of insanity before and after that transfer?—No, I have no reliable statistics. There are no comparable statistics.

1448. Would it be possible to furnish any figures to the Committee throwing any light on the number of cases of insanity for the five years before 1878 and subsequently?—Well, I am not quite sure. I think that the figures quoted in my report some years ago were obtained from printed reports, but I am not quite sure as to their source. I have no doubt they could be obtained.

1449. Perhaps you will consider the matter, and if you can furnish the Committee with that you will do so?—Yes; I will.

1450. (*Mr. O'Connor.*) I suppose you would say that if this sort of comparison is to be made, the only persons to be credited to the prisons at the present time are those who become insane some time after they have been in prison?—Yes.

1451. In the first year 1892-93 you gave us 34 cases, and in 1893-94, 55 cases?—Yes.

1452. And that the other cases, 273 in one case, and 304 in the other were recognised on admission, or soon after, and really cannot be in any way calculated as the consequence of prison discipline?—Certainly.

1453. (*Dr. Bridges.*) I want to ask only two questions. One was suggested by some questions which were put to you by Mr. Haldane as to the power of the medical officers in matters of diet. I have here one of the quarterly reports of the Liverpool prison. If you will just glance at it, you will see there are a certain number of cases to whom the prison officer gave extra diet?—Yes.

1454. Does that 104 mean 104 separate persons?—Yes; I think that shows the extent to which the medical officers avail themselves of their powers.

1455. That is a large prison, is it not?—Yes.

1456. And in that period of that particular quarter the medical officer ordered it in how many cases?—In 104 cases during the quarter ending the 30th June 1892. The medical officer ordered extra diet in the prison of Walton at Liverpool.

1457. Is any reason stated for it?—The grounds are debility, old age, loss of weight, nursing mothers, and cases of continued short imprisonment.

1458. It was to those cases of continued short imprisonment that I wished to call your attention. That means that, in the opinion of that medical officer, the repeated use of the Number 1 diet would be injurious?—Quite so. No doubt it would be in that case.

1459. Is that a common reason for the medical officer of prisons to give?—Yes. I may say that it is a common reason.

1460. In one of these reports, that of the Wakefield prison I notice repeated complaints of the medical officer as to the sanitary condition of the prison with regard to the outbreak of diarrhœa?—That is due to the fact that Wakefield prison was built when very large drains were thought necessary; those drains are six or seven feet in diameter, and they are now gradually being replaced by smaller drains so that the evil is being overcome, but it involves entire reconstruction of the drainage of the prison.

1461. You said that the examination of the prisoner by the prison medical officer on his reception did not include what may be called a careful anthropometrical measurement?—No, it does not.

1462. Would that be for want of time on the part of the officer?—Yes, the medical officers would no have time for that, and they have had no instructions as to it; but if they had they could not carry them out for want of time.

1463. Therefore without some increase in the medical staff that kind of examination of the prisoner could not be made?—It could not be made.

1464. (*Mr. O'Connor.*) Have you any returns with regard to the insanity which supervenes among the warders?—No, we have no returns of that kind.

1465. Could you find out this for me; whether deducting the cases recognised as insane, cases either at or soon after the admission of prisoners, the insanity which shows itself subsequently among the residue of prisoners is higher or as high as it is among the warders?—I could not tell you that at once, but I could find it out for you if you wished me to do so.

1466. Would you say that the service of the warders has a depressing effect upon their mental constitution?—I think it is a depressing occupation, but I have not heard of the occurrence of cases of insanity amongst the warders in sufficient numbers to warrant me in concluding it to be productive of insanity.

1467. From the medical point of view have you anything to observe with regard to the hours of employment of warders?—I think that now they are reasonable.

1468. Even in the cases in which they are longest?—Yes, I think so.

1469. Male and female?—Yes, considering the nature of the duties I think they are now reasonable.

1470. Are you conversant with all the hours of employment in all the prisons of the male and female officers?—Yes.

1471. With regard to the food, I suppose you are familiar with the tables of the chemical equivalents of food in respect of carbon and nitrogen, and all that sort of thing?—Yes.

1472. With regard to men who are on full employment and light labour or doing nothing, would you say that the chemical equivalents in dietary No. 1 are sufficient to sustain a man in normal health while he is doing hard labour?—For a few days I think, but not for any long period.

1473. From a medical point of view would you have anything to suggest with regard to that diet and and that occupation?—I think that I have only to suggest that in the case of women there should be an alternative diet which should be used at the discretion of the medical officer.

1474. That is where they reject their food?—Yes; but I think in the case of men who eat the whole of the diet No. 1 diet that no harm is done by keeping them upon that diet, and by putting them at hard labour for a few days.

1475. For convicts under long sentences do you believe they have sufficient carbonaceous food?—Yes, I think so.

1476. Have you ever heard of their eating candle ends?—Well, I have heard of those cases, but there are some convicts with very voracious appetites, but I have not heard of any cases indicating that men with normal appetites indulged in that.

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1477. Would you be surprised if a man stated that he had witnessed prisoners picking out candle ends from heaps of filth and eating them?—I know there are a few prisoners who would do that.

1478. Would that be from an abnormal or diseased voracity, or because the man felt he required something or other to keep him warmer?—I should think to the first class of cases. There are some prisoners with abnormal appetites who will eat as much as you can give them.

1479. Would that be a medical case? Would it be a disease?—It would be a case requiring observation.

1480. If a man would do that, would it be a case to modify his diet? In a case where they rejected their food would you give an alternative diet?—Yes, but many male prisoners do not masticate their food, it is a very common practice to bolt their food; the food is therefore not digested, and it does not nourish them. I think those prisoners require supervision and careful advice, and they get it.

1481. I notice with satisfaction that where women persistently reject the gruel you would give them an alternative diet?—Yes.

1482. Now, in the case of men who will resort to such extremes as have been mentioned, would not you give also some alternative diet?—Well, those cases would be brought under the notice of the medical officer, and he has already the power to increase or modify the diet, or even to take such cases into hospital if he chooses.

1483. Does not the same power exist with regard to the women at present?—Yes, but the number of women who will return their stirabout in the metropolitan prisons is sufficiently large to render it advisable to have an alternative scale which may be readily made use of and which is always ready to use.

1484. I want to ask you a general question with regard to juveniles in prison. I should like you to look at it, not from a merely medical point of view, but from an administrative point of view. Taking the question of juveniles at large, and the question of sending them to prison, have you from the medical or administrative point of view, or in the light of your extensive experience, anything to suggest to this Committee with regard to modifying the existing system?—Well, that is a question for which I am not quite prepared. I should like to take it into consideration, and to make any remarks on that subject as the result of that consideration.

1485. And even on the spur of the moment you would not care to give a medical view?—No, I would rather think over that.

1486. Perhaps the witness may be allowed to send in a statement?—Yes, I will send my remarks to the Secretary.

1487. (*Mr. De Rutzen.*) We have here an account of the number of people who are sent for observation—some 600 odd—out of which some 81 have been certified to be insane. Do you know, as a matter of fact, that a great many of the cases which are sent there are returned with the remark, that the person under observation is a person of weak intellect, but has shown no actual sign of insanity?—Yes.

1488. That is a very common form?—Yes, I am aware of it.

1489. Is there any record kept of those particular cases which are on the border line of weak intellect, but no actual insanity?—I do not think so; there would be in the individual prisons, no doubt; for, instance, at Holloway, out of the 600 sent for observation, a great many are reported either to be sound in mind or not sufficiently unsound to be certified insane. The medical officer, no doubt, has kept notes of all those cases, but we only have actual reports of the unsoundness. You can get them from the medical officers.

1490. That would be only by examining each one of them?—Yes.

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1491. That would be a tremendously long process, but there is no record kept of those particular cases which are in the Home Office list?—No, they are not kept in this office, and no doubt if you applied to the Medical Officer of Holloway prison he would be able to give you notes of all those cases. He keeps in a book the result of the observations. We only get in the reports the cases in which the result of observation is a certificate of unsoundness.

1492. Because a great many of the cases which you mentioned as where a person is taken up as a wandering lunatic; such a case, perhaps, as that would not come to you at all, but then persons who are charged with some offence, no matter what it may be, whether it may be being drunk and disorderly or any other offence, who from their appearance are in such a state as to justify anybody who has the person before them in saying before I can deal with this case I should like to know in what state of mind that person is. Those are the cases that would come to you?—Yes, certainly. A great many cases are placed under observation at Holloway. That is to say, of persons who have committed some offence which is suggestive of some mental aberration, such as attempted suicide, or some assault on their wives or families, or something of that kind.

1493. Of course you would not be able to give an answer to this question as to whether or not there are not a great many people who come a second time charged with some offence, and are sentenced about whom this particular report has been made that he is of weak intellect, but has shown no actual sign of insanity?—No, I have no particulars of those cases.

1494. As a matter of fact it happens every day?—I think that they could be obtained from the officer at Holloway.

1495. (*Mr. O'Connor.*) I suppose every committed prisoner, every man committed for trial is already under observation before he is sentenced?—Yes, certainly.

The witness withdrew.

Rev. G. P. Merrick.

Rev. G. P. MERRICK called and examined.

1496. (*Chairman.*) You are the Chaplain of Holloway and Newgate?—Yes, I am.

1497. I think you have been only recently appointed to Holloway?—About a year ago.

1498. Where were you before?—At Wormwood Scrubs.

1499. How long were you there?—I think about three years from the time that Wormwood Scrubs was transferred from the convict to the local service; in other words when the convicts were sent away from Wormwood Scrubs, and the local prisoners were taken there from Millbank.

1500. Were you in the prison service department before that?—Yes, I was at Milbank for several years, and before that I was at Tothill Fields' prison, a prison at Westminster.

1501. How many prisoners have you to deal with now at Holloway and Newgate?—About 800.

1502. How many are at Holloway?—There are none at Newgate really. Newgate is only opened during the Old Bailey Sessions. Those who are awaiting trial for those Sessions are taken down from Holloway for trial at the Old Bailey, and then they are kept there as prisoners for a week or for the time being, but Newgate is not used as a prison; only as a house for detention for a few days.

1503. You have an assistant chaplain?—Yes.

1504. Is there a Roman Catholic chaplain attached to the prison also?—Yes.

1505. You have one assistant?—Yes.

1506. And does your assistant attend to the trial prisoners at Newgate?—No, I do that. He looks after the men really on one side of Holloway Prison and I look after the women on the other, but I take also the charge of the men and the women who go down to Newgate. It is much the larger share of the work.

1507. How many women prisoners are there?—I think about 400 at the present time.

1508. And the men are about 350, perhaps?—Yes.

1509. Then that is your standing arrangement. You look after the women prisoners?—That is a mutual arrangement, but I am responsible for the whole.

1510. Can you say whether it is a common practice among chaplains to make that particular division?—I do not know. I rather think not. Our circumstances at Holloway are very special. You see it is a house of detention for all prisoners; and it is a prison also for women. At Millbank it was a prison exclusively, and there we divided the work differently. There were six pentagons, and I took charge of three and my assistant of three. At Wormwood Scrubs there were four halls. I took charge of two—the convicts and the women—and my assistant took charge of the other two.

1511. How many prisoners do you think you can deal with adequately?—When first I went to Millbank I must have had nearly 1,000, and I was single-handed; but that did not go on very long. It was impossible for me to pay attention to 1,000 prisoners. I think now that my hands are full.

1512. With 400?—Yes; it really means more than that; it means three times that number in another prison, because they are in for such short terms, and being under remand they require such great attention. Even to-day, I have probably seen more cases than any other chaplain in the service; the numbers coming in are so large. A few weeks ago we had 176 admissions in one night. We saw them all the next day. I suppose that is an experience confined to this particular prison.

1513. What are your working hours?—Our service in the morning is at a quarter to nine. We are ready for the service, and then I stay until the work is done. Yesterday it was done at 4 o'clock. To-day perhaps it would have been done at about half-past one; the number coming in last night was not so large as the number of the night before.

1514. That is to say, you see all who wish to see you on your regular rounds?—I see everybody who comes in, everybody who goes out, and also those who wish to see me. The sick again have special attention.

1515. Have you found that with some prisoners there is anything like resentment against what they consider compulsory religion in prisons?—This is the first time the question has been raised, but only once since I have been at Holloway has a man asked to be excused from attendance at chapel. He was an educated man, an American medical man, and the reason he assigned was that it did not suggest church to him. I think at one time he sang in a choir, and the associations altogether were very suggestive and painful to him; but that is the only one I have had since I have been at Holloway.

1516. You find they do not make any objection whatever to it?—This is the first case: Sometimes at Millbank a woman did not wish to go to chapel, and we found the reason was that there was some person with whom she had had a quarrel, and she thought she might meet her and have another quarrel; but I should think during my whole stay at Millbank, and at Wormwood Scrubs, I could not have had more

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than about five cases in the course of a year; perhaps not so many; perhaps three.

1517. Have you formed any definite opinion in regard to the ordinary system of prison punishment upon the mental and moral condition of the prisoners? Are you satisfied with the system?—I will not say that I am satisfied with the system, but I am satisfied that it has not any injurious effect. I have never seen any instance of it.

1518. Does it occur to you that the system of punishment makes prisoners more refractory than one would expect under the circumstances?—I am rather under the impression that with the women that come in under short sentences, as they are at once put on bread and water, if they are subjected to punishment and are put on for a further term of bread and water it makes them very ill-tempered and disposed to be disorderly. I think that punishment should take another form than that of depriving them of food.

1519. What form do you think it should take?——

1520. (*Mr. O'Connor.*) This is only with women?—My experience has been always with women, except the convicts I had at Wormwood Scrubs; though to a certain extent my answers would cover them.

1521. (*Chairman.*) The question is what form of punishment do you propose?—It does seem very harsh, but I would rather their hands were bound, or something like that for a time. I hardly like to suggest they should have handcuffs, but I am of opinion that it is far more humane than depriving them of exercise, and keeping them down on an extremely low prison punishment diet. They complain frequently when they come in and say, "I have been "in and out of the prison within the last three days. "I am starved here and starved outside, but I got "some drink and I have come back again." I think in that way they are reduced to a state of great bodily weakness, and I would rather do anything than that they should suffer constitutionally.

1522. Are you against all dietary punishments?—I have not gone so far as that, but, as a general rule, I should object to dietary punishments.

1523. But with regard to the handcuffs, you would handcuff the prisoner in her cell?—Well, I should put her in a cell, perhaps, as a part of her punishment, but I should handcuff her. I think it does not hurt her physically so much as putting her on a reduced diet, and I think they would find the irksomeness of the matter very trying, though it does not hurt them.

1524. They would be sitting there in their cells with their hands tied, but what would you prevent them from doing?—Pulling up their clothes, and breaking the windows, and striking the officers. They feel it as a punishment far more than anything else. I suppose it is merely restraint, but the other thing seems to make them irritable, and it does not seem to deter them.

1525. Of course handcuffs cannot be put on the prisoners unless there are any special circumstances to justify it. That is so now?—Yes.

1526. You are opposed to anything like a punishment cell?—I think that the other would be a better remedy than that; I do not think it makes very much difference; they do not seem to regard it with any different feeling.

1527. Loss of marks is not sufficient?—No.

1528. Would you say that women are more difficult to deal with in point of prison discipline than men?—Yes, I think so; they will break out sometimes without any reason and they will say so. They are sorry for it afterwards.

1529. What you call "breaking out" is not known amongst men?—No.

1530. Do you find that women more often become habitual offenders against the prison rules than men?—I think so with reference to violence and making a noise.

1531. Do you think that women more often become offenders than men?—Yes.

1532. Do you approve of the present system with regard to visits and letters?—Do you mean in the number of visits?

1533. Yes, the rules and regulations with regard to friends seeing prisoners?—I think it might be extended in one direction, and that is to give the good prisoners more frequent intercourse with their friends; but otherwise it seems to me that the visits are sufficiently frequent. At Wormwood Scrubs they were conducted under pleasant circumstances.

1534. Then if you say you think that good prisoners should see friends rather oftener, it means that a discretion must be allowed to the Governor, to the authorities?—Yes.

1535. Does not that sometimes place the Governor in a difficulty when the prisoners know that it all depends upon then whether they should have this or that advantage?—I do not think it makes very much difference.

1536. At present he can say there is a definite rule and that he cannot go beyond it?—Yes, but practically the prisoners make the rule for themselves by their behaviour. If they conducted themselves well, they might have a visit once every two months; if they did not once every four months. So that they would make the rule for themselves.

1537. You are inclined to think that great latitude might be shown with regard to receiving visits?—Yes.

1538. And in regard to receiving and writing letters?—Yes, that is, where the acquaintances to whom they write letters are known to be reputable people.

1539. Of course you would hold that anything which tended to elevate a prisoner it would be advisable to adopt?—Yes, undoubtedly.

1540. And that if you can improve a prisoner's mind there is not much danger of the prison appearing less penal to that prisoner; that is to say, that in proportion as his or her mind improves he or she would have a full realisation of prison life?—Do you mean the degradation of the prisoner?

1541. Yes; and therefore by making those remissions in the interests of the prisoner, there would not be a danger of the prison as a deterrent becoming less formidable?—No, I think all prisoners, even the most depraved, are more or less sensible to the degradation and shame of imprisonment. There are very few exceptions. I have seen 170,000 prisoners, and have notes of the cases, and I do not think I have come across, perhaps, more than 30 or 40, who would be utterly callous and utterly lost to the sense of shame and degradation of being shut up in the prison cell It appears to me that that is the worst feature of the imprisonment, so far as they are concerned; it is not the mere surrounding of the cell, but it is the fact that they are shamed, which moves even the most degraded.

1542. With regard to the visits of the Discharged Prisoners' Aid Societies, can you tell us what the practice is in Holloway?—We have three societies practically working at Holloway; the Sheriffs' Fund Society, the St. Giles' Christian Mission, the Reformatory and Refuge Union, besides Homes for fallen women; in fact, I may say, every society of the kind in London is ready to take cases from us. For the women we have a visitor, who comes in three times a week from the Reformatory and Refuge Union, and sees all those cases which are under remand, and for which the magistrates and myself think that there should be some reformatory provision made. There are other institutions. The Elizabeth Fry Refuge visits weekly cases which are eligible for that institution. A great many women want help in the way of clothing. I get a great deal of clothing sent to me, and I am able to give help in that way. The Reformatory and Refuge Union takes care of some of the women and sends them to suitable Homes. The St. Giles' Mission gives

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them stock and other, and pays their fares, and if we want anybody to take charge of a case, say to Liverpool, the prison officers themselves have been escorts to the railway station. The Commissioners are very good in that respect, and we are allowed to utilise such services occasionally, if the need arises. With reference to the men, if a man asks for aid we have not the same chances there because they are on remand. If they had been prisoners we could deal with any one of them; but even then if a man says his wife and family are in a state of destitution, or that he is in a difficulty as to home, clothing, or employment when he gets out, we communicate with the St. Giles' Christian Mission on his behalf, and Mr. Wheatley comes up to the prison two or three times a week to see people who have been referred to him. In the case of the Royal Society we generally communicate with them previously, and the man is sent to them.

1543. There are, of course, a good many societies which are allowed to help prisoners if they can. Do you see any objection to allowing a prisoner to choose of his own free will which society should help him?—We always do.

1544. Is he supplied with a list of the societies that could help him?—Generally speaking they know better than we do. That is a piece of information they always seem to post themselves up with. They always know about that. I may say with reference to the clergy who have worked with me, that I have always made a point of telling them to ascertain what the circumstances of the prisoner are; so that if a man himself did not think of it I should take the initiative if I thought it was a case where help was wanted. We always ask the question whether a man or woman has got a home, and what they are going to do. That is always asked of every case that comes in.

1545. I think you have the charge of the distribution of books?—Yes.

1546. Do you think that the present system is all that it should be?—I am rather inclined to think that prisoners when they come in want books really more then than they do when they have been in for some time. They get more intelligent and better employment after they have been in for a little time. When they come in they find their time very irksome, and it is very painful for them. For my part I think that I should give them more books than they have been accustomed to have hitherto.

1547. How often do they get books—once a fortnight, or once a week?—Once a week.

1548. Some prisoners will read their book through almost in a day perhaps?—It depends on the matter. The women like a story book; the men almost always like a book of instruction. I might say that out of one hundred thousand requests for books made by women I do not think I have had more than a dozen asking for an instruction or a school book. Some few have asked for French Bibles and Prayer Books but not for books of instruction. With men it is different. I had 200 copies of the "Popular Educator" in circulation at Wormwood Scrubs, and if I could multiply that number by three I could not supply them rapidly enough. Books like that they will read every page of and try to learn things: but with the women it is a question nearly always of a story.

1549. Is your library sufficient in point of number of volumes?—Yes. I may mention that once at Millbank I appealed to the prisoners to know what they thought a library should consist of, and I had some 300 or 400 suggestions from the prisoners themselves, and I found only in one or two cases that they appealed for anything but what we had supplied them with. One man wanted the works of Guizot. Another man asked for some scientific work, and another for some French book, but we found with some five or six exceptions that we were supplied with everything. There was a great demand for Dickens' works; Scott's works and Bulwer's works; but those we had.

1550. Would you be prepared to allow prisoners to read pretty much as they like provided it did not interfere with the work they had to do and attending chapel and so on?—Quite.

1551. You see no objection to it?—No, I should rather like it.

1552. With regard to your own special work in visiting prisoners, what class do you find you can more easily deal with, habitual prisoners, young prisoners, old ones, men or women?—My labours have been nearly always with women, but I do not know that there has been much difference. The habitual criminal from the mere fact that he is an habitual criminal shows that one's influence with him is very small; but I may say that everyone seems to have a germ of something better behind, if one can only reach it, and if one be the right person to do it.

1553. An habitual criminal is amenable?—Yes, he behaves very well, and so do the women generally speaking. The habitual drunkards and disorderly people do not. They are really the ones who commit the prison offences.

1554. Those who are suddenly cut off from drink?—Yes.

1555. Now with regard to the young prisoners, have you formed any opinion of the treatment of young prisoners?—I have always tried to keep the youthful prisoners from the others, and I draw a line at the age of 16. At Millbank and at Westminster we had a portion of the prison which we appropriated for children under 16, and we had another part of the prison very near where we placed those who were really first offenders, irrespective of age. We found that it worked admirably and did not interfere with the prison discipline, and at the same time it prevented them from being contaminated by being associated with others.

1556. Do you think there are opportunities for contamination?—Undoubtedly, but I do not think they are taken so much advantage of by the men as by the women. It seems a sad thing to say, but it is a fact. I do not find with the men now at Holloway that they try to get hold of the younger ones, but with the women and the girls it is very different, and one has to exercise very great care in putting the girls amongst older offenders.

1557. You say you draw a distinction between those of 16 and the others. Do you not think that that age is rather low?—No; with reference to boys, boys lose very much of their boyish character after they are 16.

1558. Are they not more careless about things and are they not more amenable to influences?—They seem to have the spirit of a boy and partly the sagacity of a man; and I find that boys get very much more criminal after they are 16 than before. I have got some papers and some figures dealing with some thousands of cases which I took notes of last year.

1559. I should like to see it. It might be as well if you handed it in?—It is part of a paper I was writing on the subject. There are 600 burglaries and I have taken the ages of the burglars. Then I have got pickpockets and petty larceny people also there. You will see from one or two notes I have given you that the age of 18 to 19 is the one which is most prolific for all criminals except those for embezzlement. With girls I took the particulars of thirty thousand cases of a certain character, and I found that 19 was the perilous age. I mention this now to show why I am rather emphatic about the age of separation.

1560. When are you going to publish this?—It is a question of time, but these are 2,000 cases that came under my notice during one year—the year before last.

(The paper was handed in, *see* Appendix III.)

The proceedings were adjourned until Tuesday, 17th of July, at 11.30 a.m.

FOURTH DAY.

Home Office, Whitehall.

Tuesday, 17th July 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., *Secretary.*

Rev. G. P. MERRICK recalled and further examined.

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1561. (*Chairman.*) Have you anything that you wish to correct in your evidence?—I thought I might have amplified a little more my remarks about the "Discharged Prisoners' Aid Society." If you will allow me to add that to the correction of the proof, I shall be glad. It is only to show that we meet every case, and that we do everything that can be done for our prisoners. I think I only specified the work of three societies, and I did not state in what way they worked. It is not really altering what I said, but amplifying it.

1562. I think the Committee would prefer that you should make any statements upon that now, rather than upon correcting the proof?—It was simply to say that in one way or another through the several societies that visit at Holloway Prison they provide for the men, the women and the children; and in all cases we go into their circumstances; and whatever reformatory or other kind of relief we can give them, we do give; and I think really that perhaps during the last year hardly two cases have escaped our notice. I do not believe that two cases have. I did not state that when I was speaking to you before, but I think that our arrangements cover almost every case and cover all possible cases, and we do help them.

1563. You are speaking now, of course, of your own experience at Holloway?—Yes, since I have been there; and I may say the same with regard to Millbank, and to the time when I was at Wormwood Scrubs.

1564. You would not necessarily include in your remark the local prisons generally in the country?—No; I only speak of that which comes within my own experience.

1565. That is all you wish to add on that point?—Yes. I may say with reference to what you have now said that I think there is a Discharged Prisoners' Aid Society attached to every prison in the kingdom. I have reports from nearly all the authorities, and I take it from those reports that they do very much the same as we do.

1566. The names of those societies are in one of the appendices to the Commissioners' Report?—Yes.

1567. Last Thursday, speaking of young prisoners, you said that you found that boys did get very much more criminal after they were 16 than before?—Yes.

1568. That, of course, no doubt is borne out by figures and statistics; but it is a very serious fact, and one of the principal facts that we are now dealing with. It is not a necessary result, is it, of human nature that it should be so?—I think to a certain extent it shows increased knowledge on the part of the person of the ways of life and the methods of earning money, and in that way it is a phase or feature of human nature.

1569. But it really shows, does it not, the development of either a criminal instinct or criminal habits?—I should rather say criminal habits.

1570. Then the question we want you to deal with is the best method of eradicating those habits?—So far as the prisoner is concerned I think it should be by separation, and judicious separation. First of all, of those offenders who are under 16 from those above it; and, secondly, of those who are relatively innocent, or comparatively speaking, innocent, from those who are certainly very vicious in tendency, and (in practice), whether the viciousness is hereditary or whether it has been brought about by circumstances, because I should have a sub-division, and that I have always tried for.

1571. I rather understood you to say that you did not think that 16 was a low age to mark a youthful offender by, and your argument seemed to be that after that age the criminal instincts and criminal habits seem to get so confirmed that you did not see your way to approving of a special classification of young offenders over 16?—Quite so, but I may say this, that wherever I have found, irrespective of age, a prisoner is comparatively speaking innocent, I have always suggested to the authorities of the prison that the prisoner should be put elsewhere if his surroundings have been likely to lead him further astray, and they have always assented to my wishes in that respect. I have had people come into prison whose age perhaps has been 50 or 60, and I have asked that they should be put in a part of the prison where they would not be likely to hear anything that was offensive or instructive in the way of evil effect. Certainly with all girls between the ages of 17 and 25 I have been very particular, and if I have found a young man, even up to 30, who was likely to be spoilt or deteriorated in any way by his contact with his fellow prisoners, I have asked that he might be put aside or put to another part of the prison where he would not be subject to contamination; and it has always been done.

1572. Is that an absolute safeguard in the prison system?—I think it is as far as you can go. They are kept apart in the solitary confinement system prevailing at the present time.

1573. (*Sir J. E. Dorington.*) The prisoner you are speaking of is a long sentence prisoner?—Even down from 1876 that has been so.

1574. And they are always apart?—They are always apart, but I should, even if a prisoner came in for seven days, and I found that prisoner was associated with others older and more criminal, ask that that prisoner should be put separately.

1575. (*Chairman.*) When you say "associated," do you mean at chapel, at exercise, and in prison generally?—At chapel, at exercise, and in a part of the prison. At Millbank and Wormwood Scrubs the governor practically always allowed about 30 cells to be used for first offenders irrespective of age, and he kept the boys at Wormwood Scrubs always

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together in chapel, at exercise, and in a part of the prison. At Holloway we do the same. At Millbank we were able to do so even still better, and I must testify to this, that the officers always aided in the matter. If they saw the case of a boy, or girl, or young woman, who was likely to suffer from their immediate surroundings, they spoke to me about it, and I mentioned it to the governor of the prison, who at once had the prisoner put into more favourable circumstances.

1576. Then, although a great deal may be done under the existing system, if the officials of the prison take a special interest in the question and do their utmost in the matter, yet, at the same time, if there were lax officials very great evils might go on in the way of contamination?—Quite. A great deal depends upon the person—himself or herself. I have found with the large numbers I have had to deal with that, as a rule, a girl is not contaminated unless she wishes to be, or unless she has got a curiosity in the direction from which the contamination comes. And a man, even in spite of his miserable surroundings in prison, will keep himself relatively pure. It is only with the weaker ones where there is a tendency to run in the wrong direction, if a wrong direction is open, that that occurs.

1577. What is your opinion of the proposal to have a separate prison and different treatment for young offenders up to a certain age?—I do not think I have heard of that proposition before, but it is one which would meet with my approval. I should like that. We have that done to a certain extent at Holloway where we keep the boys apart in the chapel, in the exercise ground, and in the prison. Then we try to make a sub-division if we find the boys are likely to contaminate others. If, for instance, one of the boys is worse than the others, or a black sheep among the boys, we try to check or isolate him.

1578. Government has already admitted the principle of classification by its Reformatory Acts?—Yes.

1579. And it is only a question really of how far you should carry the classification. I understand you to say that you would approve of separate and special treatment of the class of young offenders?—Yes.

1580. Up to what age would you be disposed to carry that?—I think to about 16. I should rather maintain that age.

1581. But not above 16?—No, though perhaps you might do so under very exceptional circumstances.

1582. Would not it be true to say that young offenders, up to say 20 or 21, are more susceptible to influences than older men?—Oh, yes; I take it that they would be, but I think up to 16 with boys, and perhaps a year later with girls, it is far more the case. Girls at 18 and 19, I think, have had their character more or less formed.

1583. Supposing you had a separate prison, a separate place of detention, for young offenders up to, say, 21, in which you could bring special influence to bear and treat them with a special view to reformation, do not you think that by concentrating them in such a place, you have a better opportunity of saving them from a criminal life than when they take a chance among the rough prisoners in the large prisons?—I do not think that is the case at all after 17 or 18.

1584. But then does not that rather mean a state of hopelessness? It means practically abandonment of those very young persons to crime; or at all events a large proportion of them?—I do not think that the influences of prison are so generally contaminating as is generally supposed. That is really why I am guarded in my answer about that. I do not think they are so contaminating as people imagine. Prisoners are kept apart as much as possible, and unless they have an inclination to know their neighbours and to learn more about crime than they have known hitherto, there is really no facility for it.

1585. Look at it from another point of view. You would admit, would you not, that a lad or a girl who goes to prison under the present system, suffers from that stigma for years; possibly for a life. That would be so?—From the stigma perhaps in one way, very much. Their own conscience would give them a stigma to themselves, and probably their immediate relatives; but it is a nine days' wonder, after all, so far as the outside world is concerned and it is soon forgotten. So far as the young criminal is concerned I do not think that afterwards, unless he has a pronounced disposition in that direction, the influence is very great.

1586. Still you would admit the fact of a lad or a girl having been committed to prison for weeks or months must prejudice them, at any rate to a certain extent, through life?—Yes.

1587. If the fact is remembered or if the fact is discovered it might lead to a loss of situation or prevent them from getting a situation?—Certainly, it must prejudice them in starting; but I do not think later on it does. It has caused them to turn aside and to make them lose friends and certain influences at the moment, but afterwards I do not know that it does, because so many have done extremely well eventually.

1588. But on the other hand you find a great many fall back from one cause or another?—I have not the figures here. I wish I had. The fact is I have not been able to go into the matter quite so deeply and thoroughly as I should have liked, but the number of people who come back to prison is relatively very small. Out of those who have been convicted and sent to prison the number coming back is very small. Those who do come back come back very frequently.

1589. Have you worked out the per-centage of re-committals?—No, but I judge from the lists that are furnished to me every day as to that. I have two lists—at least one list divided into two parts—furnished to me. It consists of those who have not been in prison before and those who have been in repeatedly. But supposing we take as an example the number of 30. I find that on the average perhaps six or seven would be absolutely fresh cases, the others not.

1590. I have before me the figures for Holloway. Let us take the men first. Out of 1,105 there are 279 who were re-committed once; then there are 209 who were re-committed twice; 140 who were re-committed three times; 107 who were re-committed four times; 92 who were re-committed five times; 141 who were re-committed six or seven times; 79 who were re-committed eight, nine, or ten times; and 58 who were re-committed over ten times?—And how many for the first time, sir?

1591. These are only re-committals; for the first time it is 279 out of 1,105?—279 out of 1,105 will confirm my estimate.

1592. Then the figures for the women are, that out of a total number of 2,569, the first re-committals are 289. Those re-committed for the second time are 155; those re-committed three times are 116; those re-committed four times are 53; those re-committed five times are 48; those re-committed six or seven times are 367; those re-committed eight, nine, or ten times are 696; and those re-committed over ten times are over 845?—I think those figures rather confirm what I said about one-fifth or one-sixth in number of them having been committed before, but those with come in so repeatedly as regards women are nearly all drunkards.

1593. Taking those figures without reference to the actual per-centage, the numbers are very large; and if one could save from this life of crime, or of continual imprisonment, a proportion of them, it would be worth the effort. Would not you say that it is during the period under 21 years of age that the habits which lead to these continual re-committals are formed?—Yes, and I think the figures with which I furnished you show that.

1594. Then would not it be worth a very special effort to try some new system with a view to laying hold of these young offenders, both boys and girls, and trying to get them out of their criminal habits, and starting them afresh?—I should not at all object to any new system which would bring about that result, but our efforts all round are in that direction at the present time.

1595. But you have not the belief that a special classification in the prison apart, with perhaps special treatment, would be desirable for those over 16?—The subject has not been mentioned to me before, and I have not really thought of it.

1596. You have not really fully considered the matter in this light?—No.

1597. Would you say that imprisonment bears less hardly on the young prisoners than on the old during the time they are in prison?—Do you mean morally or physically?

1598. Both?—I think it bears rather hard upon them physically. I do not think it does morally. I do not think they feel the degradation so much as an older prisoner.

1599. That is what you mean?—Yes. I do not think they feel the degradation so much.

1600. And to that extent prison rather loses its deterrent effect?—I do not think they are quite old enough to estimate fully what is meant by the loss of position.

1601. Then do not these young prisoners, to a considerable extent, rather glory in being associated with the older criminals?—I never found a case of that sort. It is when they get on later that that may occur. If they have come into prison once, and they go out into the world and one comes across them they express themselves in very penitent terms, and speak of the shame and degradation to which they have been subjected while in the prison. I think the day of remorse comes later; and it is a painful day to them, but I do not think the young prisoners feel the degradation so much as the older ones do at the time.

1602. When does the boy's day of remorse come on?—Years afterwards, when they have recovered themselves and got into respectable life, they begin to think of the prison life they have had.

1603. But anything which would induce that day of remorse to come on earlier you would welcome?—Quite; but I do not know how that is to come about save by increased age and experience.

1604. (*Sir John Dorington.*) You are not inclined to think that the reformatory system could be carried to an older age with advantage. Supposing instead of being limited to 16 you send young offenders to reformatories up to 18, by taking them from the prisons would you recommend that, or would you not?—A great many are kept in the reformatories over that age.

1605. I know that, but that is not my point. At the present moment a magistrate cannot send a boy to a reformatory over 16 years. Do you think it might be advantageous to extend the age to which magistrates might send a young prisoner to a reformatory up to 17, 18, or 19?—They do that with reference to girls in the way of sending them to homes, but otherwise I would not suggest it at all. I do not think it would be beneficial.

1606. On the women's side what is the first-class hard labour for women, which is equivalent to the treadwheel and the crank, and to which they are not subjected after the first month?—Picking oakum.

1607. Picking oakum is the first class hard labour for women?—That is the hardest labour for women.

1608. They do not put them into the washhouse for the first month?—No, but the women would be rather glad to go there.

1609. Oakum picking then is the equivalent to the crank and the treadwheel?—Yes, that is the hardest labour for women. I may mention that there is quite a clamour on the part of the women to go into the laundry. They always cry out that they want to go into the laundry.

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1610. You have formed no exact estimate of the number of re-convictions of first offenders. This particular figure which has been given us is about 12 per cent. I see. Every prisoner who is convicted a second time must have been convicted a first time. Therefore in order to find out the persons who come back you must compare the second convictions with the total first convictions. Do you think it is about 12, 15, or 20 per cent.?—About that. That is the average that I gave.

1611. And after second convictions prisoners return in a much larger per-centage?—Yes.

1612. You have noticed that sentences have very much diminished in recent years?—Yes.

1613. Is not that somewhat increasing per-centage (and I think it is an increasing per-centage) of persons re-convicted after they have been a second time convicted partly due to the criminal population being kept in a prison for much shorter sentences?—Yes.

1614. Consequently they present themselves more frequently for conviction?—Yes.

1615. And in that way the number of committals to prison is larger?—Yes.

1616. As to the prisoner with no reformatory treatment at all, would you be at all inclined to advocate longer sentences for those re-convicted prisoners?—Yes.

1617. That is your opinion?—It is my opinion that there should be a cumulative sentence. If a prisoner is not reformed whilst in prison, when he gets his liberty he goes out to prey on society and induces others to do the same, and as a matter of protection to society I should suggest a cumulative sentence after a number of convictions.

1618. Would you go so far as to lay down a rule as to the cumulative sentences to be adopted, that they should be duplicated or triplicated?—Yes, after a certain number of convictions, but I would allow a very large margin. If a prisoner has been convicted ten times, one begins to think that he has made crime his speciality and his vocation, and not only for his sake but for the sake of society I think then a cumulative sentence should be given to him. I think it should be taken out of the hand of the magistrates then.

1619. I suppose you say the shortening of sentences has done a great deal of good so far as regards persons entering upon crime?—Yes.

1620. (*Mr. O'Connor.*) It has been stated to us that a man feels more than a boy his first imprisonment. Would you say so, too?—I said that just now.

1621. Would you say that the prospects or risk of first imprisonment has a greater deterrent effect upon a man than it has upon a boy, in the average case?—Yes, because I think he appreciates what he will lose, and the shame of the matter, and what he will have to face; whereas a boy does not. It is only a question of moral teaching.

1622. Will you go a little further and say that the deterrent effect of the prospect or risk of imprisonment in the average case is greater with age and less in proportion to the youth of the offender?—Up to a certain point, yes.

1623. Then, would you say that the imprisonment is more valuable as a deterrent for first offences in the case of men over 21, speaking generally, than in the case of boys of 16 and upwards?—Simply on the ground that I mentioned. I fancy that it would be, because a man knows exactly his circumstances, and he knows what he loses by his being imprisoned; but the judgment of the boy is not formed, and beyond the shame of it and what he is told to the effect that it is a most degrading thing, I do not think that he appreciates at all what he is losing by being in prison.

1624. Would your experience lead you to say that of the cases of repeated imprisonment the majority have been first imprisoned before the age of 21?—I should think so; and I should judge rather from the figures that I have furnished you, because the ages under 21 furnish such a large number of criminals,

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and if you put them in contact with the other figures you will find that is pretty much the case.

1625. Would you say that the boy who has been sent to a reformatory has a sense that imprisonment is something a good deal worse or is worse than it really is?—I am not so sure about that. A great many boys who come back from reformatories have entered upon their imprisonment with a great deal of lightness, that is, boys who have been through a course at the reformatory and have afterwards relapsed into crime and have come back to prison.

1626. You are speaking only of those who did come back?—Yes.

1627. Can you speak of those who did not?—No.

1628. What proportion of boys in the reformatory go to prison?—I could not give you that. I have no knowledge of that.

1629. You would say that at any rate the prospect of imprisonment has still a deterrent effect upon a boy who has been in a reformatory?—Yes, but not to such a great extent as one would like to see. I may say this, which is perhaps germane to the question, that boys are extremely reticent about the fact of their having been in a reformatory. When they come into prison a second time they like to conceal it; whether because their names are held up as an example of obloquy, or not, I do not know, but they are reticent about it.

1630. But to go to a reformatory a boy has to graduate through a prison, has he not?—Yes.

1631. Do you think that is a good thing?—I think so. I never could see any objection to it. We have worked upon the boys, and have never found it so.

1632. Then if the deterrent effect is less on the one hand under 21, possibly the moral effect would be worse; would you say that the moral effect of being sent to prison is worse for a boy than it is for a grown-up person?—No; if they are kept apart as they are I do not think so.

1633. I thought you told us that in the case of repeated imprisonment the majority appear to have been of the class committed to prison earlier?—They could not go to prison frequently unless really they had commenced early in life.

1634. What would you say to the suggestion of having the age made of committal to a reformatory higher than it is now?—I should not object to 16, particularly with reference to girls. I find that there are many girls who are put down as 16 that really have not the intelligence and strength of girls of 13 or 14; and, of course, a reformatory for them would be extremely desirable. They are not so precocious in the criminal sense as boys are.

1635. If the reformatory age was raised so that some now sent to prison early were sent to a reformatory instead, would you look for any substantial diminution of the prison population?—Not very much.

1636. From your experience would you make any classification of prisoners according not to the length of their sentences but to their moral obliquity and with regard to the character of the crime committed?—We have done that to a certain extent.

1637. I do not speak of your administration in a particular prison, but as between different prisons?—That which we have done I should like to make the rule generally, because I think it has worked well.

1638. Would you go as far as to propose that for burglary with violence and repeated forgery there should be a more severe system of treatment than for offences of less moral blackness, such as mere smuggling, or anything of that kind?—I think offences with violence, like burglary, or anything of that kind should be visited very severely.

1639. Would you separate them as regards institutions?—No, I should subject them to more severe punishment in the prison; I should not separate them.

1640. I suppose you would attach very great importance to the influence of religion upon prisoners?—Yes.

1641. Upon what class of prisoners do you find that that influence is strongest—on the young or the older prisoner?—On the young. Those who have been immediately subjected to the influence of religion, who have been taught by their parents to say their prayers and repeat hymns, and who have been taught to attend church and go to Sunday-school, one finds have the religious sentiment very strong in them. I had a case yesterday of a man who until recently conducted himself with very great credit, and used to sing in the church choir, and I reminded him of his church obligations and it seemed to affect him very much.

1642. In what period of a long sentence do you think the influence of religion is the strongest—at the beginning, in the middle, or towards the end?—I rather think at the beginning.

1643. You would think from a moral or a religious point of view, that the beginning of a convict's term was the most important?—Yes, you see that they are then smarting from the sense of wrong they have done and are very amenable.

1644. You have some convict prisoners at Holloway? No, only a few women who are sooner or later transferred from Holloway to Wormwood Scrubs.

1645. You have had experience with convict prisons?—Yes; at Wormwood Scrubs we always had about 350 men and about 50 women, perhaps.

1646. I understand that under the present system some of the convict prisoners are sent to local prisons for the first nine months?—Yes, and Wormwood Scrubs answers to a local prison.

1647. In the convict prisons there are chaplains for all are they not?—There is a chaplain for those who are termed Protestants, and a chaplain for those who are Roman Catholics, but if, for instance, there be a great number of Presbyterians, the Presbyterian minister is allowed to come in. Of course the Jews have the Rabbi.

1648. Take the case of the female convicts, where are they; at Woking, are they not?—Yes, that is their final home.

1649. That is exclusively a women's prison?—Yes, and that is the only one; they are going to be removed from there to Aylesbury sooner or later.

1650. Are there chaplains for both denominations there?—Yes.

1651. When they are sent to local prisons the Protestant prisoners have a chaplain, do they not?—Yes.

1652. Does the chaplain give them a service every day?—Yes, that is according to the Standing Orders.

1653. I mean they are under the daily influence of a minister of religion?—Yes; that is to say there are chaplains, and if they asked to see the minister they would do so, because it is not possible for him to see all of them every day.

1654. There is morning prayer every morning?—Yes, but he would not be able to visit every prisoner every day. They can ask to see him.

1655. But there is a church service every day?—Yes.

1656. In the case of the Roman Catholic prisoners is there morning prayer in common in the local prisons?—Not at Holloway. The numbers are so few that the priest comes on certain days which he has appointed.

1657. But there is no church parade every day?—No, but at Wormwood Scrubs there was a daily service.

1658. There was?—Yes.

1659. When?—Every day.

1660. In all the local prisons is that so?—I think it depends upon the numbers and the convenience of the Roman Catholic priest.

1661. But there is not a Roman Catholic priest attached to it?—Yes, there is. There is a Roman Catholic chaplain at Wormwood Scrubs, and there is a daily service at Wormwood Scrubs. The numbers

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are not enough to make it the case at Holloway, and I do not think they have it there, as the numbers are not very large. I think the number of services depends entirely upon the discretion of the Roman Catholic priest.

1662. But whatever the number of the Protestants who are there, they have a church service every day?—Yes, every day.

1663. And the chaplain sees those who wish to see him?—Yes.

1664. In the convict prisons the Roman Catholic chaplain is appointed just as the Protestant chaplain is?—Yes.

1665. Therefore in the convict prison for the first nine months those who are doing their nine months' probation —— ?—No, pardon me, the nine months' probation is done in the local prison, not in the convict prison.

1666. In some cases is not the nine months' probation done in the convict prison?—No, they are in the prison for a time, for six months, I think, and they are kept prisoners at the first local prison to which they are removed after they are sentenced.

1667. That makes it more serious still, then. For the first nine months, as I understand, during which the ministrations of religion are most important, the Roman Catholic prisoners are sent to local prisons, where, unless they reach a certain number, they do not have daily ministrations?—It depends on the discretion of the Roman Catholic priest. There may be a daily service for all Roman Catholics, but I am speaking of what I do know at Holloway. There was one regularly at Wormwood Scrubs and one at Millbank. At large prisons I think there has been a priest and a service generally. I should not like to answer for the service being daily, but I am under the impression that the rule which prevails at Holloway prevails elsewhere. However, I am open to instruction upon that point.

1668. Have you ever had complaints from prisoners that after they went out of prison and made a bonâ fide attempt to do well they were harassed by the police?—Yes.

1669. And from what you have heard do you attach any importance to that statement—do you think there is any ground for it—do you believe it?—I think there is sometimes ground, but I think, generally speaking, not so. I have questioned the prisoners on the fact, and I think that the police have not been watching them unless they have been associating with their old bad companions, and loafing about the streets, and doing things which suggest to the police that they are not practically earning their living, but are resorting to their old method of living. I, of course, have heard the complaint a thousand times, but it has, I think, to be accepted with a great deal of salt.

1670. Then you said you had caused prisoners who were being contaminated by their surroundings to be removed?—Whom I thought would be contaminated by their surroundings.

1671. Yes; would you mind telling us how you arrive at a conclusion that a particular prisoner under certain circumstances is being contaminated?—Is likely to be contaminated?

1672. Yes, is likely to be contaminated?—I should know who his neighbours were in the prison; I should see in the chapel who his neighbours were, and one of the officers who attends me would say perhaps that that man or that woman was being talked to by another prisoner, and if that was the case he would make a report to me for my own observation and would tell me a little about it. I should act upon that and talk to the prisoner himself or herself.

1673. Does "neighbour" mean juxtaposition with regard to cells?—Yes.

1674. Are those who are in neighbouring cells in juxtaposition at work?—Not at work, but in chapel and at exercise; one may be a carpenter, for instance, working at the carpenter's workshop; another may be working at a loom in his own cell.

1675. Then in church, in cell, and at exercise, the neighbourhood of prisoners is constant?—Yes.

1676. You do not shift them?—You do sometimes; sometimes it is found convenient, for instance, to put all the laundry women together, and it is found convenient to put men employed on the works, as it is termed, together.

1677. Is the cell in prison often changed?—Not often, I think. Some men have the same cell during the whole of their imprisonment, and they get attached to that particular cell.

1678. Briefly, then, you, speaking as an experienced chaplain, would say that it is of the utmost importance to have religious influences brought to bear early during the period of imprisonment?—Yes, I say that for both men and women, most undoubtedly.

1679. (*Dr. Bridges.*) Then when you speak of prisoners being isolated in their cells, you would not say that the isolation is complete?—No.

1680. Even while they are in their cells there can be a certain amount of communication?—Between whom?

1681. Between the inmate of one cell and the inmate of the next cell?—They do manage to telegraph by knocking a little; but I do not think that the communication is there. I think it is when they are going out to exercise and before they assemble in chapel and after it. I do not think the contamination could take place at any other times unless they were working in association, and then they would be working under supervision, and they would not be able to communicate.

1682. I gathered you said that you thought it sometimes desirable to isolate the inmate of a cell when you knew that the inmates of the two next cells were undesirable companions?—Yes; I meant by "removing him," to put the prisoner into another cell.

1683. That does imply the possibility of some communication between a prisoner and the inmate of the next cell?—Yes.

1684. Then, with regard to the communication in chapel, there is no screen, I think, between individual prisoners in chapel?—No, they are all sitting as in an ordinary church.

1685. And during the service it would be possible for a man to speak to his next door neighbour?—But if he did, the movement of his face would be quite sufficient to expose him and cause him to be reported. The officers would see that. I may say this, that a more orderly congregation during divine service one does not see anywhere than in a prison. Whatever communication takes place takes place when they are standing together.

1686. You mean before they get into their places?—Yes, while they are going into the building and making their way to their seats and sitting down; that is when the communication takes place.

1687. Then the communication would not necessarily be with a man's next door neighbour in chapel but with other persons?—He sits next to his neighbour.

1688. But on going into chapel he might come into contact with others?—He would not have a chance, he would follow in a line, and those beside him would be his immediate neighbours.

1689. The communication takes place while they are in file, walking in or out?—Yes.

1690. So that from what you have said I gather there is a sufficient danger of communication to make it desirable, even in the case of people between the age of say 18 and 25, to move them to another part of the of the prison?—Yes.

1691. Can you insure that these persons between the age of 18 and 25 in so removing may not also be exposed to mischievous communications from other prisoners?—Of course the circumstances are very much the same in both cells, but the neighbours are

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not; and, therefore, they would not be subject to the contamination.

1692. When you so remove those older persons, do you classify them according to whether they are first offenders or not—is that your principle of classification?—We generally try to put the first offenders apart, and to keep them apart from the others. One does not, perhaps, exercise the same care with the women between 35 and 40, whose character is formed, and who are not likely to be influenced one way or the other; or with men 50 years of age and upwards. One would not be so particular there, because one would know there would be nothing to gain on the part of the persons who tried to contaminate them, and they would have no interest in the lives of others, their own position in life having been settled.

1693. Let us then suppose that without too great cost and administrative difficulty (I leave that for the moment entirely out of the question) it were possible to provide for these younger first offenders a completely distinct prison. Let us suppose that that could be done; would not the isolation of these persons from the rest be much more complete than it is at present?—Not more complete than it is at Holloway Prison; there we keep them absolutely apart. Nothing could be better than it is there. At Millbank we made them exercise apart, though we need not have done so, and I think to a certain extent the present prison arrangements could effect nearly all that is necessary. That is only from my experience and knowledge of prisons.

1694. I think you said sometimes administrative considerations enter into the way in which the prisoners are grouped. For instance, I think you said that the laundry women were sometimes placed together for the convenience of administration?—Yes.

1695. But these laundry women would be of very different characters, would not they?—They would be a rougher type of women. I do not think there are any first offenders among the laundry women. I would not say so absolutely, but I am under the impression that there is not now a first offender amongst our laundry women. I speak subject to correction in that matter, but I think not.

1696. I suppose that you have seen some rather hardened prisoners of a very young age, have not you?—Yes.

1697. Do you recognise what is sometimes spoken of as "moral insanity," that is to say, do you recognise a certain class who have either no moral sense or in whom the moral sense is very weak indeed?—Yes, undoubtedly. There are some girls at the present time under my control who have no moral sense whatever; none at all.

1698. As far as you know would that be congenital, or would it be the result of surroundings?—I think in one case it is rather the result of surroundings. In the other I can find no other reason for it than that it is congenital. I learnt about the parents that the parents transmitted to the child very weak mental power. In the other case it is a case of the surroundings and training.

1699. I did not quite understand whether you were speaking of two individuals or of two classes?—Of two individuals who will represent the two classes.

1700. You have seen several instances of either class?—Yes, hundreds.

1701. Do you mean you have seen hundreds of persons in whom, as far as you can form a judgment, the defect in moral sense was transmitted to them by parentage?—Yes, undoubtedly, and some from the training which they have received; that is to say, that they have never been taught anything, that they have never been taught to read or write, and that they have never been taught any religious truths, and have never been taught that there was anything right beyond the gratification of their own personal will; there is nothing to appeal to in those cases.

1702. In those persons with whom the criminal disposition was, as far as you can tell, innate or congenital, has your attention been drawn to any physical peculiarities in their cases in the conformation of head or of body?—I have noticed that the head has been very square, the eyes have been small, and they have seemed to possess a lot of cunning and a certain amount of intelligence. They always have large ears a square head, and very small eyes. Their furtive glances are very remarkable; they never look you straight in the face, but the eye always seems to wander about in the most uneasy fashion.

1703. You have, at Holloway, a great number of persons who are sent to the prison as being mentally deficient, in order that they may be kept under observation?—Yes, we have, that is after attempts at suicide, or something of that kind.

1704. Have you not a large number who are sent from the police courts as being suspected of being mentally very feeble?—We get a large number; perhaps not so large a number as you might expect. I could not tell you the figures, but undoubtedly the large majority are sent for attempting to commit suicide, and they are remanded for observation by the doctor and myself.

1705. I mean you have, from your experience of other prisons, a much larger number of those cases at Holloway than you have had at other prisons?—Very much more so.

1706. Out of all those persons a large number are sent, I suppose, to the asylums, are they not?—A great number are.

1707. And some are sent back to the police court?—In many of the cases they are sent back to the police court. The report of the medical officer is such that he could not say that they are insane. But they could not be dealt with otherwise than the law would direct. But they come back eventually, and then they get certified.

1708. With regard to those who are not certified as being fit for asylums, but who remain in the prisons, have you a considerable number of what you would call weak-minded persons?—Not a considerable number, but we have got some few.

1709. Would you say that you had a considerable number who were below the ordinary standard of intelligence?—Probably out of our population at the present time we have about a dozen.

1710. Not more than that?—Not amongst the women.

1711. I am speaking of the women?—Yes, as to the women I can speak more decidedly and correctly about them. I do not think there are more than a dozen. There are about that number, I should think, but not more. They are certainly very weak mentally.

1712. You said also that they were undergrown, I think?—Yes.

1713. And that a girl of 16 in many cases appeared to be not more than 13 or 14?—Yes, but that would have nothing to do with this particular case. I mentioned that I would raise the age of the reformatory limit so that girls might be sent at a later age to a reformatory, because many of them are not developed mentally and physically when they are 16.

1714. You find you have a considerable number of girls who are undergrown and somewhat deficient in development?—Yes, I should think probably a dozen would cover that. One girl is 19 that I am thinking of, and she has been under my care for the last four years; she has been sent to us repeatedly by the magistrate. We have placed her in several homes, and she is not sufficiently insane to be certified, but she is not sufficiently sane to be at liberty; therefore she is in prison.

1715. With regard to those cases with regard to whom you are doubtful whether they should be in asylums or in prisons, what sort of difference is made in their treatment?—They are continuously under the medical officer's observation. We supply them with books, and we do not put them to any labour more than we think they can undertake; and if they do not perform their labours they are not punished, if they are inclined to be flighty, as one girl is who is always running away and running about the place. We have to exercise her alone, so that she shall not disturb the others or cause a quarrel with them.

1716. What sort of employment are they put to in cases of that kind?—This girl does needlework in the cell.

1717. Do you consider that for weak-minded cases of that kind being shut up for a great part of the day in an isolated cell is the best thing for her state of mind?—I would say first of all that in a case of that kind we do not shut them up in the cell, but we get them out as much as possible. We make all kinds of excuses to get them out and give them all kinds of employment. We do not keep them so much in the cell as we should an ordinary prisoner.

1718. And is it not better for a girl like that to do needlework in an associated room rather than in a cell?—In many cases we open the cell door, and the prisoner sees all that is going on. That is quite enough. But if the doctor sees that being shut up in a cell is likely prejudicially to affect the patient's health, the patient is at once removed to the infirmary, or placed under observation, and then employed in any way the prisoner likes.

1719. The doctor has full discretion in all those cases?—Yes, and there is an officer to look after the case nearly all day. The case is submitted to medical observation, and anything at all peculiar is reported to the medical officer.

1720. You have a great number of persons who are sentenced, and who come back frequently?—Yes, a great number.

1721. Supposing those persons are sentenced to a period of seven days they are put upon No. 1 diet, are they not?—Yes.

1722. When you speak of their coming back repeatedly, do you mean that they would come back in the course of six months two or three times?—To-day I have not any doubt there are in the prison 20 people who were discharged on Saturday, and who have been taken up again. Of course I am speaking without my books, and I shall not have my books for this until to-morrow; but I know that some were taken up on Saturday night who were discharged on Saturday morning.

1723. Then with regard to those cases, it would follow, I suppose, that the No. 1 diet was practically either continuous or nearly continuous?—Yes, practically continuous.

1724. Have you ever seen any effects that you think physically undesirable from that cause?—I am a little doubtful about that. I do not object to those who have come in being put on No. 1 diet, because they come in for drunkenness, and I think it does them good. I never heard them complain about it, but if they happen to commit themselves by breaking the prison rules, and are subjected again to a further period of low diet, I think restraints should be put upon them instead of punishing them through their stomachs.

1725. You think the repeated use of the low diet punishment is less desirable than some other form of punishment?—Yes, I think so. It makes them very irritable, and less inclined either to listen to the rules of the prison, or the exhortations of the chaplain. I am afraid I have peculiar views on the subject, and others do not sympathise with those views, but it is just my impression from what I have seen.

1726. I should think your views can hardly be quite peculiar to yourself, because I observe that many of the medical officers put them on a higher scale of diet in consequence of the repeated short sentences. Is that done in Holloway sometimes?—It would be done according to the medical officer's direction. I see when I pass the cells how various the diets are, so that I take it that it is done as liberally as elsewhere.

1727. (*Mr. De Rutzen.*) I think nearly all the questions I wished to ask you have been asked, but I do wish to ask you one question. Have you any strong view with regard to the desirability of visitors of a certain class coming to prison?—What class do you mean?

1728. We will say of the class that Mrs. Fry was—to influence the prisoners for good?—The circumstances of a person were so different then to what they are now. They were terrible, and Mrs. Fry was *sui generis*. She was the one Mrs. Fry. I may say I have always been an advocate for the visiting of ladies to the prison, and we always had a staff. We have a staff at Holloway. There was a staff of four at Wormwood Scrubs, and a staff of five at Millbank, but I never found that the result was commensurate with what one supposed would be the result. I do not think that up to the present time I can say that they have gained cases that were not gained otherwise for reformatory purposes, but they have helped in strengthening one's hands. There are an immense number of ladies who are extremely good and gentle and nice whose influence would be beneficial to the prisoners, but they have not the tact which is requisite, and it is just an office to which people want to be born. I do not think they can be made to it, and out of the number of lady visitors I have had I cannot say, though they may be extremely useful and desirous of doing good, that they have ever rendered me much assistance.

1729. But you would not discourage it?—No. If the chaplain really does his work, and if he has got an able schoolmistress or an able agent in the place to help him, I do not think there is much work for a lady visitor.

1730. I would not confine you entirely to lady visitors, but men of the class that are now called missionaries?—I have yet to learn that outside help of that kind renders any benefit to us. We have strangers coming in, clergymen sometimes, to see prisoners and I always allow it; and also friends interested in the case of prisoners; but we do not find the influence of those visits is worthy of notice at all. They do not know how to deal with cases which really require a special training. We throw open our doors to every lady who comes, and are only too glad to do it. I want my hands strengthened, but honestly I cannot say that outside help is worth much.

1731. I suppose there is no person in the gaol who comes more constantly in contact with the officials, as well as the prisoners, than you do?—No.

1732. It is a part of your duty by the rules, is it not, to at once report any abuse or impropriety coming from where it will?—Yes.

1733. And a part of your duty also would be to enter it in the Journal?—Yes.

1734. Do you find that you have had many cases where you have had to report abuse or impropriety on the part of anybody?—No.

1735. And you think the work of the staff is satisfactory?—Yes, of course in a large staff there would be some who would not be faithful and good servants, and who would be foolish and indiscreet, but taking the staff as a staff I have nothing to say but that which is to their credit.

1736. And you are very seldom called upon to report any abuse or impropriety?—Anything like gross abuse or impropriety is not seen at all. It is only a trivial matter, which is contrary to the discipline, and I have drawn attention to it when it has occurred.

1737. (*Miss Orme.*) I think you said that the women are more apt to commit prison offences than the men?—Yes.

1738. You are aware that the statistics show that in the whole prison population it is just the other way?—Yes.

1739. Then it is peculiar to those prisons which you have been in?—I take it that there is a great deal of latitude allowed to the women. They lose their tempers, and I think it is remembered in their favour that they have behaved very well before, and if they

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are very industrious it is not registered as a prison offence.

1740. So that the statistics really do not give us the facts?—No; with men it is different. With men there is no latitude at all allowed.

1741. Among the offences in Holloway, is a frequent one connected with the picking of oakum and stuffing it into the ventilators?—It means they have not done their work, and they do that to hide the oakum they have not picked.

1742. Picking oakum is not at all popular with them?—No.

1743. Have you ever recommended that something else should be given them; for instance, sack making or some simple work of that kind?—Yes.

1744. Is it at all adopted now?—It cannot be. The trade unions outside so interfere with prison labour that we cannot do it.

1745. For instance, you are aware they are making sacks at Wormwood Scrubs now?—Yes.

1746. Why could not they be done in the same way?—We do it so far as the order is given to us.

1747. You have no associated work for the women in Holloway?—Yes, in the laundry.

1748. But beyond that you have none?—The cook-house.

1749. In your past experience in other prisons, have not you found that withdrawing the women from the associated work is the best punishment for any disorderly conduct?—No.

1750. It does not affect them?—I would not say it is the best punishment, as I do not think it has affected them very much.

1751. You do not feel the want of that much at Holloway?—Neither did we at Millbank, nor at Wormwood Scrubs.

1752. Amongst the female convicts you have at Holloway, how many are there, who could do associated work under prison regulations, if it were there to do?—We have not any convicts; we have only two now waiting for discharge, and I think one or two convicts to go on to Wormwood Scrubs. They are a different class of person. They are not the ordinary local offender.

1753. But how many women have you at Holloway who could work in an associated room, if you had the opportunity. Supposing, for instance, you had a large workroom?—A hundred.

1754. And they are working in their cells because there is no associated workroom where they could work?—I should think the number there who could work in association is a hundred, and that would include those now working in the laundry and in the cook-house.

1755. I want to know how many are working separately in their cells who might work together if you had a large workroom?—I think half our number. Before I answer that question really, I must know the sentence. I do not know, for instance, how many we have now who are under sentence of 14 days.

1756. But approximately you would say there are several who might be in an associated workroom if you had it?—Yes.

1757. Have you ever recommended the establishment of a room of that sort?—No.

1758. Do not you think it would have a good moral effect on these women?—No.

1759. You would be opposed to it?—Well, I have seen so much reason to object to it. At Wormwood Scrubs, where the supervision is admirable and the officers are good, useful officers, I have seen conversation between women which I know is of an extremely hurtful character. To-day, before I came down, I had to settle a case with a woman who was placed in association, and four very rough characters were waiting from the East End to take her away. We shall discharge her to-day, but if her mother does not come for her, I am going to send an officer down to Reading with her, and save that.

1760. Then it is your opinion that you have at Holloway as much association as is wanted for the moral good of the women?—I cannot go so far as to say that it is a moral good for the women to work in association. They have not ever said they wanted it themselves. I may say neither women nor men have asked to work in association. They have asked to work outside the cell. They do not like the monotony and irksomeness of the cell, but if you give them intelligent labour, so long as they are outside the cell they are satisfied.

1761. I thought you said they clamoured to go into the laundry?—That takes them out of the cell.

1762. That is what I call working in association?—They would be glad to work in the laundry, if it only consisted of one tub.

1763. You do not think it is for working together they desire it?—No. I may say it is not my opinion, but it is the testimony of fact that I have heard hundreds of women say they did not like to work in association. Many women have said that they have come to prison because they did not like the workhouse, as in the workhouse they said they heard a good deal of bad language, and one of the advantages of the prison was that they were kept from hearing bad language and the quarrelsome people they met in the workhouse.

1764. (*Chairman.*) There are just one or two points I should like to put to you. Have you any view upon the classes from which it is desirable to select warders?—I think that the more educated the warders are the better it is. For instance, taking the women, those who have been pupil teachers and governesses are far better than others. They have moral influence, they understand the meaning of discipline, and they have greater influence over prisoners than those who have occupied other posts in life. With the men warders in the same way I would like to get superior men. I would like them of a better social status; but I find the men who are better educated, and who have occupied a better position in life, are better warders than those who have nothing better than their moral character, which has been excellent, to recommend them.

1765. How do the warders who have been in the army compare with the civilian warders?—That depends very much upon circumstances. I have not drawn any distinction that way. I have had warders who have been sergeant-majors in the army, and I have had some who have been schoolmasters, and I have found them better than those who have been taken from the ranks. The better intelligence the man has got, the better educated he has been, the better warder he has been.

1766. Of course the character of the warder is of immense importance with regard to the prisoner?—Of very great importance.

1767. Do you think that the hours of warders and prison matrons are not too long?—I think they are rather long. The work is extremely trying.

1768. Have you observed that working the hours they do has a prejudicial effect upon the warders or the matrons?—I think it has in the direction of what I may call their spirits, and so on. It makes them depressed, and makes them, perhaps, in many cases not so zealous as they might otherwise be; but I think the performance of their duty is untouched by that.

1769. Are you speaking specially of the warders or of the matrons now, or of both?—Of both. It affects the matrons more. I think their spirits are more depressed by a long stay on duty.

1770. Do you think they get sufficient holidays or intervals away from the prison?—I think if the hours could be reduced in any way it would be better for them. I do not think it is the going away so much.

1771. With regard to what you said in connexion with classification you limited yourself with regard to separate treatment to offenders under 16, but you would be disposed to extend that separate and special treatment to first offenders under a certain age?—To a certain extent we have always done so. That has always been done.

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1772. Therefore, with regard to the first offenders, you would be prepared to approve of a system which kept them in a different prison, possibly with a different treatment?—Yes. Some reference must be made to their antecedents, because sometimes a first offender is an extremely bad offender. Discretion must come in there.

1773. In your experience have you found, more particularly with regard to women, that after repeated offences against prison discipline they can really do the matrons and the authorities and obtain a certain relaxation of treatment?—That depends very much upon the strength of mind of the matron. I have seen matrons and prisoners in antagonism, and I have sometimes seen a prisoner gain the point, and sometimes the matrons gain it, but I think, in a large prison, in a place like Wormwood Scrubs, or Holloway, that is not the case. Where in a small prison female labour is very much valued, I think that sometimes the prisoner has the benefit.

1774. It was said, I think, by Sir Joshua Jebb, that "male convicts must be treated in masses rather "than according to their individual character. Individuality must be more regarded with female "convicts." Do you agree with that?—Yes, I think I should lay that down as a general rule all the way through.

1775. Have you observed any special effects of isolated, associated, and unproductive labour upon the prisoners?—They express themselves very strongly in a large number of cases. They do not mind what the labour is, but they would like the labour to be that which involves an exercise of their minds as well as their hands.

1776. Do they express themselves in particular against the unproductive labour?—Yes, it is not that which taxes them physically at all; but it is unproductive, and it does not demand any exercise of intelligence on their part.

1777. Still, would they draw any distinction between the unproductive crank and the water or corn mill?—No.

1778. You would be all in favour of giving them employment which would exercise their mind?—Yes, I think that would be beneficial in many ways.

1779. And I gather from what you said that you strongly disapprove of the cessation of the prison industries, such as mat-making?—Yes.

The witness withdrew.

Mr. M. J. Walker.

Mr. Miles Joseph Walker called and examined.

1780. (*Chairman.*) You are the governor of Liverpool Prison?—I am.

1781. How long have you filled that post?—At Liverpool since the 23rd of December last.

1782. Where were you before?—At Preston.

1783. You were governor at Preston for how long?—For three and a half years.

1784. And before that?—I was at Leicester for eleven years.

1785. As governor?—Yes.

1786. And before that?—I was at Norwich.

1787. In what capacity?—As governor.

1788. Have you ever been in any other position except that of governor?—Yes, I started as a warder at Coldbath Fields; and then I was deputy governor at Worcester; then I was governor at Cambridge; and then I became governor at Norwich.

1789. You have had considerable experience in different parts of the country?—Yes.

1790. Were you appointed under the county?—Yes.

1791. Where were you when the change took place?—At Norwich Castle.

1792. May I ask you at the outset whether you think that change has operated well?—Yes, I think so.

1793. In all respects?—Well, I may say so, certainly. Of course, I am an old county man, and one sticks to one's old efforts.

1794. But you think that, both with regard to economy and the discipline of prisons, and the effect of the present treatment of prisoners, the results of that transfer have all been satisfactory?—Yes, they have.

1795. With regard to association cells, do you approve of Rule 26, which enables the prison authorities to associate not less than three prisoners upon the advice of the medical officer?—Yes; but I think an officer must be put with them.

1796. You do not approve of putting three or more prisoners together, and putting them alone in their cells?—I do not, without an officer is with them.

1797. An officer should be present?—Yes, the object of association should be where one, at all events, of the three, if not the whole, are liable to fits, or something of that sort. Therefore, there ought to be an officer with them, to see that he is properly attended to if he has a fit in the day or night time.

1798. In point of behaviour or discipline, do you think it is desirable that there should be a warder with them?—Always where there is association. I do not think I should have association without a warder. In the first place, it would prevent contamination. One of the three might be worse than the other two, and he might contaminate them by his language, and so on. The presence of the officer stops that.

1799. Then so far as your own experience is concerned, have the associated prisoners always had an officer put with them?—Yes; we do not associate in Liverpool much; the doctor does not. We have observation cells, and the prisoners are put in those cells mostly, and an officer is always outside day and night with the trap down, so that he can see them every minute nearly.

1800. Do I understand these are association cells?—No, I say we rarely associate in Liverpool. They are in a corridor, but there is a great means of observation, and there is a special officer who constantly patrols in front of those day and night.

1801. You would not approve then of any practice in the prison by which three or more prisoners were associated, even on the recommendation of the medical officer, unless there was a warder present?—I think it is better to put a warder with them.

1802. Have you any special view upon the present practice under which a prison with more than 700 is to have a deputy governor?—I have not got a deputy governor myself, and I have got over 1,000.

1803. Then you have a deputy governor?—No, I have not.

1804. When you are away, who is in charge?—The chief warder.

1805. And is your average 1,000?—Yes, and over 1,000.

1806. Does that include both men and women?—Yes.

1807. What is the proportion?—Well, the women are between 300 and 400, and the men are about 700.

1808. Do they ever rise above 700?—Yes, always, or nearly always.

1809. They are always over 700?—Yes, we are a little over 1,000. I have had 1,100 odd in the

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prison, and then the proportion was about 740 to 400, as far as one's memory carries one.

1810. Who acts under you with regard to women prisoners?—The matron.

1811. The head matron?—Yes, the matron. We have a matron, chief warder, and so on, on the female side.

1812. Does the matron then stand much in the same position as the deputy governor?—No, she only takes charge of the female prisoners, but under my direction entirely.

1813. Does it ever happen that both you and the matron are away at the same time?—It never has within my memory, but such a thing would be possible.

1814. Then who would have charge of the women prisoners?—The chief warder of the female prison, under the direction, of course, of the chief warder of the male side, who would be in charge of the whole prison.

1815. Do you find that, according to your ideas of prison management, you can deal adequately with 1,000 or more prisoners?—I think I can. I have no complaints.

1816. At the same time you cannot get the same personal acquaintance with the prisoners that you would make if you had a less number to deal with?—Undoubtedly that is so.

1817. And it follows that if you had a deputy governor you and he would be able between you to have a more complete supervision of the prisoners passing through the prison?—The chief warder acts as deputy governor; he does exactly what a deputy governor would do.

1818. Without the pay?—Without the pay.

1819. Do you know of any other case of a prison with so large a number of prisoners in which there is no deputy governor?—Yes, at Strangeways, my adjoining prison.

1820. In Strangeways was the proportion between men and women much the same as it is in Liverpool?—I think so; perhaps there are 50 or 60 women more there on the average, but we are practically the same; we do not vary much.

1821. With regard to Liverpool, what is your average daily number of men?—In the last year for which that return is based, I think it was 985.

1822. Of men?—No.

1823. The total number?—I am afraid I must consult my book. There are 660 men and 324 women, but we are a little higher than we were then. It is on page 52 of the 16th Report of the Commissioners.

1824. 660 men and 324 women is the average?—That is the average up to the date when this report was made. I see Strangeways was 1,061 last year; that was made up as follows, 741 and 320.

1825. Do you think the rule is advisable by which, where there are over 700 male prisoners there should be a deputy governor?—Assuming that you have a good chief warder, I should say that answers every purpose. I am very well satisfied at present. I have got a very efficient chief warder, a very good man indeed.

1826. Then with regard to the practice of appointing a chief warder to the charge of a prison with less than 100 prisoners, do you agree with that practice?—No.

1827. Why not?—I think I ought to qualify my answer somewhat, and say, "No, unless you get a good man."

1828. But perhaps you will think that you cannot always get a man who is of a perfect stamp?—I am afraid that is so.

1829. How would you meet that difficulty?—By raising the tone of the service and getting better men into it.

1830. But meanwhile would you propose to alter the rule and fix a lower number, say 50, prisoners of which he should be in charge?—Yes, that would be a very good step in the right direction, certainly.

1831. In what particular way do you think the chief warders are deficient?—In education very often, and in tact.

1832. Do you find from your own experience that they have difficulty in hitting it off with their colleagues, the chaplain and the medical officer?—I think there is a little jealousy between them. There might be. The chaplain is a gentleman; the chief warder is not, probably.

1833. You do not think the present system is altogether satisfactory?—Not in that respect, except you get a good man.

1834. Are you quite satisfied with the present rules regarding visits to prisoners and communications with them, and letters?—Convicted or unconvicted?

1835. Convicted?—Yes. The stage system operates very well, and that regulates the visits and letters.

1836. You think that the rules are not too hard and fast?—I think you might relax them a little.

1837. You would agree that anything that tended to raise the mind of a prisoner would be desirable?—Undoubtedly.

1838. And that if he could get mental or moral good from receiving a visit, or receiving or writing a letter, it would be desirable to give him that facility?—Unquestionably.

1839. At the same time I suppose you would find it useful to have a definite rule?—Yes, and to work through the stage. The stage system induces men to go on better.

1840. Would you like increased discretionary power as governor to grant leave for interviews, or writing and receiving letters?—Yes.

1841. You would?—Certainly.

1842. Do you think the governors have not sufficient discretionary power now?—I think not.

1843. Would you be disposed then to modify the present arrangements?—Yes, in that way.

1844. What is your system with regard to representatives from the Discharged Prisoners' Aid Society?—The chaplain acts as the secretary of the Discharged Prisoners' Aid Society, and the magistrates as a body the visiting committee, deal with all the cases that are recommended to them. They come before them, and they see them sometimes at their own instance. In other cases on the recommendation of the chaplain, either Protestant or Roman Catholic, whichever it may be.

1845. I see by the Commissioners' Report that there is only one society attached to Liverpool?—That is so.

1846. The total number aided in 1892–3 was 581?—Yes.

1847. Out of what number would that be?—From 20,000 to 22,000, I should think. I am speaking from memory, but our receptions are from 20,000 to 22,000 a year.

1848. Would that include re-committals?—That is the total admission during the year.

1849. Then it would include re-committals?—Certainly.

1850. Does 581 strike you as a large number aided out of the total number you receive?—No, it does not, but that is in a great measure regulated, as I have before stated, by the two clergymen and by the prisoners themselves upon their applications.

1851. Let us take the case of the Salvation Army, which has got a prison rescue society wherever they have got their organisation at work. Would they have any status in seeing a prisoner before release?—They would be allowed to do so if they made the application; but I should state that in addition to this Prisoners' Aid Society, which we have working, so to speak, inside the prison, there is also a society just outside the doors of the prison, where they have a mission room, and meet the prisoners every morning when they go out.

1852. What society would that be?—It is the Church of England Temperance Society, I think, but the mission branch of it. It is a very large affair at Liverpool.

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1853. I rather understand that the duty of deciding on this question really rests on the chaplain?—The chaplain and the prisoners themselves, because everybody who wishes to see the visiting justices have their names put down to go before the society, and they see them each time they come.

1854. The prisoner is not supplied with a list of the societies?—No, but a notice is put up in his cell to say that he can see the visiting justices if he wants any assistance from the society.

1855. Then he makes his application to the visiting justices?—He makes his application to the warder, and his name is put on the list, and each prisoner is taken before the visiting justices singly.

1856. Do you see any objection to allowing each prisoner to see, if he wished to see it, a list of societies or agencies which are willing and anxious to help prisoners?—None whatever. It is a very good thing to do, I think.

1857. Now with regard to the prison offences and punishments. To what extent do you take evidence from prisoners?—Fully, entirely. I always thresh everything right out. I take it that you mean if a prisoner says he has another prisoner to corroborate him I send for the other prisoner, undoubtedly I do.

1858. Would you send for that other prisoner and take his evidence?—Undoubtedly; and the same remark would apply with respect to officers. If a prisoner denied what one officer said and another officer was present, I would send for the officer and thresh it out.

1859. Would you examine him in the presence of the accused party?—Undoubtedly, before the officers who make the report.

1860. You hold practically a judicial inquiry?—I do, in every case.

1861. And if you think that any prisoners can give evidence, would you call them?—Undoubtedly, in every instance.

1862. Are you satisfied with the present arrangements with regard to prison punishments?—In what respect?

1863. Do you think that the system of regulating prison punishments, as a rule, works well?—Yes; but I should like to see a little more discretion given to the governors—not to intensify the punishment at all.

1864. But in the way of relaxation?—Yes.

1865. I think one of the standing orders is that the Prison Commissioners say that "experience seems "to show that lighter punishments succeed"?—They do in some cases.

1866. "Experience shows that discipline is not "better maintained by resorting to severe punish-"ments, which should be reserved for use when "milder means have been tried"?—That is so. That is quite true.

1867. They go on to say at the end: "The Com-"missioners will look with satisfaction on any efforts "the governors may make to reduce the amount of "prison punishment, while at the same time pro-"moting industry and maintaining the discipline of "the prison." You quite agree with those remarks?—Yes, and adopt them.

1868. Do you approve of flogging?—I do not approve of it *per se*, but I think we must have it as a deterrent. It is only adopted in very few cases when everything else has failed.

1869. Do you think, as a rule, visiting justices punish with discretion?—With very great leniency in Liverpool, and always with discretion in every prison I have had to deal with. They are always very careful in investigating these matters.

1870. And you personally would not be inclined to differ with the sentences they have passed?—No, I think not.

1871. We had a proposal from a witness last week to substitute the handcuffing of female prisoners as a prison punishment in lieu of putting them upon dietary punishment. Would you approve of that?—Certainly I would. I do not like punishing women with dietary punishment at all, if one can help it, and with the very bad characters one gets in Liverpool I think handcuffing is a very good thing. It does not do them any harm, and it is a great deterrent, because one removes them as soon as possible; that is, as soon as they express their sorrow, or anything of that sort.

1872. Then how long would you keep them handcuffed?—Not many hours; a day perhaps.

1873. A day at the outside?—Yes. They nearly all come round in that time.

1874. Why do you object to dietary punishment?—The women, as a rule, are a low class, and I do not think they can stand much dietary punishment. They feed badly outside, and some of them are not in the best of health, and therefore I do not think you ought to pinch them too much.

1875. It reduces their stamina too much?—Of course in time it would. Of course the surgeon watches them very carefully, and we never punish anyone until he has certified in writing beforehand that they are fit for it.

1876. I suppose you say with regard to the discipline of the prison a great deal depends upon the governor?—Largely it does.

1877. Could you say in which prison with which you have been connected you have had the greatest difficulty in maintaining satisfactory discipline?—I have had no difficulty anywhere.

1878. But have you noticed a difference in the class of prisoners in different counties?—Yes.

1879. Are not some more amenable than others?—Undoubtedly. For example, the class of prisoners you get at Preston are very indolent, and the class of prisoners you get in the Liverpool female prison are mostly very ignorant. They are mostly women who sell oranges or matches, or newspapers, or who sell lemons, or fish, and they do not work. Therefore they are indisposed to work in prison.

1880. In Norwich you would have an agricultural population?—Yes, they work very well there.

1881. Would you say on the whole they were a more orderly kind of prisoner?—In the sense, that they work more.

1882. But are not more amenable to discipline than, for instance, the Liverpool prisoners?—Yes, I think so, especially amongst the females. The old hands amongst the females at Liverpool are not at all amenable to discipline.

1883. You have nothing to say with regard to the mark system?—I think it is a very good system.

1884. It works very well?—It works very well indeed.

1885. Would you be in favour of applying the practice now in use in convict prisons by which prisoners can earn a remission—would you apply that to local prisons?—No, because the sentences now passed are very short.

1886. Take the case of a sentence of 18 months or two years?—They are very rarely passed now.

1887. And you would not be in favour of enabling a prisoner in a local prison to earn remission?—No, I think not, because the sentences nowadays are too short.

1888. Do you think that military warders are as satisfactory as warders who are taken from the civilian classes?—No.

1889. You prefer civilians?—Of course some military warders are very good; but I think, speaking as a whole, I would rather have civilians.

1890. Is that because taking the average they are better educated?—Well, they understand civil life more.

1891. Would you say that the difference is at all marked?—In some cases, certainly.

1892. It is conceivable that the army may make a man more efficient as a warder?—It may. On the other hand it may not.

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1893. You think you get a better average from the civilian classes?—That is my experience.

1894. With regard to the hours of the men and women warders, do you think they are about the right thing?—They are very fair indeed now.

1895. You do not think there is any danger of undue strain upon them?—I think not now. They get a great deal of liberty as compared with bygone days.

1896. They are longer hours than would be worked by the police?—They are, but a policeman is always upon his feet and a warder does have relaxation in that respect. He is not exposed to weather as the policeman is. As a rule he is inside a building which in the summer is cooled and in the winter is warmed.

1897. On the other hand there must be a considerable strain from the constant succession of prisoners under his charge, and from the nature of his occupation?—Yes.

1898. And less variety than in the case of the policeman?—Yes, that is so.

1899. And at any rate there are some parts of the year in which it is pleasanter to be outside in the streets than inside the prison?—Undoubtedly.

1900. However, you do not think there is any real reason for complaint?—There is no real reason now, I think, for complaint. Of course if we could get a little less hours for them it would be a very good thing for the men themselves, only it would require an increase of the staff to do that.

1901. What proportion of your prisoners are put to work on associated labour?—Not a large proportion.

1902. Have you a workshop attached to your prison?—Yes, a number of workshops.

1903. And how many men can be employed in those workshops?—That depends on the men we get fit for the work; sometimes a larger number, sometimes a less. For instance, if we have not got a carpenter we cannot put any to work at carpentering. We teach some of the long-termers as much as we can in the time, if we can find a handy man to instruct.

1904. But do you think it is desirable to have that class of work?—I think it is a very proper thing under proper supervision.

1905. Given the proper supervision, you would employ in associated labour as many prisoners as you could?—Undoubtedly.

1906. You do not think that serious evils are to be apprehended from communication?—There are no evils at all to be apprehended if you have proper supervision.

1907. Still, of course, the nature of the work necessitates communications between prisoners?—Very lightly.

1908. Two men working at a forge, for instance?—But if an officer is standing there they will not speak.

1909. But you cannot put an officer to every two men?—No, but we should have more than two.

1910. But assuming the supervision is adequate youare in favour of extending it?—Yes.

1911. Are you in favour of maintaining the use of he unproductive crank?—No.

1912. You do not approve of it?—No.

1913. For what reason?—Because it is unproductive; I think they might be put to something more productive.

1914. Do you think it has a bad effect on the mind of the prisoner also?—Undoubtedly, to think they are working for no good has a bad effect upon them.

1915. Do you draw a distinction between a prisoner working on an unproductive crank and a prisoner working on a mill?—Yes, undoubtedly in some minds.

1916 You would be in favour of the abolition of the unproductive crank altogether?—Yes.

1917. I assume that you disapprove of the change under which mat making and other industries have been withdrawn from the prison?—Oh, no, not at all, because other work could be easily found for them.

1918. Then you may be in the happy position to be able to supply the work at your prison?—No, but I have no doubt by proper inquiries some other work could be produced; for instance, in Liverpool, we have discovered an industry of making sacks.

1919. For whom?—For the Bootle Jute factory. A question was asked about that in the House of Commons the other day.

1920. Is not there a strong opposition from the union concerned in that industry?—I am not aware of that.

1921. You are aware there has been a very strong opposition against mat making?—Yes. I have no doubt there is an opposition to this Bootle Jute Factory, but the price we get is very small, and the work is work you could put nearly everybody to, and it does not affect many people outside if we do not do it.

1922. At any rate you are strongly in favour of finding adequate industrial employment for the prisoners under your charge?—Yes.

1923. Do you allow prisoners to read as much as they can without of course interfering with their prison duties and prison labour?—Certainly.

1924. With how many books do you supply prisoners?—With one at a time. You are speaking of reading books; not of devotional books.

1925. No, I am speaking of reading books?—One at a time, and when that is done the schoolmaster will change it.

1926. As soon as the prisoner has read it?—Say one for three days and another for three days, with educated prisoners.

1927. You do not make a hard and fast rule of say one a week?—That depends on the prisoner and the size of the book. Some prisoners are more highly educated than others and read the books faster, but once a week is the rule.

1928. If a prisoner wants a book, as soon as he has done with one he has another?—Yes, upon application.

1929. Have you made any observations on the mental condition of prisoners of late years. Have you seen any increase of insanity?—No; on the contrary I think in my experience we have very few insane cases in prison, and those are immediately dealt with by the surgeon, who is very careful about them.

1930. And they mostly develop soon after admission?—Directly after admission as a rule.

1931. You have not observed that prison life has any tendency to develop insanity?—No, rarely. I do not remember a case. I can believe it possible in the case of some weak minds, but I have not observed any.

1932. Are you in favour of any different classification of prisoners?—In what respect?

1933. More particularly with regard to young offenders and first offenders?—They are kept entirely by themselves.

1934. Young offenders under 16?—Yes.

1935. I am speaking now of prisoners from 17 to 21?—It would be a very good thing to adopt a rule with regard to first offenders.

1936. Would you say that young prisoners are more amenable to efforts for their reformation than older prisoners?—Undoubtedly.

1937. At the same time you find very often very hardened criminals under 21?—Yes, sometimes.

1938. As bad a class of prisoners as any you have?—Yes, sometimes.

1939. Would you be in favour of treating young offenders and first offenders as a class apart in a different building?—I think they ought to be kept away from the others for fear of contamination.

1940. By the present system you cannot carry that beyond a certain point?—No; but there is very little contamination now.

1941. And you have got to apply the same treatment to the young offender that you do to old and hardened offenders?—You are speaking of between 16 and 21?

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1942. Yes?—Yes; below 16 they are kept entirely distinct.

1943. Is not it desirable that these young offenders should be kept as a class apart, with special supervision and special treatment in many particulars, from the ordinary prison discipline, in order to win them from habitual criminal tendencies?—Undoubtedly that would be a very good thing to do.

1944. Has it been your experience that great danger to young prisoners in particular arises through recognition outside the prison by older and more hardened offenders?—Well, that is sometimes the case no doubt. I have heard of that.

1945. And these younger men get pulled back into crime?—They do occasionally, undoubtedly through the bad influence of others.

1946. That would be one bad result of associating prisoners together according to the present system?—That is so.

1947. If they were kept apart so that old offenders could never get to know by sight the younger men, it would not matter if they met outside?—No, they would not know them.

1948. So that there would be no danger of undue influences?—No.

1949. You see no objection then, except perhaps on the ground of finance, of setting up a different class of prisoners?—None whatever.

1950. I suppose you would admit that between the ages of 17 and 19 there seems to be a strong tendency to crime, if a lad or a girl, as the case may be, has been in bad surroundings?—Yes, that is the time.

1951. That is the critical time?—Yes, it is a very critical time.

1952. And if you treat these young girls or lads in the same way as you treat incorrigible offenders there will be a very great danger of their slipping out of hand altogether and falling back into crime?—Yes, they do as a rule.

Adjourned for a short time.

1953. (*Sir J. E. Dorington.*) You said that the change from the old system to the new has been advantageous. What change took place in Norwich in 1878?—I left there very shortly after the prisons came into the hands of the Crown.

1954. You did not bridge over the change?—Just and only just.

1955. Then you really cannot say?—No.

1956. You do not know whether the dietary was altered?—It was, I am sure of that; the dietary then used at Norwich was not the same as that used now.

1957. Was it more or less generous?—I cannot say off-hand.

1958. Then I will not ask you any question on that point. In Liverpool you said prisoners requiring the help of the Discharged Prisoners' Aid Society always go before the visiting justices?—Yes, assuming the visiting justices know when they are in prison: otherwise the chaplain, or the priest, or I, in consultation with the chaplain, carry out their wishes, as the case may be, and then we put it before the visiting committee at their next visit, and they endorse what we have done.

1959. The visiting justices are not the only mode; but the two chaplains and the governor act in the absence of the visiting justices?—Yes, there is in addition the "Prisoners' Aid Mission" outside; they are all met when they go out and taken in to breakfast.

1960. On your first statement I rather gathered that the visiting justices were the only means of assisting them, but that is not so?—No. They endorse what we do; so that it must absolutely go through them at the end.

1961. It is their fund, I suppose?—Yes, it is their fund; they and their friends subscribe to it.

1962. It is not a prison charity?—Not at all.

1963. With regard to the discipline over the women, you object to dietary punishments?—Yes.

1964. I see you had only five cases of women in irons during the last year; which, I suppose, means handcuffs?—It does.

1965. You must have a good many more punishments to inflict upon the women of some sort than five in the course of the year?—You mean to put them in irons?

1966. No, not to put them in irons?—Yes, a great many more than that.

1967. It has been suggested to us that irons, that is to say handcuffs, would be a better punishment for the more ordinary offences that women commit than anything else?—I agree with that, because it would then prevent the dietary punishment.

1968. In fact, although it is called "irons" it is not a very severe punishment, and would be a better punishment than some of those that are adopted?—Yes, better than dietary punishments.

1969. You agree to that?—I do.

1970. I suppose if that were the case you would rather like an alteration in your rules, so that you should not be obliged to enter it in the serious way you do now?—I should not object to entering it if it were approved.

1971. But you probably would have to enter that there were 300 women put in irons during the course of the year?—I should not object to that at all.

1972. It might convey the idea that your prison was in a bad state of discipline?—But on examination it would show that it was not, and the dietary punishments would sink in the same proportion.

1973. It would lead to misapprehension in the public mind?—That could be dispelled, because the duration of being in irons is not long.

1974. Your dietary punishments are enumerated now, I think?—Yes, all punishments are enumerated.

1975. You said your sentences were very short?—Yes.

1976. But you have a proportion of sentences exceeding three and four months?—Yes.

1977. As there is now no practical difference between a sentence of penal servitude and a sentence of imprisonment, both being carried out by the same staff which forms part of the general prison staff, and as there is a system of remission for penal servitude, might not you have a system of remission in your local prisons in respect of sentences of imprisonment?—I qualified that, and said that the disposition of the age was to pass very short sentences, and the sentences being short, I did not think you could reduce them. Supposing a sentence was long, for instance, two years, which is equivalent to three years' penal servitude, it might perhaps be an inducement.

1978. You think it might possibly be a good scheme for sentences exceeding four months or six months that a similar remission should take place in those sentences to what is effected in the case of penal servitude?—With much longer sentences than that.

1979. At what period would you commence remission?—It is rather difficult to define that.

1980. I have mentioned four months as perhaps marking a distinction between a short sentence and a long sentence?—Quite so.

1981. But what I would ask you is, at what point you would be inclined to commence a period of remission of the sentence?—It is rather difficult to answer that; but certainly, speaking off-hand, I do not think a remission ought to operate on a sentence of much less than 12 months.

1982. Is there no reason why such a distinction should be made as is now made between a sentence of penal servitude of three years and a sentence of imprisonment for two years?—No.

1983. A sentence of penal servitude of three years means, for a well-conducted prisoner, two years and three months?—Certainly.

1984. Well, the sentence of imprisonment for two years means two years neither more nor less?—Exactly.

1985. In your experience with regard to the discipline of prisons, and also in respect to producing an

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effect on the character of the prisoner, might the system of remission, which is now given to penal servitude prisoners, be extended to long sentences of imprisonment?—Yes, I should think it might; but I say, as a rule, the long-sentence prisoner does not require any inducement held out to him to conduct himself well in the hope of remission. As a rule, a long-sentenced male prisoner is a very well-conducted person. If that is what you mean by the remission you propose to give him, you give him remission to induce him to be well-conducted in prison. That, I take, to be your object.

1986. That would not be my sole object?—But that would be one object which would enter largely into your idea.

1987. At the present moment you have a system of marks?—Yes.

1988. What purpose do you mean to arrive at by your mark system? Is not it an inducement to your prisoner to behave well?—One very large reason is an inducement to him to work well and to be industrious, and to gain an amount of money which will assist him when he comes out of prison to tide over a few days, or a week or so until he can get employment.

1989. Of course this is simply a question of opinion; I am asking you as an expert whether you think the system of remission now applied to penal servitude might not be applied under similar conditions to sentences of imprisonment?—I have said so.

1990. Which would save the cost of some imprisonment?—Undoubtedly it would have that effect.

1991. But you are not prepared to mention a period at which it should commence?—No, it requires thought.

1992. It is clearly not applicable to sentences of a month?—No, that is what I want you to understand, that I do not think it would be applicable to short sentences at all. Therefore, the thing to determine is at what period this ought to begin. Of course I should call a sentence of 12 months a long sentence.

1993. At the present moment you would be rather inclined to say that for sentences exceeding 12 months some system of remission might be adopted?—That is it; that is the substance of my view.

1994. With regard to imprisonment of boys, do you get many boys imprisoned in Liverpool for three months?—No, very few; we have very few boys in at all for anything.

1995. Your average of boys between 12 and 16 is apparently 20?—Yes, and that is very low for a large population.

1996. Are those mostly for 10 days or six weeks?—Not for six weeks; very rarely for that time.

1997. They are all short sentences?—Yes, of days. It does not go into months at all; it is either seven or 14 days as a rule; say even less than that. We have a great many two or three day sentences in Liverpool.

1998. Could you suggest any other mode of dealing with those boys than sending them to prison?—Yes, birch-rods.

1999. The law does not permit that now?—It does in certain cases.

2000. But in the majority of cases it does not?—No, but it might be extended with great advantage, I think.

2001. As to boys who are in the habit of being beaten at home—and I am afraid that is the case with a great many of these boys—would a birch be desirable for them?—I think so; I think it would have a deterrent effect.

2002. You think they are not so habituated to being beaten but that the being beaten officially would be useful?—That is it; it is the official beating, I suppose, that makes the difference.

2003. You would hardly say that no boy should be sent to prison, and that whipping should be used in all cases?—I do not think the magistrates are inclined to send boys to prison now without trying every means they have at their disposal, and they let them off a good deal, I believe, before they send them to prison at all.

2004. They only send them to prison as a last resource?—Yes, that is so.

2005. Do you think any harm is done to boys by coming to prison?—No, I do not think there is, because they are kept by themselves.

2006. Do you think any good is done?—Yes, I think it has a deterrent effect upon some minds, not on others.

2007. Are boys of 15 or 16 frightened at it?—No; smaller boys sometimes are.

2008. They do not like it, you think?—No, I do not think they do; they do not like it at all.

2009. I suppose it is rather the purpose of imprisonment, is it not, that they should not like it?—Yes, some boys having begun go on, but in a great many instances they never come again.

2010. That leads me to another point; of all classes of all ages that come to you for the first time do you think any large proportion return again?—Yes, undoubtedly.

2011. Of those who come a first time?—Yes, and come again.

2012. Is there any large proportion?—Yes, a good large proportion, I think.

2013. Ten per cent?—I could not say offhand; but a good large proportion.

2014. Of those who have come a second time or a third time a very large proportion return again?—Yes, a large proportion.

2015. A good part of the population of your prison is composed of persons who are repeatedly convicted?—Yes, that is very much the case in Liverpool.

2016. Do you think, with regard to those classes, any different treatment could be adopted than what is now adopted?—I am afraid I have not thought that out.

2017. Longer sentences so as to prevent the opportunity of crime recurring so frequently?—That is the only thing you can do; it prevents them from having the opportunity to do wrong.

2018. You would not express an opinion on that?—I cannot. Long sentences would prevent a man having the chance of doing wrong again, that is all.

2019. Your boys are allowed no communication, of course, with the adults?—No, nor yet with one another.

2020. Could a section of the prison be specially apportioned to boys with advantage?—No, I think not. It would want structural arrangements and alterations.

2021. A boys' prison, as it were?—We used to have it years ago. Of course it could be done by structural arrangements.

2022. Would it be advantageous?—Undoubtedly it would, because then you would isolate them completely.

2023. You think a boys' prison might be useful?—Undoubtedly.

2024. In fact by building off one of your wings it might be done?—Yes, shutting it off, and telling off a special staff to look after them.

2025. Do you think that would be advantageous?—Yes, that would isolate them completely.

2026. With your young offenders, those over 16 and under 20, do you think that the reformatory treatment might be extended to those ages?—Yes, with advantage.

2027. You think up to 18 the experiment might be tried?—Yes, even as far as 19, because that is the time they are rather apt to lapse into crime.

2028. If the Reformatory Act was extended so as to allow sentences to a reformatory to be passed for those ages, that would be useful?—Yes.

2029. (*Mr. O'Connor.*) The chief warder who is fortunate enough to be under you is an exceptionally good officer, is not he?—Yes.

2030. Is he a civilian?—Yes.

2031. He might be entrusted with a prison as chief warder in charge?—He might.

2032. Or even as deputy governor?—Never as deputy governor. We have never had one promoted from chief warder yet.

2033. He is such a man as might be entrusted with the duties of deputy governor?—Yes.

2034. He is acting for you now?—He is doing the work.

2035. Is your experience of chief warders generally such that you would take them to act for deputy governors?—No, it is not.

2036. Even in small prisons of 100?—Yes, my remark applies to them too.

2037. But your particular chief warder would be fit for the office of deputy governor?—I should say so, certainly. He is not a highly educated man, but he is a very good disciplinarian, and he has a good deal of tact and ability generally.

2038. And he is a good administrator?—Yes, but one can hardly say what sort of a man he might turn out when left to himself.

2039. When you go on your holiday is he in charge?—Yes.

2040. How long does that last?—Probably a month.

2041. I suppose that where there is a governor alone without such a chief warder as you have, the sense of sustained responsibility is very great, is it not?—Upon the chief warder?

2042. No, upon the governor?—Undoubtedly. You always have the responsibility when you are on leave, even when you have a good man, but of course there is a greater comfort in knowing you have a good man as compared with a man who is somewhat weak.

2043. Is there any limit which you would lay down for the size of a prison in point of number of prisoners?—No, my view is that there ought to be a governor in every prison.

2044. In point of number of prisoners for administrative purposes, I mean?—That depends on the structure of the prisons. Some prisons are more difficult to manage. Some are well constructed as against one of a different construction. Again, I should say you must consider the capacity of the man who has charge of it. A prison of about 1,000 is certainly enough for one man to manage, I think.

2045. Then you would not lay down any maximum, assuming it were a well-conducted prison?—No, not within 100 or 200.

2046. Would you say 2,000?—No.

2047. Or 3,000?—No.

2048. Would you put it as low as 1,500?—No; I should not go above that. You want to keep in touch with your prisoners.

2049. For 1,500 you would require a deputy governor?—Yes.

2050. And if you had not such a chief warder as you have, would you consider that the 1,000 that you have in charge would justify or require a deputy governor to assist you?—Well, you must have adequate assistance either from a deputy governor or from a chief warder; either one or the other.

2051. What staff have you?—Somewhere about 100 in round figures, really 106.

2052. Then you have a rather larger proportion of staff than in most prisons?—I am quite speaking from memory. You mean the disciplinary staff, but I include everybody. I have 53 male warders, &c., nine principal warders, a chief warder, and 10 clerks, including the storekeeper. Then I have a compounder.

2053. I mean your disciplinary staff?—There are more than that, but not what is absolutely described as disciplinary. Those are principal warders and chief warder. In addition to that we have a compounder, a night nurse, &c.

2054. How many female warders have you?—24 female warders, a chief warder, a principal warder, and a matron.

2055. I notice that the total number of your prison population was males 10,441, and females 8,829. That is about 19,000 or 20,000 in a year?—Yes.

2056. But your average population is only 657 males and 320 females, so that the average sentence would be some 16 days for males and about three weeks for females?—I did not know that. I know it is very low.

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2057. Then you have a very rapidly flowing stream of people passing through your prison?—Very.

2058. Under those circumstances, do you find that your staff is in all respects adequate?—Yes, I think so. We have had it increased of late somewhat.

2059. The more rapid the stream the more you want?—Yes; the greater the pressure upon the staff the greater the necessity for increasing it somewhat.

2060. What do you do about Saturday half holidays? Have your men that privilege?—Every other one.

2061. What time do they go off?—At dinner time, at a quarter-past 12.

2062. Do they all get away at a quarter-past 12, or are some of them kept until 1 or 2?—No. Those that are off go at that time.

2063. Do they have evening work every third day?—No, about one night in six.

2064. And do you have Sunday exercise for the prisoners?—No.

2065. The prisoners have no exercise on a Sunday?—None.

2066. Why?—We have not got the staff to do it, and we have not got the time. We have to have four services, because the Catholic chapel is the Protestant chapel, and the Protestant chapel is the Catholic chapel.

2067. But they have no exercise?—None whatever.

2068. But you say this is because you have not sufficient staff?—And because we have not sufficient time as well. It is both.

2069. Do the services last longer than the labour asts in the week time?—About the same time.

2070. Then, in point of time on Sundays, it is the same as in the week time?—Yes; I am speaking of the morning service. Then we have an afternoon service.

2071. Four in the morning and four in the evening?—No, two in the morning and two in the evening, and it takes a long time to get them into chapel and out of chapel also.

2072. Is not there just as much time, as far as the 24 hours go, for exercise on the Sunday?—Yes, but those in for the night must have two hours' duty off in the afternoon. Half the staff is away every Sunday.

2073. Because you have only half the staff on Sunday you have not time for exercise?—Exactly.

2074. And the reason you do not have exercise on Sunday is that your staff is not adequate?—Exactly. That is so.

2075. I notice that you have children from 12 to 16—20 males and 3 females in the year, or rather on the 31st of March 1893, that was the number. Do you think it is a good thing to send children under 16 to prison?—I do not think it is a good thing to send any children to prison at all, if it can be avoided.

2076. And between 16 and 21 you had 121 males and 39 females?—An average of that, or total numbers?

2077. That is the absolute number on the 31st of March?—Just so.

2078. Thirty-nine females under 21?—Yes, a good many.

2079. Do you find that prisoners are very much as the rest of men, and that they will behave very well if they are treated properly, and will be restive if they are not?—That is so, especially with respect to males; but, as I have before remarked, my remark does not apply to females.

2080. I do not understand you?—With respect to males, if they are treated well they behave very well—I am speaking generally—but a certain number of females, old offenders, will not behave well at all.

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2081. But the generality of them?—Undoubtedly that is so.

2082. Have you any reason to suspect, in your experience, that needless regulations create offences?—No, I do not think I have.

2083. When these people are brought in and put upon No. 1 diet and get out of spirits and ill-tempered, I suppose they are very liable to be irritated sometimes by warders?—Yes, I think one generally hears of that.

2084. A judicious warder will probably have to report prisoners less often than one who is less judicious?—Certainly.

2085. It is not always the fault of the prisoner where there is a report?—No.

2086. And you, as I think you have told us, will accept the testimony of another prisoner?—Undoubtedly. The investigation must be complete.

2087. Prisoners are not all bad?—Oh dear, no.

2088. Perhaps there is as much weakness as badness in some of them?—In some cases undoubtedly.

2089. Are you inclined to think that if the general administration of prisons was made less severe for the generality of prisoners there might be a beneficial result?—The regulations are not severe now. Assuming the class you are dealing with, for well-conducted prisoners the regulations are not very severe upon them now. You might ameliorate their condition by allowing them to see their friends a little oftener.

2090. You would be disposed to hold out an inducement to good behaviour in the shape of more frequent visits of friends?—Yes, and as has been suggested by Sir John Dorington, in the case of long sentences, the inducement of giving them relief by way of ticket-of-leave.

2091. What proportion of long-sentence prisoners have you now?—I cannot tell you the proportion.

2092. Is it a small number?—Yes.

2093. Have you any penal servitude prisoners?—No, we send them away in a few days.

2094. You would not approve of having penal servitude prisoners in your local prison for the probationary nine months?—At any rate I have none. I had them in the Midlands, and, speaking generally, they were a very well-behaved body.

2095. (*Dr. Bridges.*) How do you employ the boys under 16?—At some cellular employment, mostly picking oakum. In Preston we had cotton picked.

2096. The boys in prison are, for the most part, I suppose, on very short sentences?—On very short sentences; for days as a rule.

2097. Therefore it would be impossible to employ them in any other way?—I think so for such a short time.

2098. Taking the longer sentences, you were speaking of the difficulty of finding suitable employment. Have you any ground round your prison?—Yes, about 3½ acres.

2099. Could not you employ a somewhat larger number in digging?—The ground is cultivated now up to the hilt.

2100. About how many men are employed at one time on that?—About a dozen.

2101. I am speaking of your average?—The average would be much lower, but in certain seasons it would require more. For instance, recently the weeds have been growing very fast, and the potatoes want hoeing; but when that is done there is nothing to do, and they must go away.

2102. For what class of prisoners do you use outdoor labour?—For that labour only?

2103. Digging labour?—Yes.

2104. For what class do you use that; are they first offenders, or are they any particular class?—No, they are no particular class. They are people who get into the stages, and are available to go out.

2105. Is it regarded as a privilege or otherwise?—Yes, undoubtedly it is.

2106. It is regarded as light labour?—Yes, as light labour, and as a privilege, because they get work out of their cells.

2107. Have you remarked whether or not it has a good or bad effect upon their health?—Well, their health is very closely watched by the doctor, and if he saw anybody going down hill at all, he would perhaps recommend outdoor labour for them, and they would go to it.

2108. You would consider outdoor labour was more invigorating than indoor?—Undoubtedly.

2109. Do you think it might be used to a somewhat larger extent than it is used at present?—With more ground, undoubtedly it might.

2110. I observed that there were in Liverpool Prison for the year ending March 1893, 230 men on the average picking oakum?—Yes.

2111. How many of that class do you think, supposing you had ground available for the purpose, might be employed properly in digging?—A great number.

2112. That is a kind of labour which would not be resisted by trades unions outside?—No, it would not be.

2113. Because it could not compete in any way with their labour?—Not at all. Of course you would require large grounds for the purpose.

2114. Would you require a great increase of staff for that purpose?—Well, I was just going to say that—unless you enclosed your ground. Then you would require an increased staff, but not so large as at Dartmoor or Portland.

2115. Supposing the ground were enclosed you would require an increase in staff?—Yes, but not so large as if the ground was open.

2116. Can you at all estimate what proportionate increase of staff would be required for that?—That must depend on the number of people employed upon it.

2117. One warder, for instance, could superintend how many prisoners?—Well, I think one warder ought not to superintend more than about a dozen at the outside, because they would be put in rows a little apart and so dig the ground or till it, or whatever was required.

2118. That, then, would not require a very large increase of your warder staff?—If you sent 200 out it would.

2119. But you require a certain number of warders in your prison as it is?—Yes.

2120. How do you estimate that?—The work would have to be done in the prison, such as cleaning, inspecting, and looking at cells. Whether the men were in or out of their cells we should have to get that done.

2121. I am supposing that such an employment as this was substituted for oakum-picking. Supposing you had 100 people taken away from oakum-picking and put to outdoor labour, could you at all say what increase of warders that would require?—Not off-hand, but the warder in the building who has, we will say, 30 or 40 prisoners picking oakum under his charge, would have 30 or 40 prisoners in the cell. If you took him away from the cell, and put him to outdoor labour he would not be able to manage 30 or 40 prisoners, because inside he has got them each one in a cell.

2122. And you think one warder in outdoor labour, such as I have been speaking of, could supervise about a dozen?—Yes, about a dozen he could supervise with efficiency.

2123. You have a great many prisoners who are in and out cases?—Yes, a great number.

2124. Who are in one week and in again the next?—Yes, that is very probable.

2125. Those prisoners are as a matter of course on admission put upon No. 1 diet, are they not?—Yes.

2126. I will call your attention to the last quarterly report for September sent by your medical officer, which would be, I think, just before your appointment at Liverpool?—Yes.

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2127. From this report it appears that in that quarter 129 prisoners were put upon extra diet for various reasons, amongst which were "repeated short sentences"?—Yes.

2128. That, I suppose, still goes on?—Yes, very largely.

2129. So that the No. 1 diet has to be repeatedly modified?—It has.

2130. On account of that class of case?—Yes, that is so; the surgeon invariably puts them on a higher class when they come in that way; he almost invariably raises their diet.

2131. Has it ever struck you that No. 1 diet requires modification?—I think it does, and the surgeon invariably does it.

2132. I am speaking generally, apart from any particular case the medical officer may deal with?—Yes, I think it is quite low enough.

2133. Is there much of that No. 1 diet thrown away. I speak especially of the stir-about given at dinner?—No, not very much, except on the female side; they are the persons who give out more than anyone else.

2134. They throw it out?—No, they have it, but when the tins are emptied after dinner there is some remaining: these women are frequently in a state of semi-intoxication; they have not got over the effects of their drink.

2135. You have had experience, I think, at Norwich?—Yes.

2136. Was there any difference between the Norwich prisoners and those of Liverpool in respect of that stir-about dinner?—Yes I think they ate it more frequently there than they do here.

2137. More frequently at Norwich?—Yes.

2138. The dinner is made, I understand, of equal parts of oatmeal and Indian meal?—That is so.

2139. I see that the medical officer of the prison, in one of his recent reports, notes that several parts of the prison were insufficiently warmed last winter, notably the chapel; that refers to the winter before your time. Have you observed the same complaint since?—Yes; we are putting new warming apparatus into the chapel now.

2140. Then the complaint was a well-founded one?—Undoubtedly, only it occurred before my time.

2141. Another complaint was that the cells were sometimes filled with a noxious vapour from the heating apparatus?—That was so, I understand, but that has been remedied.

2142. That has not occurred since your time?—No, but I believe it was so. The apparatus was somewhat wrong, but it has been remedied, I understand.

2143. (*Mr. De Rutzen.*) What cell accommodation have you got at Liverpool?—Off-hand I cannot say, but I should say about 1,300 accommodation total of all sorts. I am speaking purely from memory.

2144. Have you ever found any pressure as to finding room on any particular occasion?—Never since I have been there. I think there has been such a thing before.

2145. You have heard of that?—I think there has been such a thing, but it has not occurred in my time.

2146. Would cases of prisoners who are undergoing the nine months' probation previously to going to penal servitude be sent away from Liverpool?—on the order of the Commissioners.

2147. But is that due to the want of room at Liverpool?—I do not know that, but it is the custom to have what they call Receiving Prisons or Collecting Prisons. In Leicester I was the Receiver of Convicts for Nottingham, Derby, and Lincoln, and my own county of Rutland.

2148. But you have heard there was pressure prior to your going there, though since you have been there there has been none?—No.

2149. But you have heard there was some difficulty about accommodating them on occasions?—Yes, when I was at Preston, I believe, I got an order from Liverpool to receive some prisoners, so that that would indicate it.

2150. Is there any prison in connexion with Liverpool where they could send any surplus prisoners to?—No. Of course the Commissioners could transfer them anywhere, but there is no other prison in Liverpool. We have closed Kirkdale.

2151. You have had great experience, having been the governor of so many prisons, would there be any difficulty, as Sir John Dorington was just saying, in enclosing off a part of the prison if it were deemed advisable that it should be made a prison for some particular class? Is there any prison that you have been in where there would be any difficulty in doing that? Structurally, of course, it might require alteration?—Leicester, perhaps, might have been the exception, because there really would not have been the room.

2152. But it would not take more room?—It would have to be built over it.

2153. With the exception of Leicester in the many prisons you have been at there would be no difficulty?—None whatever.

2154. So as to make it a separate prison altogether?—Certainly, it ought to be. The isolation to be effectual ought to be distinct, with a distinct staff.

2155. At Leicester there would not be much difficulty, would there?—Not much, I think, by pulling down some buildings that are not wanted.

2156. If it were really considered necessary it would not be difficult?—No, the only thing is you want as much air as you can get, and by putting other buildings in there you are rather confining your space; it is only in that sense I speak of it; the grounds happen to be small, and with no chance of extension.

2157. (*Miss Orme.*) Do you approve, generally speaking, of associated work for women?—Under proper and adequate supervision, yes.

2158. You have no form of outdoor work for women at all?—None whatever.

2159. What do you find are the favourite occupations?—Whitewashing.

2160. Not amongst women?—Yes, it is; they love it.

2161. And cooking?—They do not cook; it is all cooked on the male side.

2162. And do you employ them in the laundry?—Yes.

2163. Have you any other trades or handicrafts you teach them?—Knitting and making up clothes for themselves and other prisoners; we do that largely. We have recently made mail bags.

2164. But do women make those?—Yes, some of them do.

2165. Do you take the advice of any persons conducting those homes to which women go as to what sort of work would be useful to them when they come out?—Do you mean the persons conducting the homes.

2166. I mean have you received any suggestions from outside as to the best lines on which to teach them?—No.

2167. You judge entirely for yourself?—Under the lines laid down by the Commissioners.

2168. What on the whole have you found the best kind of employment for them?—I think on the whole the best employment is knitting, which seems to be a very favourite employment of theirs—I wish we could make it more extensive—and making clothes.

2169. Do any of them pick oakum?—Yes, a good many.

2170. You said you had a large number of receptions in one year; what would be the largest number on the women's side in one day?—That I cannot say; I had 144 total on one day, but I should say probably of that the women would be about 60 and the men the remaining 80.

2171. Do they come in late in the day?—From 4 to 6 is our big receiving time; we are a long way

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from Liverpool, and the vans take a long while to come up.

2172. Then your matron will come on duty at 5 minutes past 6 in the morning, I presume?—Yes, sometimes.

2173. How long will she be at work on a heavy day like that?—I could not say.

2174. But about?—She would not be done before 8 I should think.

2175. Eight o'clock in the evening?—Yes, the women are classed and put away, but she has got her writing to do. She would not be on duty the whole of the afternoon; she might go to her house, but she and the chief warder would do it. She is a very active woman.

2176 Do most of your warders live at the prison or outside?—I think 12 live in quarters outside, but the others live in the angles.

2177. Do they take their share in the night duty?—There is no night duty. Do you mean off night duty?

2178. I mean in the female corridors?—After 10?

2179. Yes?—No we have no officer on the female side. Every cell has an electrical arrangement to it and in the guard room two female warders sleep. If a prisoner rings the bell it rings an electric bell where they are sleeping.

2180. And they would get up and go to answer it?—Yes.

2181. Do the females who live outside take their share of that?—Yes, they take turn about.

2182. In that case they would be on duty from say 6 one morning, and if it happened to be their turn they would not return to their own homes until the following day?—It is their own house; it is a large bedroom where they simply go to sleep; but there are two beds in it instead of one.

2183. But some of them live outside the prison altogether?—Outside the building, but inside the prison walls.

2184. They none of them go home then?—No, there are quarters in the prison, but not outside the ground.

2185. Then none of them go home?—No.

2186. Do you happen to remember whether your matron is in the habit of taking her full holiday; does she go away for her full six weeks?—I cannot say. I have not been there long enough.

2187. Do you know much of the head female warder who is under her, who would be in charge when she went away?—Yes.

2188. Is she a competent woman?—Yes.

2189. A sort of woman that would enable the matron to go away comfortably?—I think so.

2190. But you have been there only a few months?—That is all.

2191. (*Chairman.*) In Standing Order No. 203 it is provided that a prisoner who is not at work, whether by reason of his being under punishment or in the infirmary, is not entitled to receive marks?—That is so.

2192. Does that mean that when a man, from no fault of his own falls ill, he is penalised through not being able to receive marks?—That is so. He does not get them. We mark his card "S" instead of 6 or 8, as the case may be.

2193. Then in the case of a man who is physically infirm, or whose constitution is so delicate that he is constantly in the infirmary, does not that man stand at a disadvantage with regard to the others?—In what respect?

2194. In the earning of marks?—He does not get any money, but if at the time he would have got his full marks if he were well, we should allow him the same privileges undoubtedly. We should allow him his visits and his letters.

2195. Then he would not be under any disadvantage?—Not in that respect; but when he goes out he would not get his 10*s.*, because he would not have earned any marks, and in that sense he would lose.

2196. Do I understand that where a man goes in the hospital because he is very weak you consider what marks he has earned and make an allowance on that basis in respect of the time during which he has been in the hospital?—Always.

2197. So that there is no inequality in the earning of marks as between a strong man and a delicate man? No.

2198. The only disadvantage being in regard to the earning of money?—Yes; he would get his visits and his letters at the same time as the man who was physically fit and who earned his full marks.

2199. Then it goes on to say "A prisoner who has "earned no marks during the week is not to receive "marks on Sunday"?—That is so.

2200. Prisoners do earn marks on Sunday?—Yes, if they have earned them all the week; and of course the "S" would be continued for the Sunday.

2201. If a man was ill the whole week it would be the same?—Yes, he would get "S" on Sunday.

2202. Then he would get no marks during the week?—No, that is so.

2203. (*Mr. O'Connor.*) I should like to ask one question with regard to the violence of certain prisoners. I see that in 1893 you had 63 cases of violence amongst the males, 61 cases of violence amongst the females. How do you deal with cases of violence?—That was before my time.

2204. It was in 1893; but how do you deal with them at present?—We have to deal with each case on its merits.

2205. What is the punishment for violence?—Bread and water. In the case of males you can flog for it, if it is repeated, but that is a matter for the visiting justices. If the cases are bad ones we take them to the visiting justices, and they use their discretion.

2206. The governor is limited to dietary punishments?—Yes.

2207. You do not use punishment cells at all?—I have not done so.

2208. I notice that for these 63 cases of violence irons were used only twice and corporal punishment six times to males. Then all the other cases of violence would be dealt with under dietary punishment?—I suppose so.

2209. Now, of the 61 cases of females charged with violence, five were dealt with by irons; that is to say there were five cases of violence amongst females against two amongst the males, which shows a smaller number of cases of violence with the males?—Yes, that is so.

2210. Who recommends the punishments on the female side?—Nobody.

2211. When the visiting committee comes, I suppose the governor would have an important voice in the matter?—No. He would take them before the committee.

2212. I mean as to the treatment which is required in the particular case?—If they asked me I should very likely tell them what I thought; but they really go on their own lines.

2213. In the case of females you would perhaps be scarcely so well acquainted with them as with the others?—The same would apply. I should be there to give assistance.

2214. And would the matron and chief warder make any suggestions?—No; she would not be present probably.

2215. Then the visiting committee would prescribe the use of those irons without seeing the matron?—Probably. Probably the matron might not be there at all. If she was not required to give evidence she need not be there at all. At all events she would go out while the committee were considering their decision. She would leave the room.

2216. I understood you to say probably the matron would not be there?—No, she need not be there unless she was a witness against a prisoner. She might come, because she happened to be matron and head of the female prison, but if her evidence was not required she need not be there.

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2217. In your experience would a visiting committee take the opinion of the matron before prescribing the use of irons?—No, I do not think they would. They might ask her questions with a view of getting out facts, but I do not think they would. They would be more disposed to take the opinion of the governor.

2218. And the doctor?—The doctor certifies. Therefore they always ask the doctor.

2219. (*Chairman.*) You said in answer to a question I put to you that on the whole you thought the effect of the transference under the Prisons Act of 1877 was beneficial?—Yes.

2220. From your experience were there great inequalities with regard to prison treatment as between one prisoner and another?—No doubt that was so.

2221. Was it a fact that a prisoner very often used to ask whether he was over the boundary, so that he might avoid Leicester and go into Derby?—That is so. So I have heard. I believe that is common knowledge.

2222. From your own experience do you recall any striking instances of difference in treatment?—Well, in some of the small prisons in this way: the prisoners being low in number must get easier work, I mean outside work, as against a prison with a larger number. Suppose it was a prison with 12 (there were lots of prisons with only 12, years ago) then the whole of that 12 would be required to keep the prison in order, and there would be more pleasant occupation than if a prison contained 1,000 and only 30 of them were allowed out. So that that made the thing unequal.

2223. Was not there considerable difference in the way of discipline and treatment?—Yes, some had cranks, some had no cranks. Some had treadwheels, some had no treadwheels. Then the dietaries were all different. Each county had its own dietary; each borough had its own dietary. All of which were approved by the Home Secretary; but still they were all different. Some two or three, perhaps, might be alike.

2224. Then was it in Leicester the prisoners had to wear masks?—Yes, it was a separate prison. They wore masks when they came out of their cell. They exercised in separate yards, and sat in separate boxes at Leicester.

2225. That was peculiar to Leicester?—No, I think one or two other prisons in England did the same, but it was done in very few, and it was very rigidly carried out in Leicester, I think.

2226. And you think it advantageous that all those variations in the treatment should be reduced to order?—Yes, undoubtedly.

2227. Have you observed any difference in the discharge of the duties of visiting justices since the passing of the Act of 1877?—Yes, undoubtedly. They do not visit so frequently, nor have they got the same interest in their work; and their powers are very materially modified.

2228. But while that may be taken as a fact, and perhaps as a disadvantage from some points of view, yet there are compensations in the better arrangements for the general management of the prison?—Yes, but I should like the local arrangements maintained, if one could do it as well.

2229. You would not desire to go back to the old system?—No, but I would like to give the magistrates more power.

2230. More power with regard to the administration?—Administration and financial dealings. Such things, I think, might be referred to them, which now have to come to London, and they might have some power in the matter. They have local knowledge, and you can frequently more readily explain a thing to a man verbally than you can in writing.

2231. But still, in connexion with finance, they would have to act under the direction of the Treasury?—Yes.

2232. You mean they should have a better *locus standi* for the purpose of making recommendations?—That is so.

2233. And do you think they should have full power with regard to discipline?—They have got fairly good powers now.

2234. Would you give them extended powers in any other direction?—With respect to the appointment of officers, warders, and so on.

2235. Would you give them a power to nominate, subject to the approval of the Commissioners?—Something in that direction.

2236. Not an out and out power?—Well, I am afraid that could not be done in Government Departments, but it seems to me desirable, at all events, that local people should know something about the people they are going to employ.

2237. Do you think you would improve the class of men you get as warders?—I think it would tend in that direction, because the magistrates would have personal knowledge of them, or some of the magistrates would.

2238. Then when warders are appointed you have to report in the first instance upon all applications?—Yes, on all that come to me; but the warder I get may not necessarily come to me with his application; he may have applied at Birmingham, for instance. A man applies to the service generally. He applies to any prison he likes in the neighbourhood where he lives. He makes his application in writing, and he produces certain testimonials to the governor where he applies.

2239. But you would receive a certain number of of applications?—Yes, undoubtedly for the service generally; not for my own prison.

2240. Then you would inquire into those applications?—They produce a number of testimonials and we deal with them. Then a man is nominated and the Civil Service Commissioners make their inquiries.

2241. Subsequent to that the name of the man goes before the Commissioners?—Yes.

2242. And they may or may not appoint him?—Exactly.

2243. The fact of his having got through his Civil Service examination does not necessarily carry an appointment?—No.

2244. It only qualifies him?—That is all.

2245. Then the Commissioners make the appointment and send the men wherever they think fit?—That is it.

2246. Then your duty is simply clerical. You just receive a man's papers and send them on with any observations you wish to make?—Yes, that is it.

2247. For instance, you would give a description of a man physically?—I describe whether he is smart or not. The doctor, of course, would deal with him if he had any physical deformity, but if a man looked a heavy sort of man, one would simply say, "Does not seem very smart," for instance, if he answered your questions badly.

2248. Do you make any inquiries as to character?—No, I only look at those which are produced. They have to produce written characters covering the period to which the paper alludes. That is all.

The proceedings were adjourned until Tuesday, 24th July, at 12 o'clock.

FIFTH DAY.

Home Office, Whitehall.

Tuesday, 24th July 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
RICHARD BURDON HALDANE, Esq., Q.C., M.P.
ARTHUR O'CONNOR, Esq., M.P.; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., *Secretary*.

Superintendent GEORGE EDWARD SMITH called and examined.

Supt. G. E. Smith. 24 July 1894.

2249. (*Chairman.*) You are a superintendent of the Metropolitan Police?—Yes.

2250. And you have been some time in that position?—Yes, some years.

2251. At present are you engaged at Scotland Yard?—No, at Vine Street. I am in charge of the C division.

2252. You are acquainted with the returns which I have in my hand, which is "Police Form No. 7"?—Yes.

2253. I should like to know, first, what is the meaning of "habitual criminals"?—It is persons who have been more than once convicted of crime, and who are known to be getting their living by dishonest means.

2254. So that conviction is necessary to the definition of "habitual criminals"?—I think so. As defining an "habitual criminal," that certainly he would have to be convicted more than once.

2255. But suppose the case of a man or a lad who was known by the police to be engaged in crime, but who had not been detected and sentenced, would not he be an habitual criminal?—No, not a criminal, certainly.

2256. That is to say, a man cannot be called a criminal until he has been convicted?—That is my idea of the thing, that a man should not be called a criminal unless he has been convicted of some crime.

2257. But if such a person was once convicted then he would be called an "habitual criminal"?—No, not once. For instance, we might have a boy convicted of stealing apples, or something of that kind, but you would not call him an "habitual criminal," because he had been convicted once.

2258. Supposing you had reason to know, without having legal proof of it, that a man had been engaged in crime—for instance, in robbery and thieving—and then at last he were caught and convicted, would you or would you not call him an "habitual criminal"?—If a man had been engaged in crime for a considerable time before he had been detected and convicted, and then after his release from prison we came to know that he still continued in the commission of crime, I should term him an "habitual criminal" from previous knowledge of him before his conviction, his antecedents before, and his mode of living afterwards.

2259. Then in addition to your knowledge that before conviction he has been engaged in crime, you want also the knowledge that after release he reverts also to crime?—Yes.

2260. And then you would have a full blown "habitual criminal"?—A man habitually engaged in crime and having been convicted.

2261. Then with regard to the Return H., "Number of suspected persons at large," I suppose there is greater difficulty in really defining a "suspected person"?—Are you alluding to the first part of the column as regards the person?

2262. No, I am alluding to the heading of the third schedule, "Number of suspected persons at large"; what is a "suspected person"?—A person whom you have just described now as one that we know to be engaged in nefarious business, and getting his living by dishonest means; but this other column is the persons who have been convicted, and whom we know to be habitually connected with crime. The form here deals more with the houses that we know of and suspect.

2263. I see, "habitually engaged in crime"?—Yes.

2264. But those men under that heading have not been convicted?—Yes, they have been convicted.

2265. What are "other suspected persons"?—Persons who are not guilty of felony, but guilty of misdemeanour of other descriptions—persons who by fraud and other means commit crime.

2266. Then can you give us the totals for the last year under these headings?—No, I cannot. I do not know whether it has been supplied. I do not think the Return has been compiled for the year.

2267. We have them, of course, in the Return?—I do not think they have been compiled for the year yet.

2268. I see that in the Return H. there is a column headed "*Numbers under 60 years of age*"; that is included in columns 1 to 5?—Yes.

2269. You do not remember the numbers in that column?—No, I do not. I have not seen the Return for the year.

2270. Have you formed any opinion as to the effect of imprisonment on young offenders?—No, it has not been very prominent to my mind. I have not considered the thing much. As far as the prison discipline is concerned we have nothing to do with it.

2271. No; but from your experience with these young prisoners—young offenders—who go to prison, do you think they come out as a rule better or worse? Do you think they give you more diffculty after they have come out of prison than before?—No, I do not think they give us any more trouble. In many cases, of course, it has the desired effect, but those that are trained to habitually give their minds to nefarious habits of course it does make very little improvement upon.

2272. Have you any opinion as to how the older habitual criminals are manufactured?—No.

2273. Do you think it is because in prison they meet with men worse than themselves?—No, I do not think so.

2274. Then how is it a young man or a lad who goes to prison at an early age becomes an habitual criminal? Is it entirely from inherent bad nature and the effect of bad surroundings?—I think that is so.

2275. Do you think that when a man or a lad comes out of prison with some idea of leading a reformed life he is often drawn back again by meeting men that he had become acquainted with in prison?—No, I do not think so. I think it is more, perhaps, the difficulty, possibly, of getting honest employment.

2276. Then in that case the effect of the imprisonment on a young offender is extremely severe; is not that so?—Well, that is the prison discipline, which I know nothing of.

2277. But I mean in this way, that quite apart from prison discipline the effect of sending a lad to prison stands in his way of getting honest employment afterwards?—Undoubtedly it is damaging to his prospects.

2278. So that the effect of that imprisonment, it may be for one month, or it may be for six months, interferes with him in the condition of his life?—He is heavier handicapped, of course, than the honest boy who has not been to prison.

2279. Do you think that the habitual criminal class is increasing or not?—Of course that could only be gathered from the statistics that are published. I have a short return about the juveniles, I think. I have a Return of the persons for the year that have been arrested, twice, three times, or four times.

2280. Perhaps you will hand that in?—You will get it in the official form as soon as the Police Returns are compiled.

2281. The Metropolitan Police Report?—Yes.

2282. (*Sir J. E. Dorington.*) Over what area does this Return which you have handed in go; is it the Metropolitan area?—Yes, the whole of the Metropolitan Police area.

2283. (*Chairman.*) It is the Police Return?—Yes, it is already in the form of a return as far as the previous six years go. It is only the last year which has been put in in manuscript.

2284. Do you think that these younger men, whom you look upon either as "suspected persons" or "habitual offenders," live by themselves, or are they associated with older men?—No, they live by themselves or with persons of their own age. I do not think they reside with older men and older criminals.

2285. As a rule the lads of from 15 to 20 would live alone?—Yes.

2286. And form gangs of their own?—Yes, with more of their own age and class.

2287. Do you think that the idea that these young offenders are acted upon by the more hardened and older men is erroneous?—That is my opinion.

2288. That they grow up under evil surroundings, and fall naturally into crime, as it were, and that then these young offenders live really by themselves, and are as much criminals as the older offenders?—That is my opinion. Of course the younger ones, if they were living in a common lodging-house might come then in contact with older men of the same class who are living there, and whether they are not trained by them is very doubtful.

2289. Have you formed any opinion as to the effect of short, as against long, sentences, upon habitual criminals?—No, I have not studied the matter very much.

2290. (*Sir Algernon West.*) I should like to ask you this. You have told us that "habitually engaged in crime" means men who have undergone two convictions; but in the Return H. which comes before us there is a column for "suspected persons at large." Will you explain to the Committee what you mean by "suspected persons"?—I have endeavoured to do that by saying that in the case of a person who is suspected, for instance, of being a receiver, the house which is used where we know the stolen property has been taken to, yet has not come prominently under our notice in such a manner as to enable us to make an arrest; those persons would be considered in the column of houses which are suspected places.

2291. Are the names of those suspected persons kept in the police books as a record?—We have a list of them.

2292. Do you take evidence at all, or do you act on the suspicion of any constable?—It comes through the C. I. Department principally, that is the Criminal Investigation Department. It is generally received from the detectives.

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2293. Are their suspicions about people investigated by any authority?—The only thing that is done is, before the return is submitted the question is gone into. For instance, in my district, and for each district, the officer who has compiled the return is called upon for his explanation, and asked, "Now "who are the people you have described as so-and-"so," and he knows his authority and gives it.

2294. And the superintendent satisfies himself that there is ground for suspicion?—Yes.

2295. You do not yourself know anything, but I suppose you consider what is reported to you?—Yes.

2296. Your duty ceases from the moment a man is convicted. You have got no opinions to give us about the prison discipline and so on?—No.

2297. Your duty ceases when the man is convicted?—Yes, it ceases after the man is taken out of our custody.

2298. You do not follow the subsequent course of that man?—No, unless he is sentenced to penal servitude, and let out on licence. Then of course there is his monthly report to the station.

2299. Then you watch him?—Yes.

2300. And your duty to an ordinary criminal is past when he is convicted?—Yes. It ceases when they have passed the judge or the magistrate.

2301. You have really nothing to tell us about prison discipline, therefore?—No.

2302. (*Miss Orme.*) Amongst the women who are recommitted very frequently to a place like Holloway, and especially those women who go out for a few days and come in again, should you say that excessive drinking is common to nearly all of them?—You mean as regards the women who are convicted?

2303. The women who are committed so frequently?—For drunkenness, assault, and so on?

2304. Yes?—No doubt it is common to very nearly all of them.

2305. You say excessive drinking is common to nearly all of them?—Yes.

2306. You have great experience of that class. Are you satisfied with that method of treating them—taking them into prison for a few days and charging them again?—Do you mean whether they should not go to some better place than prison and retrieve their characters, and come out better women than if they go to prison?

2307. Do you think it does them any good to go into prison for a few days, and to come out again, and then to commence drinking and to be recommitted?—I do not know that it does them any good if they come out and commence drinking again.

2308. (*Chairman.*) A short imprisonment of that class of women, you think, has little or no deterrent effect?—It has no deterrent effect, because they start as soon as they are released from prison.

2309. (*Miss Orme.*) Suppose that there could be some institution for women of that sort where they could be differently treated and perhaps kept for longer periods, do you think from your experience that it might have an effect upon their ordinary habits?—It might have.

2310. Do you think it would be easy to distinguish that class of women from other offenders; for instance, from women who attempt to commit acts of larceny, or something of that sort, having nothing to do with drink or immorality?—I think they might be separated with advantage. I think the higher we hold them up and the better treatment we give them to show them the folly of their ways the more likely it is to do them good, without crushing them down at once. I think the majority of them are more likely to retrieve their characters in that way than they would be if they found they were oppressed and degraded, to a certain extent, in the prison.

2311. But do you think that that class of women who are so very frequently recommitted could be easily separated from the other class of female offenders?—

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No, I must confess I do not see how you are going to do it. That is again dealing with prison discipline. That I know nothing about.

2312. What I mean to say is that when you bring a woman before a magistrate, for instance, would not it be possible to distinguish clearly between those women who are constantly being recommitted and those who commit a crime under great temptation; for instance, larceny; do you think you could distinguish that class of habitual drunkards?—You mean as regards separation and locality?

2313. Yes?—Because they are distinguished before the magistrate. A person who is charged with drunkenness the first time is discharged in the Metropolis. It is the usual practice if a person is once charged with being drunk and is not known, that he should be cautioned and sent away. Then they are generally charged several times before they are sent to prison. There are generally one or two fines before they are sent to prison, so that, as a rule, they are two or three times convicted before they are sent to prison, and it may be more, unless the fines is not paid.

2314. But in the case of these women who are committed so very frequently, are you of opinion that a separate system of treatment would be advisable, altogether different from what is given to women who are committed for such a crime as larceny?—I do not think it would be advisable, but I say it might have a beneficial effect upon them.

2315. Then you say very often young men fall back again into crime from the difficulty of getting employment. I suppose that is the case even to a greater extent with young women who have been in prison?—No, I do not think so, because there are many institutions to which young women can go where places are provided for them where they are not provided for the boys.

2316. Do you think they are frequently received as domestic servants if they have been in prison?—Yes, they are.

2317. In respectable houses?—Yes.

2318. Not merely as rough general servants?—No, many of them would get situations from the homes and retrieve their character.

2319. And those who continue a dishonest life do not work so much in gangs, do they, as young men do; they are solitary offenders rather?—They do not work so much in gangs as the men.

2320. But they are sometimes connected with men, I suppose, in crime, but otherwise they would work by themselves?—Yes, that is so.

2321. (*Dr. Bridges.*) I see in this return of seven years ago that there are 499 persons recognised as having been in custody twice for felony during seven years. Of those 500, speaking quite roughly and without committing yourself to definite figures, how many have come out of reformatories?—I could not say.

2322. You do not know?—No.

2323. Should you be aware at all of criminals when they were discharged from reformatories; should you know the fact?—No, I should only know the fact of their having been convicted and sent to a reformatory, but after their release from the reformatory I have no intimation of that at all, and unless they were recognised by some officer who knew they were sent to the reformatory we should know nothing about it.

2324. I am speaking of boys discharged from the reformatory and who relapse into crime. You would not know whether they had or not been in a reformatory?—No, unless an officer who knew them happened to meet them.

2325. It would be accidental if there were a recognition that they had been sent to a reformatory?—Yes.

2326. (*Mr. O'Connor.*) Which is your division in London?—The C Division in Piccadilly.

2327. Is Vine Street one of them?—That is one station.

2328. What number of persons would be arrested there, say, on a Saturday evening?—Well, it varies; I should say on the average about 20.

2329. How many cells have you there?—We have eight cells.

2330. Do you find detention before they are sent to prison ever injures, or is calculated to injure, a person?—It has never come to my knowledge that that has been so.

2331. You keep them from the Saturday until Monday at the police station, I suppose?—If they are charged with felony.

2332. The others are bailed?—The others are bailed.

2333. Do they have a bed there?—No bed; they have a rug and a pillow.

2334. You told us that one of the difficulties a discharged prisoner had to contend with is that of getting constant employment. It has been alleged that the police sometimes unnecessarily give information as to the antecedents of a discharged prisoner. I presume if he does it would be against the rules?—It would be against the rules, and he would of course answer for his conduct.

2335. Is there any distinct rule which you could recall to us with regard to that; is there any printed rule upon it?—I cannot draw it to my mind now, but I think there is a printed rule to that effect, and certainly it is clearly understood amongst the police that that is no part of their business.

2336. How is that understanding disseminated among the police?—By the instructions they are given before being sent out into the streets.

2337. Are those instructions printed?—They are taken from the general printed orders that we have.

2338. But you cannot say from memory that there is a certain specific direction on that point?—I am under the impression there is, but I could not refer you to it at the moment.

2339. Have you ever had occasion to speak to any sergeant, or inspector, or constable, upon the point?—No.

2340. Did you ever know a case in which a man did give the information and was reprimanded for doing so?—I have known a case where a complaint of the kind was made, but I am not in a position to give facts to prove whether it has been so.

2341. Was it within your jurisdiction?—If it was not within my jurisdiction it was within the boundary of the district.

2342. I mean you had official cognizance of it?—Yes.

2343. Was it established?—It was not established, to the best of my recollection.

2344. Do you believe that the police ever do give information?—I do not believe it. My impression is that they do more to assist them, because they go so far as to go to employers and ascertain if they would accept a person who has been convicted and discharged from prison with the idea of retrieving their character. They try to find employment for them.

2345. (*Sir J. E. Dorington.*) You said the fact of imprisonment was damaging on persons. I suppose you would not suggest that they should not be imprisoned?—No.

2346. That was not the intention of your remark?—I think the intention of my remark was dealing with a person after discharge from prison. I said it was damaging to his reputation, and he was heavily handicapped in getting honest employment.

2347. That follows as a natural consequence?—Yes.

2348. But you did not mean to suggest that you would suggest any other mode of dealing with a person than imprisonment?—Of course there are other modes of dealing with young persons. The magistrate can order them to be birched; he can also bind them over to give sureties for their appearance or to come up for judgment again, and it is only after that, if a conviction follows, that they may be sent to a reformatory.

2349. Do you know that they have got voluntary homes?—I do not.

2350. The magistrates often send a prisoner to a voluntary home?—They send them to some established home where there is a possibility of their being taken care of and some employment found for them, but that is apparently for the girls.

2351. Not so much for the boys?—No; sometimes they are handed over and sent to training ships.

2352. They are industrial schools; I was speaking of voluntary homes?—It is regarded as a voluntary home, not a reformatory. It is done where they are sent away to training ships, and ofttimes I have known them to be taken to Dr. Barnardo's homes; and children, when I was in the East-end, have been handed over and taken by him. That is to save a conviction of a young boy or girl, as the case may be.

2353. I wanted to find out from you whether you thought these systems were answering. There are three practical ways of dealing with a boy who is brought up before a magistrate: either to discharge him altogether, or to discharge him, which is commonly done, to a voluntary home, or to send him under sentence to an industrial school, or to send him under sentence to a reformatory school. All those modes are open to you?—Yes.

2354. Dr. Barnardo's Homes would fall under the description of "voluntary homes"?—Yes.

2355. There are several others which are of the same class as Dr. Barnardo's, are they not?—Yes.

2356. Do they work pretty well?—I think so.

2357. They have got a good effect on the children?—I think so.

2358. It is not necessary always to send them to an industrial school; a voluntary home answers its purpose to a certain extent?—I think so.

2359. Do you think there is proper discrimination shown in selecting whether they should be sent to a voluntary home or to one of the other establishments?—That is undoubtedly considered by the magistrate; the surroundings of the child before being arrested, and whether there is a possibility of its retrieving its character and being a suitable child to be associated with other children who have never been convicted or brought before a magistrate charged with crime, is always considered by the magistrate.

2360. The Chairman asked you whether you thought the adult criminal population was recruited from the juvenile population and you expressed your acquiescence in that. The question is whether we can deal better with our juvenile criminal population than we are dealing with them at present, and whether you could suggest any improvement in the methods of dealing with children than the present methods of sending them either to voluntary homes and industrial schools or a reformatory school?—I do not know any other means of dealing with them.

2361-2. A large proportion of children from reformatory schools never fall into crime again?—That is so.

2363. Would you say the same of the industrial schools?—I think so.

2364. And of the voluntary refuges?—And the voluntary schools as well.

2365. You think they are all producing satisfactory results?—I think so.

2366. This return of yours shows some very remarkable results—that only 18 persons in seven years were convicted more than four times of felony in the Metropolitan area?—No; I think that return is compiled from an early return. I think that is the persons who were recognised as being twice, three times, or four times in custody in the separate years there.

2367. For instance, recognised as having been in custody four times. Then in the year 1887 there are none. In the year 1887, no one is convicted who had been previously four times sentenced?—No, that is in 1887.

2368. So that in those seven years, only 18 persons in the whole were convicted, having been four times convicted before for felony, and there was no one in 1887. They were three in 1888, four in 1889, three in 1890, two in 1891, three in 1892, and three in 1893, making a total of 18. Do you think that can be correct, that only 18 persons in the Metropolitan area were convicted of felony, having been previously convicted four times?—No; I think the return is compiled for each year, and it is the number of times they were recognised in custody during that year.

2369. You mean to say that this is a return of persons in 1887, showing that in one particular year those three persons had been four times convicted of felony in that particular year?—No, recognised as being in custody four times in that particular year.

2370. Therefore, only 18 persons in the whole were convicted in the Metropolitan area of felony?—We recognised them as being four times in custody in one of the years.

2371. That only 18 persons were recognised as having been previously convicted four times in seven years?—That is what the appearance of the report seems to imply.

2372. Do you think your recognitions can be at all correct?—It does not seem feasible that there should only be such a small number, but still it may be correct. It is four times in custody, you see, in a year.

2373. If it is true it is a most satisfactory result?—Yes, but the return referred to deals only with persons recognised as being in custody more than once in a year and not to convictions.

2374. (*Mr. O'Connor.*) I suppose a person might be convicted four times, and yet only be recognised as having been convicted once or twice?—That might be so.

2375. (*Sir J. E. Dorington.*) I will ask you this general question. I have no doubt this return is true numerically according to the belief of the persons who made it out, but does it seem reasonable to your understanding of the criminal classes, that only 18 persons in seven years could have been convicted more than four times?—It does not.

2376. In that case the return probably does not accurately state the facts?—No, I was of opinion that it was only those who were recognised during one year; but then it would be hardly feasible that one person would be convicted four times in a year.

2377. It is not reasonable that anybody would be convicted four times in a year, and it is not reasonable that only 18 persons should be convicted in seven years having been previously convicted four times?—No, it was only dealt with, as I understand it, as being recognised in each separate year, and not to go back to any previous years.

2378. (*Mr. O'Connor.*) With regard to girls who get into custody, does any considerable or noticeable proportion come from laundry girls?—I have not recognised that.

The witness withdrew.

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Mr. HENRY ROGERS called and examined.

Mr. H. Rogers.

2379. (*Sir J. E. Dorington.*) What are you?—I am Assistant Inspector of Reformatories and Industrial Schools.

2380. How many schools have you under your inspection?—We have altogether of reformatory and industrial schools, 227.

2381. How many of those are reformatory schools?—The exact number is 51 reformatory schools.

2382. And the remainder are industrial schools?—I will give it you exactly. There are of industrial schools, 140; of truant schools, 14; day industrial schools, 22; total 227. I will give you the different

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numbers for England and Scotland. There are of reformatories in England, 42; in Scotland, 9. There are of industrial schools in England, 106; in Scotland, 34. There are of truant schools, only in England, (there being no truant schools in Scotland, at present) 14. Of day industrial schools (and this completes them) there are in England, 19; in Scotland, 3. That gives 181 in England, and 46 in Scotland, which makes up the 227. Besides that we have nine working boys' homes which are certified under the Home Office.

2383. Omitting the day industrial schools and the truant schools, with which we have not got much to do for our purpose, I would ask you, do you recognise much distinction between the reformatories and the industrial schools where the boys are sent under magistrates' orders for long terms?—Well, of course there is a very great difference in the criminal status of these boys. In the reformatories they are all convicted or have been convicted two or three times or more, and consequently we find that in the reformatory schools we have to deal with more vicious boys and girls. They certainly are more contaminated than the boys or girls we meet with in the industrial schools.

2384. And in your inspections do you see there is a distinct difference as between the two sets of boys?—Especially in the older cases, that is to say, we meet with boys in the reformatory school at the age of 16, and we have kept them up to the age of 20 and 21; in some cases at any rate we meet with a certain class of boys in reformatory schools at the ages of 16, 17, 18 and 19; but in the industrial schools the limit of age is 16. After the age of 16, we cannot keep a boy in an industrial school.

2385. A casual observer would notice this distinction between the reformatory and industrial schools, that the boys in one would be of greater age than the other?—Of greater age and size, and in many cases criminal status, criminal contamination, and knowledge of vice and crime.

2386. That would not be apparent to the ordinary observer?—No; in many of the cases there is not much difference between them in appearance, but if you had to deal with them from day to day then you would find a great deal of difference, because in the one case you have to deal with determined vicious boys who know everything, in the reformatory. In the other case, in industrial schools, you may have to deal with a less vicious boy, and in many cases not a vicious boy at all.

2387. Do you think you get many boys sent to the industrial schools who are so far criminal that they ought to have gone to a reformatory school?—We have had many instances of bad boys, and vicious boys, who ought to have been sent to the reformatory school instead of being sent to the industrial school.

2388. Do you think that is due to a desire not to send them to prison?—I think it has been due to an indisposition simply on the part of the magistrate to send a boy to a reformatory school, principally owing to the previous imprisonment.

2389. You think the necessity of sending a boy to prison interposed a barrier against sending boys to a reformatory school?—Most decidedly that has acted as a barrier to sending a boy to a reformatory school to which place of detention he ought to have been sent. I know that in many instances, especially in Scotland.

2390. That feeling is very strongly held by magistrates engaged in the reformatory management in Scotland?—Yes.

2391. But in England, reformatory managers are not so strong upon it?—Not to the same extent.

2392. They are on the whole, against it?—They have not been on the whole so averse to sending a boy to prison in England as they have been in Scotland.

2393. Putting aside the indisposition of the magistrate to send to prison, do you think the prison is undesirable for a criminal boy who is about to be sent to a reformatory, and who, being bad, has presumably been sent to prison before?—Not always, but in some cases. I am inclined from the whole length of my experience to think it extremely desirable at the present time to omit that sentence of previous imprisonment. I appeal now to 40 years' experience in these schools, and I was gradually brought up in the belief that the reformatory sentence was necessary, and that you could not possibly get on without that preliminary imprisonment, that it tamed a boy, and brought him to a better condition to adapt himself to the milder discipline of the reformatory school when he got there. But of late years my opinion has been absolutely changed, and I think there is a very general feeling, entirely so in Scotland, and very universal now in England, with English managers and superintendents, that we could very well do without the previous imprisonment.

2394. On what grounds have you changed your opinion?—On the grounds that we find that from our knowledge of the bad boys who have been to industrial schools we have got on perfectly well without imprisonment, and the general feeling of the superintendents themselves who have related their experience to me is that the time has come now to do without imprisonment.

2395. That is to say you have changed your opinion because you have come to the conclusion that you can do just as well without imprisonment as with imprisonment?—Precisely. I have changed my opinion, I admit, in the course of time, but it has now been a conviction in my own mind for many years. I began with that idea 30 or 40 years ago. I learnt my work under the Rev. Sydney Turner, a most distinguished man and a great thinker on this point, and who was the originator of the movement, and he was most decidedly in favour at that time of the imprisonment, and considered it brought a boy to his senses; but the boys are not so criminal nor so difficult to deal with as they used to be.

2396. You think the boys are less criminal now?—Certainly they are.

2397. Is that due to the gangs being broken up?—Yes, we do not have the same education in crime that we had. It is useless to attempt now to educate juveniles for a criminal career.

2398. You go back 40 years to the origin of reformatories?—I do.

2399. And you are aware that in those days there used to be regular training gangs of boys?—I am quite aware of it.

2400. And that in a very few years they entirely disappeared?—We have entirely broken up the gangs by the reformatories. The trainers say, "Oh, it is no "use training boys now the gangs get broken up;" and they say, "What is the good of our training boys that "will be sent to a reformatory; we have to begin over "again; it is of no use." It is within my experience that there was not a railway station in London where trained juvenile thieves did not attend when the ladies came up with their pockets full of money and there were three or four of these trained boys always there. The lads have related to me their experience over and over again, and they said: "We have only just to dip "our two fingers into a lady's pocket and out used "to come five, six, or seven sovereigns." But we hear little of that kind now; we have broken up that system entirely. You can see even from the experience of everyday life that the newspapers do not report cases of pickpockets now; a few years ago there was nothing heard of in the police court but "pocket dipping," as they called it, with the two fingers.

2401. You are inclined to think that the adult criminal population is not produced from the juvenile criminal population?—No, I do not think it is. I think we have thoroughly stemmed the tide of that system. We have thoroughly raised an obstacle in the way and the supply is not from the same source.

2402. What is the source, then?—Many boys escape the sentence of detention and the magistrates will not deal with them effectually. They let them off after three, four, five and six convictions, and then the child escapes you altogether. He gets beyond the age of 16, and then he becomes a full-fledged criminal, and we cannot deal with him any longer.

2403. Do you think the age for admission to reformatories might be extended from 16 to some other figure?—I most certainly give it as my feeling and conviction that we might deal with a great many juvenile offenders who come into the criminal ranks at 16 by dealing with them in reformatories up to 18.

2404. Would you like to see that age put up to 18?—Yes, for particular schools, not for general transmission into our reformatory schools; but in special cases I should like to see the age extended from 16 to 18.

2405. If such an alteration of the law was made it would be necessary to classify the schools and specify those that were capable of dealing with these cases?—Indubitably so.

2406. You would probably say that the smaller children should not be associated with other children over 15?—Certainly.

2407. And, in fact, that schools should be licensed to retain children not beyond 15. A school which has children of 12, 13, or 14 years of age should not have children in it of 17 and 18?—I do not say I go quite so far as that. I say that to those places to which you admit young children you must not commit new cases of the age of 16 and upwards.

2408. You would not suggest, I suppose, that a reformatory should be established to take only cases of 16 and upwards?—Yes, I would. That is exactly the point. I would have reformatory schools to deal with such cases where not a single child under 15 is committed.

2409. But the child who was committed at 15 may be 19 before he is discharged?—Yes.

2410. You will not object to keeping a young man of 19 in the school where a child of 13 is?—Not when he has grown up in the school. We very rarely keep the boy up to 19 if he has been there three years and a half or three years. Our system is to deal with the child effectually in a period not extending over three or three and a half years.

2411. Of course you know Redhill?—Yes, perfectly.

2412. There they have got a number of houses?—Yes.

2413. There they are able to classify the boys?—To a certain extent. There is only one attempt at classification, and that is in one house where they take the junior boys; but it is only within the last few years that that has been attempted, and, so far, the system has been very successful.

2414. And they pass out the boys from that house as they grow up into the other houses?—Yes, there are five or six houses altogether.

2415. So that they do keep a house for the exclusive use of the young boys?—That is so.

2416. In most reformatory schools there is only one house?—Only one house.

2417. And those houses, although you see no objection to boys being there from 12 to 18 or 19——?—Excuse me interrupting you; not generally. For instance, if a boy comes in at 12 we try to get him off about 15 or 16. We do not think it desirable to keep a boy from 12 to 18, and if he is 15 we like to keep him two or three years to get him into habits of decent behaviour.

2418. Perhaps we had better clear up the question of the licences at once. It is customary in most reformatory schools to make considerable use of the licence system, I think?—Yes.

2419. Under which boys may be sent out on licence after 18 months?—Yes.

2420. And that is largely used?—It is considerably used; not so largely as it should be. There is a tendency to keep the child longer than there is any necessity for.

2421. The practice in the different schools is very different?—Yes, very different.

2422. Some schools discharge early, and some keep them?—Yes, some try to keep the boys as long as they can.

2423. At Redhill I think they rather keep them?—They are rather disposed to keep the boys too long. There are some houses at Redhill filled with boys of 17, 18, and 19 years.

2424. So that they would represent pretty well what a reformatory school would be to boys who were committed over 16?—Quite so. There would be no difference between houses such as one or two of those at Redhill, and those houses which we contemplate for boys up to 18.

2425. And to houses of that class there would be no objection to sending boys on their being sentenced?—I do not conceive there would be any practical difficulty in sending those boys to a well-established institution like that at Redhill—to one of their separate houses where more of the older boys would be permitted to locate themselves.

2426. How many reformatories are there in England where there are more than one house?—Only one or two. There is one at Calder farm near Mirfield in Yorkshire.

2427. That would be the only reformatory in which a system of classification could be perfected other than at Redhill?—But I may say that many of the existing schools would not be averse to dealing with the older boys solely.

2428. That is supposing by the conditions of their licence they were restricted from taking boys under 14, we will say?—Yes.

2429. They might very well then take boys up to 18?—They would gladly take these children if there is some possibility of committing them at the age of 16. They would gladly deal solely with that class then.

2430. Do you think that would be a desirable change?—Most desirable. At any rate the experiment ought to be tried. A great many young people of 16 become criminal for the first time in their life and they have no chance for reformation. But conceive now the case of a lad of that kind, a lad of 16, who as his first offence steals a watch, or is led into some criminal act, if he comes out of prison again he is lost, unless he is sent to a reformatory school.

2431. You would not send such a case as that to a reformatory school at 16?—Yes, I would at 16.

2432. On his first conviction?—Yes, at 16 I would, and never give him another chance until he had come to discipline. I know the views of Mr. Berwick Baker on that subject, but if you find a boy of 16 committing a criminal act you must take hold of him at once.

2433. If a boy of 16 has had a criminal character, although not previously convicted, and he had committed an offence of sufficient gravity to send him to a reformatory on first conviction?—I would.

2434. And if he had no previous criminal history would you send him then to a reformatory school?—I would at that age. I would not mince matters with that boy. The only thing to do with him is to lay hold of him.

2435. As the law now stands; because the next week he might have passed the age and could never be sent to a reformatory school; but supposing you could send up to the reformatory school boys of the age of 18, would you then send to a reformatory school a boy who, not having a criminal character and having committed only one offence and being 16 years of age?—Of course that must depend on association and the kind of society he is mixing in when this offence was committed, and if has taken to a criminal career and has bad surroundings and has no good friends to influence him, I would not mind about its being his first or any offence, but I would lay hold of that boy and take him out of the criminal ranks. It would depend on his surroundings, but that of course would have to be a matter of previous investigation. As a general rule I say if he has any criminal surroundings, no matter whether it is his first conviction or not, and we are to save him, we must take him in hand early; and at the age of 16 we can deal with him for a couple of years or more and certainly influence him for good. I have not a doubt about it.

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2436. In the reformatory schools?—Allow me to mention one fact. I was at a reformatory yesterday, one with capital surroundings, and nothing better. It was in Hertfordshire. The school is about half full; they cannot get boys sent to them; they are pining away for want of children being sent to them. I said, "Would you be inclined to deal with these elder boys?" They said "Certainly we should." I said, "Should "you have any fear or apprehension that you could "not deal with them?" They said, "None at all."

2437. So that you say if there was a change in the law there would be no difficulty in licensing certain schools, so as to take hold of the older boys?—My opinion is there would be no difficulty in dealing with them or finding a place to receive them.

2438. At the reformatory schools industrial occupations are more taken into account than educational work, are they not?—With the older boys, of course, we must devote more time to the industrial training than the education, but we should never lower the educational training.

2439. And the amount of educational training they get is satisfactory?—The amount of training they get in our reformatory schools is perfectly satisfactory. It is not so much an educational question altogether. The great question is the moral good we can effect in those boys' inclinations and feelings.

2440. And as a matter of fact a very large per-centage of reformatory boys have done well?—I think they have answered our expectations altogether. At the lowest estimate we recover 70 per cent., and in our best schools we go up to 80 or 90 per cent. who do not appear in the criminal ranks again.

2441. And that official statement is made over a period of three years after the sentence has expired?—It is so.

2442. At which time they may have been three, four, or five years practically free?—Yes, it is so.

2443. So that really the per-centage is more a per-centage over five years than over three?—It is so.

2444. And if a young man behaves well for five years, you may reasonably conclude that he is likely to lead an honest life afterwards?—We have reasonable expectation of his turning out a decent man.

2445. Beyond the end of that three years you know nothing except from general reputation?—A great many boys after the three years supervene keep up a connexion with their schools.

2446. Some of them are rather proud of their schools, are they not?—They are very proud of it. They are not at all ashamed of their schools, not the slightest. It is very strange, but in these reformatory schools neither boys nor girls are afraid of their schools. They bring their wives, husbands, and their children to see them long afterwards.

2447. The Government grant at present is 6*s.*?—It is 6*s.* for reformatories.

2448. Supposing an older class was taken, would it be necessary to raise that?—I think it would; 10*s* to 12*s.* or so per week per head. We must have a sufficient force to deal with boys of 18. We could not deal with them effectually if we were underhanded. We do not want to resort to violence, because it is not by violence the reformatory system is kept up; but still we must have superior power.

2449. As to the change which took place last year, limiting the age of detention to 19, do you approve of that?—Entirely.

2450. Do you think that the reformatories were unduly using their powers in keeping them until 21?—Utilising these boys for their own benefit, without thinking of the boys' interest.

2451. You think, then, that the legislation was rather correcting an abuse in management?—I think it was becoming an abuse to keep these boys too long. Mr. Sydney Turner, my predecessor, said, "If we "cannot do some good for the boys in three years, "or three years and a half, we had better give the "business up altogether."

2452. Was not the system before 1891 a very useful simple control over the boys?—We retain the power of supervision still.

2453. No, not that?—You mean we could not bring the boy back?

2454. Yes, you have lost the power?—No. It is not much use to bring him back to a reformatory school at 19. I do not think there is any good in that.

2455. Were a considerable number of boys detained in reformatories after the age of 19?—Far too many, and that gave rise to that change, and showed the expediency of adopting it.

2456. Can you give an an idea of the numbers detained over 19?—I cannot tell you at the present time, but it had grown to this extent that in a large school like Redhill, with 200 boys, the licences were reduced to 7 or 8.

2457. At Hardwicke, do you know that school?—Yes.

2458. Did you find any boys there over 19?—Yes, occasionally, too many. The licence system has hardly been used at Hardwicke.

2459. You say they hardly used the licence system at Hardwicke, but in the last return I see there were 70 boys under detention?—Yes.

2460. And 24 were on licence?—They did not came before us as on licence.

2461. That is your own return in 1892?—If I could fetch you the return from Hardwicke and show you the licence bill, you would find there were a great many boys let out that were not properly on licence. They are let out and have gone off the books, but they do not come under the licence system.

2462. But when a boy is sent from a school licensed to a farm in the neighbourhood, the Government grant is no longer drawn for him?—No, but there is a licence allowance, and that licence allowance at Hardwicke you will find is of the mildest description.

2463. How is it the returns are not checked, and that in the Government returns you say there are 24 licences?—It might have been the number at that moment.

2464. The next page of the return gives 59 boys under detention, three on licence?—What school is that?

2465. Glamorganshire?—That is a very small school.

2466. It is 59 boys, three on licence?—It was only at that particular moment we visited the school. That would be the numbers on the day of our inspection. I think I am not exceeding the bounds of truth to say that the system is not used as liberally as it should be.

2467. Then at Hampshire 87 boys, one on licence?—That is a school where it is hardly in existence. They keep the boys as long as they can, and they send them into the army a good deal. They are very fine lads. They do not use the licence system.

2468. I think it was boasted rather at Hardwicke that they passed such an immense number of boys through the school as they did owing to the large number of licences. Then there is Akbar, which is a large ship, where there are 168 boys under detention and 85 on licence?—Those are boys who go to sea. You will find a large number go to sea from the ships, and they are on licence. They let them go when they are qualified.

2469. In North Lancashire there are 124 boys in the school, 60 on licence?—Yes, they get the boys through the school very rapidly.

2470. At the Birkdale Reformatory there are 192 in detention, and 39 on licence?—There are some very big boys there, and they keep them as long as it is expedient.

2471. At Redhill there is no return of boys on licence?—I should be glad to supply you with a list of boys on licence. It is very much decided in this way. We reduce the allowance from 6*s.* to 4*s.* when the boy has been three years in the school and is 16 years of age. Therefore we see at a glance in our quarterly accounts how many boys are upwards of 16 years of age and have been three years in the school, because they are reduced from 6*s.* to 4*s.* at that age.

2472. When a boy is on licence they no longer draw any money?—They draw a licence allowance, and that is what I complain of.

2473. How much is it?—2*s.* a week for 13 weeks, and 1*s.* a week for 26 weeks beyond that. For 39 weeks we make a kind of Treasury allowance for boys on licence, and it is that sum I speak of in the return of the boys from Hardwicke that I complain of. However, that is a matter of detail we can settle.

2474. You have no power to order boys to be discharged on licence?—We have no power whatever, only delegated powers from the Home Office. We have no powers to order boys to be placed out on licence.

2475. The only power you have is to withdraw licences from a school?—The real power we have is to report that the school is not going on well, that it is disobeying the rules laid down for its management, and therefore we recommend that the certificate be withdrawn; that is the only power we have and the only power the Home Office has.

2476. The power of reporting, and the power of withdrawing the certificate if necessary?—Yes, the power is simply of interest in connexion with the Home Office; the schools are all voluntary schools.

2477. Do you think the system works satisfactorily as a system of voluntary schools?—Admirably.

2478. Better than if it were put more under official management?—It is not to be named in comparison with it.

2479. You would not suggest official management at reformatory schools?—I should despair of doing much good under those circumstances.

2480. You want more power?—No, the power is enough.

2481. You do not want the power of ordering the boy to be put out on licence?—The managers are willing enough to obey the regulations of the Home Office. I have rarely found any reluctance on their part to do what is reasonable.

2482. But you say they are keeping them too long?—There is a disposition to retain the useful boys instead of consulting the boy's interest and put them out as soon as possible. It is reasonable enough, but it wants perhaps a little more official interference.

2483. You think the boys are not detained for their own good, but for the good of the managers?—For their utility as trained hard-working boys bringing in a little.

2484. (*Sir Algernon West.*) I want to ask you how are these boys maintained if the grant is only 6*s.*? The temptation, I understand, is to keep the boys because they are bringing money into the schools. is that so?—Yes, to make a little money for repairs and so on, but the 6*s.* is always supplemented by a grant from the committing authority. At Redhill, for instance, they receive from the county of Somerset, but they never admit a boy unless they get 2*s.* or 2*s.* 6*d.* a week besides, so that it makes it up to 8*s.* or 8*s.* 6*d.*

2485. It would not be enough by itself?—No, the cost of the boy is about 22*l.* per year.

2486. Are there voluntary subscriptions also?—They have dropped off lately.

2487. Are any of the reformatory schools stinted in consequence of a lack of subscriptions?—Yes, they are very much tempted to keep a boy as much as possible for his valuable ability to get a little money together; for instance, they let out the boys at harvest time, and and a few of the big boys are of the greatest utility to them; and in every respect, whatever branch of industry you speak of, whether it is the tailor's shop, the shoemaker's shop, or the carpenter's shop, the big boy is a valuable workman, who has been thoroughly trained, and there is a disposition to keep him as long as they can.

2488. Have you ever known an instance of a certificate being withdrawn by the Home Office from a reformatory?—I have known it in one or two cases from an industrial school, but I do not recollect any case of that kind in a reformatory.

2489. (*Sir J. E. Dorington.*) Was not there a case of an outbreak some 30 years ago in the north, and it was intimated to them the school had better be closed?—We had a school rebuked a short time ago, but the Home Office has dealt very gently with these schools, and there is very little necessity for it.

2490. (*Dr. Bridges.*) Of course you are familiar with Feltham?—Yes.

2491. Is Feltham still a school in which reformatory and industrial boys are mixed?—Yes; under the Middlesex Act, a great many criminal boys are sent as well, and mixed up with the industrial boys.

2492. What, in your opinion, is the result of Feltham?—The thing is disastrous to our whole system. I should like to see it discontinued with all my heart.

2493. I mean, do you form that opinion on the experience of Feltham?—Quite so; the tone of Feltham does not please me, and I think it has very much deteriorated in consequence of that intermixture of the criminal children at Feltham with the industrial boys, which ought not to have been allowed.

2494. You are able to point to something like substantial proof that harm has resulted from that?—I do not wish to say anything on the system there, but if you ask my opinion, I think that the result of mixing up criminal children and industrial children together is disastrous to the general object of the school.

2495. You do not form that from a general opinion that you have, that it is a bad system, but you form it also from what you have observed in Feltham?—It is from observation and full knowledge and experience of the system carried on there. All the inspectors who have ever been there come to the same opinion that it is most expedient that that system should be abolished and that we should not commit criminal children to that school and let them mix up with industrial school children. It is not fair nor right.

2496. Is there a very great difference between one reformatory and another, so far as its results are concerned?—Yes, it would vary very much indeed.

2497. I observe that from your last return the total per-centage doing well (I am speaking of Protestant Boys' Schools in England) is 85 per cent.?—Yes.

2498. But that in one reformatory the proportion goes down as low as 61 per cent., while in another it mounts up as high as 94?—Yes.

2499. Do these figures in your opinion represent generally the difference between one school and another as to the general character of the school? I mean, does the statistical result give you a fair idea of the difference between one school and another morally?—I do not think that fully indicates the excellence or want of excellence in the school, but there are a variety of circumstances attending the disposal of the children where the per-centage is so great which brings it to that figure, which looks, of course, rather damaging to the management of the school. I could name a Catholic school where the per-centage is very low, but in dealing with Irish Roman Catholics coming from a place like Liverpool circumstances must be considered, they are very well qualified when they leave the school, but they go back to a place like Liverpool and are surrounded by old and degrading associations, and there is not a chance for them. It is these circumstances that bring out the figures.

2500. Coming back to the Protestant schools in England, I observe that the total re-convicted is 10 per cent.?—That is a fair average per cent.—7, 8, or 10 per cent. of re-convictions.

2501. In addition to that you would have to make some allowance for those who absconded?—Yes, and were not recovered.

2502. And also for a considerable number with regard to whom there is no knowledge?—No know-

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ledge; unknown—and I think you may take it as a general average that with such 7, 8, 9, or 10 per cent. are re-convictions, and I may state that those re-convictions are put down very rigidly, even only 21 days for being drunk or disorderly being recorded; but I do not believe there is a relapse into crime of more than 7 or 8 per cent. at the most.

2503. Here it is 10 per cent.?—A great number of those re-convictions are for very trifling offences, and some calculation has to be taken against that, even of 2½ or 3 per cent., because you would not have a return of more than 5 per cent. to criminal courses.

2504. I think you expressed an opinion just now in favour of those schools in which there is structurally the means of separating one group of children from another, as in Redhill?—Yes, that is very important indeed. In industrial schools many of our schools now have that separation. We find it of the greatest advantage to separate younger children from the older, even in an industrial school.

2505. In the reformatory school you would say it is advantageous to have more buildings than one?—Certainly; the more they can be separated the better.

2506. In the school at Feltham, which was originally built on the barrack-system, they have met that, have not they, to some extent by putting partitions between different portions of the building?—Yes, they have made their groups into 150, which makes the separation system fail altogether.

2507. Have you formed any opinion as to the limit of size there should be in a reformatory school?—Our most successful schools have always been the farm colonies or farm schools of not more than 50 or 60 boys. If you are going to do anything for the improvement of wicked vicious children you must not have them in large numbers.

2508. With reference to the employment of those children; you have spoken of their instruction, by which, I suppose, you mean reading and writing?—Yes, the school instruction.

2509. Which is the least important part of the matter; but what about the industrial employment of boys, dealing with them first? What is the best form of industrial employment both morally and physically for them?—Anything that gives the boy some technical knowledge is the most valuable to have. We employ a good many of our boys in tailoring and shoemaking, and of late years we have introduced technical instruction in the shape of woodwork with tools.

2510. What do you say to outdoor work on the land?—That is invaluable, but it is not of much use to town boys. If they go back to the towns what is the use of agricultural training to them.

2511. I would like your opinion on the effect of agricultural employment for the town boys from the point of view of their health?—The last few years we sent a great many boys right off to the coast of Norfolk, at Buxton, near Norwich. It had the best effect on the Birmingham boys, and they turned out the best of agricultural labourers; but they went back to Birmingham.

2512. They might go back to Birmingham better physically qualified to do unskilled labour?—They were well physically qualified. I would certainly have the reformatory school in the country rather than in the town.

2513. Do you consider any of those boys when they are released from the reformatory follow the same trades that you have taught them in the reformatory?—Well, in many cases they do. I do not say it is general. Of course, we have too many tailors and shoemakers, and they do not always follow their trade; but if you teach a boy to be a hedge carpenter or a smith, he generally follows his trade.

2514. A tailor's and shoemaker's trade is not the trade best qualified to strengthen the boy's physique, is it?—No, it is the worst thing possible. We have had great success with our technical instruction of boys of late years.

2515. Speaking of the employment of girls, I suppose laundry work is a great part of it?—What is specially valuable is a good training in needlework and knitting; we find needlework of very great use. We also give them machine work.

2516. Apart from the employment of boys or girls, is much done to strengthen their physique by drill?—Of late years we have introduced into all our schools musical and physical drill, which has been of great advantage to the girls, and set them up most beneficially.

2517. And also to the boys as well?—Yes, we have had it invariably in all our schools for boys of late years.

2518. (*Mr. O'Connor.*) Has the Act of last year had any effect in respect of sending boys direct to reformatories without going to prison?—For the last few months of last year there was a great influx of boys sent to the reformatories in consequence of the non-imprisonment.

2519. Has anything been done to draw the attention of the magistrates throughout the country to the fact that that Act has been passed?—I think the influx has fallen off again. Several of our reformatory schools have been obliged to resign their certificates because they cannot get enough.

2520. You spoke of a school at Hertfordshire?—At Chapmore End, near Ware; they have only had two boys for the last few years.

2521. A great object of industrial schools is to fit these boys, when they do go into the world, to get a decent livelihood?—Yes; we do not do our work unless we do that.

2522. You say the reformatory and industrial system on the whole has been very successful?—I should wish to give my opinion after long experience, which is, that I think it is one of the most successful movements ever introduced into this country.

2523. Do you think it would be so successful if the boys had been sent to pick oakum or turn a crank?—No. I conceive it to be our duty to give useful training and occupation under a liberal system.

2524. You would not have sedentary occupation for them?—No, none at all, if I could avoid it.

2525. You would not limit the sedentary occupation to people under 21, would you?—No, the greater the age of the boys the more attention I should pay to the technical instruction. I could not approve of the schools being established unless we had good technical instruction for the older boys.

2526. Is the food given where the schools are sufficient? Do you make an inspection as regards the food given at the schools?—Yes, every detail of it.

2527. And it is ample?—Yes; bedrooms, food, dietary, and everything else is inspected. It is all under our supervision. We do not govern the schools, but we institute a most minute inquiry into the system of management and care.

2528. In the schools which you propose, some being for entrance under 15 or 16, and others over that age, would you have the same system of administration in the two classes, and the same arrangement as to the severity of work and occupation?—Very much the same; we have already dealt with it as regards our bigger boys.

2529. What punishments do they have in reformatory schools?—Corporal punishment, but mostly we carry on our discipline by a system of marks and rewards for labour.

2530. Does the Home Office make a careful inquiry as to the treatment of boys with reference to punishment?—Every punishment is registered.

2531. Have you ever had any complaint of cruelties in the way of punishment?—Occasionally.

2532. Of boys being sent to walk 30 miles round the playground in one day; have you ever heard of that?—No.

2533. Or of boys having to carry each other alternately round the playground for hours?—No. I should not object to a limited time for pacing instead of play; but if any grave abuse or irregularity came

to the knowledge of the Home Office they would not allow it to pass without giving the Inspectors ample instructions to inquire into it and set it right.

2534. (*Chairman.*) Have you formed any opinion upon the subject of the influence of lodging-houses upon the class of boys that come into the reformatory?—Not of late years, but in former years when we began, we had a very large acquaintance with that sort of thing. The lads as they came in to us gave us their full experience in these matters, and I have always believed and understood that the influence of those houses where these boys concentrated was the most demoralising thing possible. Our boys have come to us in former years, not so much in later years, utterly demoralised. There was not a grain of virtue left in them in former days; it was terrible.

2535. Do you get any boys you look upon now as incurably vicious and bad?—A very small per-centage. The number really is extremely small of those who are able to resist our efforts; there are more girls than boys of this character. There is a certain per-centage of them, but not sufficient to discourage our efforts at all.

2536. Do you find that the vicious boys and girls are more amenable to reforming influences when they are young or when they are growing older?—I think every man who has dealt with both classes will say that the industrial school boy is a more hopeful child than the reformatory school boy; but the industrial school boy gives us the more trouble. The reformatory boys are more vicious, but they behave themselves well enough. As the children grow older, they become, as a rule, more steady and thoughtful.

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2537. Supposing you got a lad of 16 who goes in with a very bad character indeed, do you find that a lad of that kind continues apparently bad and vicious two or three years and then is got hold of and reclaimed, or is the reclamation done when he comes in and in his earlier days?—The process is gradual with such a lad as that. We understand there is a great deal to do, and we are obliged to be very watchful and careful with him; but the boys who are the worst outside seldom give us much trouble inside. They fall into the usual way, and we bring good influences to bear on them. First of all we begin to trust them (you know what that is); we put the boy into a position of influence, and he begins to feel he is somebody and of some use in the world, and we gradually get round him like that. We can do nothing with punishment. It is the influence of a good man and a good matron, decent, honest people trying to do their very best and taking the greatest possible interest in those children, that brings our efforts to a successful issue.

2538. As far as the reformatory is concerned or indeed any school you are in favour of giving no punishment, wherever it is possible to avoid it, but would you go further and say you would have light punishment where you are obliged to punish at all?—I would not go to the length of saying we can do without punishment, but I will only add to that remark this, that in our best schools with the best management and best instruments we have the least punishment.

The witness withdrew.

Captain E. Schuyler called and examined.

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2539. (*Chairman.*) You are deputy governor of Wandsworth Prison?—Yes.

2540. How long have you been in that position?—Three years and two months.

2541. Has that been your first experience in the prison service?—Yes.

2542. With regard to the question of overcrowding, have you any information to give us as to the working of section 17 of the Prisons Act of 1865?—Yes. I am of opinion that it does not work, because during some years past at Wandsworth, on several occasions, we have prisoners in association and we have had to draft them to other prisons. We show in our return a certain number of cells. For instance, we show 1,160 cells, but in that number we include, first of all, the separate accommodation, which is shown as 1,034. Then we add on to that, 50 reception cells, 32 debtors' cells, 8 hospital cells, 11 punishment cells, 8 epileptic cells, 2 padded cells, 3 itch cells, and 12 corner rooms.

2543. Those are the rooms which are turned into association?—Yes. They show them there as 12 single, or 36 in association if you put three in each. That makes the total number 1160.

2544. You have only eight hospital cells?—There are eight cells which are shown in the occupation return as separate cells which could be used for prisoners, but we give them to the hospital, so that really strictly speaking, they cannot be used in the ordinary way. They are in the E wing and are used by the doctor for putting prisoners in that he wants to watch and who are not quite right, but at the same time they are shown as separate accommodation that we can utilise at any moment in our prison.

2545. I have got a return moved for by Mr. Morton, and I observe that on the 1st of August 1893, there were 1,134 prisoners in Wandsworth?—Yes, I daresay it would be about that.

2546. That is 100 more than is provided by the separate cells?—Yes.

2547. How would that extra 100 probably be accommodated?—Well, in this way, that they take into account the 50 reception cells and they take the debtor cells, and by a per-centage being in hospital—though by Act of Parliament those 32 cells are supposed to be set apart in a separate part of the prison and utilised only for debtors—but as a matter of fact we use the debtor part for surety and criminal prisoners.

2548. What is your average number of debtors?—About eight or nine. We could not accommodate more than 19 in our room. They must have a separate room for association, and 19 is the limit passed by the doctor.

2549. Then have you always criminals in the debtors' cells?—Well, we have very few. Down below in No. 1 there are five cells, and they have always got criminals in them. Then above on the next landing we have the surety prisoners. Then on the top we keep 19 or 20 cells for the debtors, and on the corresponding side in the landing we keep surety prisoners. We utilise a great deal of the debtor side for criminal prisoners.

2550. Then to remove this congestion have prisoners ever been put in association who otherwise would not have been in association?—Yes, they have. And it comes about in this way, in my opinion, that instead of keeping the 50 reception cells and the debtors' cells totally separate except for the few debtors there are, we show those cells as available at any moment to put prisoners into; and in the event of our numbers running high on the average of what we can possibly have in the prison, and our having a large number of receptions or a series of a large number of receptions, and a corresponding low number of discharges which we cannot control (at least we cannot control the receptions, and we can only control discharges within five days), and we suddenly find we have no room, then comes the association, and we must put the criminal prisoners into association, not the reception prisoners; then we have to associate them or suddenly apply to the Prison Commissioners for an order to send them away to other prisons.

2551. Then I understand that you are obliged either for the time you are under pressure to ignore Rule 26——?—We are decidedly.

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2552. Or to construe it in a very liberal way?—We are, and we certainly construe the debtors' portion of it in the wrong way. The Act of Parliament decidedly lays down that the debtors' portion is to be kept entirely apart for debtor prisoners, but we are bound to use it or we should be in a fix at times. It is the Prisons Act, 1865, Sec. 17. 4. which tells you it must be set apart, and ours is set apart as far as being barricaded off. It is section 17, I think.

2553–5. You are speaking of the 1865 Act?—Yes.

2556. Then with regard to the actual association, are you of opinion that any direct evils result from it?—Yes, I say that the result of associating is detrimental to discipline, injurious to the prisoner, and by suddenly transferring a number of prisoners away we throw the entire working staff out of order, and throw a tremendous lot of work on the prison officials, and it costs a great deal to the country.

2557. By the drafting away where there is pressure upon one prison?—Yes, because a large number of our prisoners, in fact nearly all of them, are from London districts; and if we send them, say, to Winchester, and such places as that, when their time is up they have to be fetched back.

2558. You think there are very serious evils arising from contamination?—I do.

2559. And would you like to see the association abolished altogether?—Only as far as the cell accommodation goes; decidedly so.

Adjourned for a short time.

2560. With regard to the general practice governing visits and communications, have you any views as to whether relaxation should be made?—Yes, I would like to tell you first of all the relaxation we make in our prison. There is a form called the "L. P. C. 3."* It is the "Local Prisons C. 3." That is really a transfer return, which is only supposed to be used when a prisoner is transferred from one prison to another. But we adopt the system at Wandsworth, which I do not believe is laid down; but it is done; and when a prisoner applies when he comes in to let his friends know something about his business, such as his cart and horse being left without anyone to look after them, or any business matter, he applies to the governor to write a letter, but the governor has no power to do that for 12 weeks; but he has one of those forms and we send it on, and we find that acts very well. We do that also at the end of his imprisonment.

2561. But the governor may write for a prisoner?—The governor may communicate anything to a prisoner which his friends send for him, or he may write and communicate if he likes.

2562. And he will do so frequently?—No, I do not think he does so frequently. He allows this form to go.

2563. As deputy governor, have you the same power in this matter as the governor?—Yes, exactly. I am in charge now of the prison, as the Governor is away.

2564. Then it would not happen that you would frequently write for a prisoner?—No, we do not, only on something very special; but we allow them to send this notice form, which is a great gain. It is not done, I believe, in other prisons. It was not done at Wormwood Scrubs, where I was for a time.

2565. Are you in favour of going beyond that and altering the general regulations?—Yes, I am; and the suggestion I would make is that a prisoner is constantly applying to the governor. Supposing he has had his letter, something occurs where he wishes to write specially, and the governor says, "I cannot grant "you power to write an extra letter. You must "apply to the inspector when he comes round." Supposing the inspector has just been round, it may be six weeks before he comes again. He may go on well into the next month before he comes again. Then the prisoner cannot have his special letter unless he gets the governor to write to the Commissioners for power. I would grant therefore the governor of a prison a discretionary power, in case of a special letter being wanted, to allow it.

2566. You would not say, I suppose, that all prisoners should have the same privileges with regard to letter writing or receiving visits—I mean all classes of prisoners, whether they are well behaved or badly behaved?—No, I am not in favour of altering the present system.

2567. But still you would give a larger discretionary power to the governor?—Yes, for special letters.

2568. What you say about letter writing you would say about visits?—No, I do not think he wants the extra visits if he times them well. It is only in case of his wanting to write something special about business that the governor need have a special authority.

2569. You think the regulations as to visitors work satisfactorily?—Yes; if a prisoner knows the ropes, so to speak, and waits his time, he can work it so that he sends, first, a letter, then has a visit, and then a letter; so that really every six weeks through his period when he becomes entitled to write a letter he can get his letter and visit alternately.†

2570. With regard to the agents of Prisoners' Aid Societies I think you have some views?—Yes. You refer, I see, to the recent Home Office circular. I cannot find it myself, but the only thing I can do is to tell you what we do. I do not know what is referred to in that Home Office circular.—(*Circular handed to witness.*)—I know that one. It is headed "Assistance to Prisoners on Discharge"; but we have a minute which came out in September which says that where a prisoner wishes to see the agent of any society on an application to the governor he is allowed to see him; but if an agent of a society wishes to see the prisoner he cannot do so unless he applies to the Prison Commissioners in the first place, that is so by the Inspector's Minute, which is dated the 27th September 1893.

2571. What is an inspector's minute?—There is a book kept there, and the inspector who comes constantly writes an order.

2572. The inspector of prisons?—Yes; our inspector comes down twice a month, and anything he has got specially to note for the governor to carry out he writes in the book, and the governor issues the order accordingly.

2573. But surely the inspector of prisons has not got power to give orders on his own authority?—Well, he does it; that is the authority we work on. If he comes and issues a minute like that, we do not question where it came from.

2574. But are these minutes by the inspectors in the nature of suggestions?—No, not as suggestions at all. It is an order put down that we are to carry out. It does not give any reason for it.

2575. I put some questions to Captain Stopford, and I asked him whether the functions of the inspectors were to report to the Commissioners. He said, "Yes." Then I asked him whether they had any power beyond reporting, and he said, "None, whatever"?—Well, I can only say that the inspector does come to our prison, and he writes certain things in a book which is brought to the governor's notice the next morning. It is sometimes in red ink, and the governor in his own Order Book copies that in for the benefit of the prison, and from that the orders are carried out.

2576. What was the date of this particular inspector's minute?—The 27th of September 1893. Then another circular came out with reference to this again on the 1st March 1894 referring to the one of 11th December 1893, which would be the one headed "Assistance to Prisoners on Discharge." The purport of it was that the rule should be placed in prominent places throughout the prison and in cells, but governors were asked to draw the attention of the

* *See* Appendix V.; and Col. Garsia's Evidence, 11,694–5.

† *See* 11,696–7.

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visiting committee to it, and ask whether they approved of it. The governor of our prison brought it to the "Surrey Aid Society," which is our chief society, and they disapproved of it entirely being placed in the prison. I will only speak from what I have reason to believe was perfectly true, but the reason they gave was this, that at present they were inundated by prisoners with applications for assistance on discharge, and if it were posted up all over the prison, every prisoner in the place would want it. Of course I am speaking only of what I have been told on that. The governor has put a minute under it that the Surrey Aid Society expressed a distinct objection to it. I have seen it in the governor's own handwriting.*

2577. That is that particular "Prisoners' Aid "Society"?—Well, that is our chief one. It is the "Surrey Aid Society."

2578. That acts with the central "Discharged Prisoners' Aid Society"?—Yes.

2579. Do you know that they object to it?—Only on that ground. I should think it was a good deal a question of funds.

2580. Supposing there are other societies which are quite capable of doing very good work to help prisoners;—let us say the Salvation Army—supposing the Salvation Army has power to help the prisoners, is not it right that some facility should be given to that society for so doing?—Yes, and that is my suggestion that in contradistinction to that inspector's minute I would not only grant a prisoner power to apply to those societies but I would allow the societies to help the prisoners without reference to anybody except the governor of the prison. The more help you give prisoners the less likely are you to get them into prison again.

2581. Then you would allow any society which you have reason to believe was a *bonâ fide* society for helping prisoners, or its agent to go to the governor and say, "I am interested in a particular prisoner, and "I wish to see him," and you would say that the governor should have discretion to grant that interview?—Certainly.

2582. Coming to prison offences and punishment, have you any suggestion to make on that head?—Yes, under that first head, where you ask who are the first offenders, and at what period, I would state that the chief offenders are those within three months and under. It is chiefly amongst prisoners who are on first-class hard labour, and on oakum picking. That would practically be within the first month. The reasons which I would give for that are that they are probably in a great measure in many instances at once brought under discipline for the first time; they are ignorant of the work they have to do; they are dazed at being in prison; they are sullen; they have a distaste for the work, and have not realised what committing an offence means, like the habitual does. There is no doubt the unproductive crank work has a good deal to do with prison offences, about which I will explain more later on.

2583. Do you agree that the habitual offenders are well behaved?—Yes, as a rule; simply for the reason that they know the prison well, and they know that if they don't behave themselves well at the beginning they will not get work in the prison, and will be shut up more (and the great ambition of every prisoner is to get out), and that if they misbehave themselves when they are out they will be put back in their cells and not be employed out again perhaps for a considerable period.

2584. Do you think the governor has a sufficient amount of discretion with regard to punishment?—Yes, I think so, quite; I think we have ample power.

2585. Would you approve of the present system of punishment by the visiting justices in the way it is carried out?—Well, I think it is a little too severe.

2586. The nature of the punishment, or the frequency?—No, the nature of it. For instance, I think that 14 days on No. 1 punishment diet is very hard upon a prisoner. Probably when he gets that punishment he is on very low diet to begin with, and if he is ordered 14 days' punishment diet No. 1, it means practically being shut up in a punishment cell with only small eyelets to let the light in; and then at first he has three days upon bread and water, and then three days upon stirabout, which is practically very little better than bread and water; then he goes back to three days' bread and water again, and so on; and according to the stage he is in at the time, it depends whether he gets his bed, so that it is a very hard punishment on a prisoner.

2587. Then that would come before the visiting justices?—That has nothing to do with the governor; he has not that power.

2588. But have you any alternative punishment that you would suggest?—For the visiting committees?

2589. No, for the dietary punishment which you just mentioned?—Well, I cannot say that I have.

2590. What do you think the chief evil resulting from it is?—I think it lowers the man; I think it makes him disgusted and sullen. That is my chief reason for it.

2591. Then have you any remark to make about the system of earning marks?—About the maximum and minimum, do you mean?

2592. Yes, or the general system?—Of course by the present arrangement a man can only earn the full marks, that is the eight marks if he is doing hard labour; but if he is in hospital he does not get any marks at all, except towards his privileges of writing and visiting. He gets no chance while he is in hospital of earning a gratuity, because he is not doing any work.

2593. But when a man is in hospital for a week I have understood that he gets marks allowed to him?—Only towards his visits and letters; his stage privileges, as they call them.

2594. But he only loses in regard to the gratuity on his discharge?—Yes, he is allowed his stage privileges but not his gratuity.

2595. You think he ought to be allowed that?—Yes, he is not in hospital through any fault of his own. He has been in prison for a month, say, and the prison régime and diet has perhaps upset him. He is is only in prison for a certain time and he loses all gratuity during the time he is in hospital.

2596. But if an allowance is made to him with regard to visits and so on, the same allowance should be made with regard to his gratuity?—I would not give him full marks, I would only give him six.

2597. Why not?—He is doing no work, and the order is that no man is to obtain marks for gratuity unless he is doing hard labour.

2598. But still it is not his own fault?—No.

2599. Ought not he therefore to be allowed the marks on the same scale as he was earning when he was well?—Yes, if you did not wish to make a distinction. The only evils against that would be that it might be open to malingering. If men knew that they would get them if they were in the hospital, they might try to get round the doctor and to be always getting into hospital. That is the only objection to that.

2600. Do you think that the system under which warders are appointed and their hours of labour are satisfactory?—Well, of course you mean in the way of selecting candidates.

2601. We have had evidence on that, and I think we are acquainted with the details, but I should like to have your opinion as to whether you can suggest any defect in the present system or whether it is desirable to do anything to get a better class of men if possible?—Well, of course, as we draw ours chiefly from the military and civilians—and the majority from the military—my opinion is (and I have had the selection of the candidates during all the time that I have been at Wandsworth, and they all have to pass

* For Col. Garsia's evidence on this point, *see* 11,698–700.

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through my hands, and some at Wormwood Scrubs), that the present civilian that we get now is not up to the standard that we used to get, that he is in my opinion illiterate and inclined to be rough, and is suited for certain prison warders' places like a labourer's, but he is not suited for a wing officer; that is, the officer who has to act more in connexion with the prisoners. And, I think, the reason for that is that the present civilian finds that he gets better wages and his Saturday afternoon, and his Sunday, and his evenings; and he certainly gets as good pay as the officer gets to begin with; and he is not subjected to any discipline, and is not shut up within walls. And I think the present military officer that comes is educated, because my experience is that we get so many non-commissioned officers who have all had to pass an examination both in a military point of view and a civil point of view. The private that comes has had to pass his education certificates, and therefore he comes half-trained to the prison to begin with, and he is used to discipline. I consider him the better officer myself.

2602. Do you think that the present hours are not too long?—I think they are too long. I have three returns here of a principal warder, a warder, and an assistant warder, which show exactly the number of hours they are employed throughout the month. Take it for one month and it comes out on an average, taking a principal warder, that he is on duty on an ordinary day for 10 hours; that is leaving out the meals, he is actually on duty 10 hours at least, and when he sleeps in, which comes about three times a month, he is on for nearly 23 hours.

2603. That is he is liable for duty?—The idea is that he is not on duty because he sleeps in the prison throughout the night, and I contend that he is on duty because he is liable to be called up, and the principal warder has to make visits during the time. For that he gets off next day, they say for a day and a half, but he does not get it because he contends that he could have gone off at 6 o'clock the next evening if he had not slept in, that he really only gets off from eight the next morning until six in the evening, and therefore the hours are excessive. What applies to a principal warder really applies in the same way to a warder and an assistant warder. My opinion is that all these long hours are apt to affect the prisoner by making the official irritated and inclined to vent his long hours, shut up within the walls, upon the prisoner.

2604. Do they complain much?—The officers complain of their long hours very much.

The witness withdrew.

Mr. J. H. Stone.

Mr. J. H. STONE called and examined.

2605. (*Chairman.*) You are chairman of the visiting committee at Birmingham?—I am.

2606. And you have long experience in that capacity?—Not as chairman. I have been chairman for about two years, and for about seven years I have been one of the visiting justices.

2607. Had you any practical experience of prisons before the Act of 1877?—No, I had not. The chairman previous to myself had many years' experience. That was Mr. Alderman Manton. He was on the prison committee for about 30 years, and I succeeded him as chairman two years ago. My knowledge of the previous working of the Act is more from hearsay.

2608. I understand he formed an opinion, which is very strong, that the transference by that Act was very unfortunate?—Yes. Mr. Manton has a very strong opinion upon it. My opinion is not so strong as his, but I daresay you have had a letter from him which is a very strong one, now my own feeling is that it has not been an advantage to the prisons.

2609. Of course we rather want to hear your own opinion, and from what you have experienced from your own knowledge, you say you do not form so strong an opinion as he does?—Well, I am very much disappointed with the Act. I anticipated very considerable improvements from it, and my own feeling is that there has been no improvement under that Act at all; that in limiting the local authority, the visiting justices, there can be no improvements in the prisons. Locally all interest is gone, with all power.

2610. Are you speaking from the point of view of Birmingham only, or as to the whole of the country?—No, I will say only as to Birmingham; and I feel that in Birmingham, if we had the power the visiting authorities had before, we should make considerable improvement in the ordinary working of the prisons.

2611. Then you speak from a Birmingham point of view only?—Yes.

2612. You will admit that looking at the question widely, for instance, from the point of view of economy, there has been a very large saving in consequence of the Act?—My own feeling was when the Act was passed that there were great abuses existing which, by that general Act, and the amending Acts, would be amended; whether that was right I cannot say; but I think locally, and as referring to Birmingham, it has not had that effect. The saving to Birmingham has been so small that locally we should not care about it. I believe it has been a general saving to the country; but Birmingham would not have felt it materially.

2613. May we take it that the Birmingham prison was always in a satisfactory condition?—I cannot say that every prison was, but I believe it to be so.

2614. If they were in a satisfactory condition prior to the Act of 1877, of course, however excellent the Act is, it could not effect much change with reference to Birmingham?—Well, we should have gone on making improvements and alterations.

2615. If the old system had gone on, what improvements would you have made?—Are you referring now to some suggestions of mine?

2616. Yes. You say that you would have effected the extension of the privilege of association, as now practised in chapel?—Yes, I think we should.

2617. What do you mean by that?—Association in labour, mat-making and any other industries the prisoners may have. We believe the working together has a good effect upon the prisoners.

2618. Do you think you would have been above the difficulties which the Government has been subject to in the agitation by the trade unions?—I think we should have ventured to oppose them. I think we should have tried it. You can take my opinion for what it is worth, but the Government would have a much greater difficulty in contending with trades unions than a local authority. It is a very wide question when a Government takes it up.

2619. What authority would you be under now. You would be under the Birmingham Town Council, I suppose?—Yes, or perhaps now, a Committee consisting of the Town Council and some from other districts. You see we now receive prisoners from other districts, and two-fifths of the prisoners in the Birmingham gaol are prisoners from outside Birmingham. We should very likely form a joint committee with those outside bodies and govern in that way rather than under the council alone.

2620. But the blame, if blame exists, with regard to the cessation of mat-making and other prison industries must rest on Parliament and not on the Prison Commissioners?—I am not blaming anybody.

2621. But you are pointing out where you would have done better than the prison authorities, and I suppose that you are aware that all prison authorities, from the Commissioners and the governors to the subordinate officials, are strongly against the restrictions imposed upon them in regard to prison industries owing to outside views?—I can understand that. I know it has been still greater in America; but I think we should have risked that. It does not matter what industry you commence if you add to the industries, and I think they should be added to. The same difficulty would have to be got over.

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2622. Then you are in favour of the alteration of the rules referring to visiting and correspondence?—Yes, in our own gaol the governor confines himself strictly to the rules laid down, but there are cases in which I think it would be very advisable that the governor and the visiting justices should have power to relax at times.

2623. An alteration as to the plank bed regulation?—Yes, I cannot speak very strongly about that myself. That is a suggestion of the governor's at the last moment. He said, "would I answer that." The governor of the gaol thinks the plank bed is used too long. He thinks the old system of hammocks being given as a reward to prisoners would be of advantage. His idea is that you could relax that.

2624. I am afraid we must adhere to your own evidence?—Yes, I want to explain that.

2625. We had better have that from the governor. Then I think you have something to say with reference to the mark system?—Yes; the mark system seems to act rather unfairly. I will just give one instance of it. In the case of a man sentenced to penal servitude he works part of that time off. I think he can get relieved in about two years and three months, and at the end of that time he has a gratuity of nearly 3*l.* or 4*l.*, whereas a man sent into prison for two years hard labour can only earn 10*s.*, and he earns that 10*s.* if he behaves himself properly in the first six months. For the other 18 months he has got no sort of encouragement to go on behaving properly. We get convicts back into the gaol who tell all these things, and it is rather a discouragement to the men. There needs a revision of the mark system to make it fair between the two systems.

2626. You would be in favour of a local prisoner having power to earn remission?—Up to the very day he leaves.

2627. I mean of his sentence?—No, I think I would put it the other way, and rather give him power to earn more than 10*s.*

2628. Convicts have the power to earn a remission of sentence?—Yes.

2629. Would you apply that system to local prisoners who are under long sentences?—I think that would perhaps encourage them and do them good; but I looked at it only from the money point of view, that it would give a man a little more money when he went out of prison. If he has been there two years he is only able to take 10*s.* out with him, but if he was able to take 2*l.* or 3*l.* to start him in a little business, it would be an encouragement to the man in the end; I look at it from the money point of view only

2630. Then you are in favour of extending the power of visiting justices with regard to punishment?—Yes, I think if the visiting justices had power to extend the sentence for anything done wrong in the prison, it would have an effect on the unruly class. I should prefer it to flogging. Flogging is one of the powers which is left to the visiting justices. It is not much resorted to with us. I think last year only once and the year before not at all. I think if we had the power to say, "If you are guilty of any serious offence "we have power to detain you another month" that it would have a very deterrent effect on prisoners.

2631. Do you think severe punishments are necessary in prison?—The punishments in the Birmingham prison are always very light, and I say there was only one case of flogging in a year; but I think in these small cases, such as doing damage to the cell, and any matters of that sort, which are now dealt with by the justices giving seven days' punishment—the Governor only gives three days—but if I could tell a man "You will be kept in prison for another seven "days," I think it would be useful, because they are very anxious about the day they go out, and if they knew they could be kept a longer time, some of these unruly prisoners would be well-behaved.

2632. That would give considerable power to the visiting justices?—Well, you give them the power of flogging, and I think that is a much more serious matter than giving them an additional seven days detention. I believe the objection is that the justices try them in a secret court; it never comes before the public, but the question of flogging never does either. It is heard in a committee room, and the man is flogged, and you have power to give him 36 lashes with the cat, which is a very serious matter indeed. I would rather give a man an extra month's imprisonment than 36 lashes with the cat.

2633. You are aware that a great many people are against flogging and would take away that power altogether?—Yes; I do not think it will be taken away entirely.

2634. I suppose by some people an additional imprisonment might not be disliked so much as flogging, but still it might not be right?—We dislike flogging. In two cases I have had to do with a man has said, "It did me good. You have done me a great deal of good by it."

2635. In the Birmingham prison the punishment is very light?—Yes.

2636. You keep very well within the margin of your powers?—Yes, both the governor and the visiting justices do.

2637. And under those powers you are able to inflict much more punishment than is actually given?—Yes.

2638. And I suppose you would agree that the less punishment you give the better?—Very much so; but we believe with unruly prisoners the power of the visiting justices to have the keeping of them in prison longer would have a very useful effect indeed. I should like also to abolish the dark cell punishment altogether.

2639. That is abolished, is it not?—No; there are only just a few holes in the window shutter, and that has been only lately altered. I think the punishment of a dark cell for a week is a barbarous punishment.

2640. Then I understand that you would be in favour of extending associated industrial work?—Yes, I should.

2641. To what extent can you give associated industrial work to prisoners now?—Very little. For mat-making we have no cell that would hold more than three men; but I would propose in mat-making twenty together, or something of that kind.

2642. Have you any shops—carpenters' shops or anything of that sort?—Yes; in the carpenters' shops six or eight men work, in the blacksmiths' shops three or four.

2643. How many men can you put to that kind of work?—About six in carpentering.

2644. But with the blacksmiths' shop and the other kind of work?—Well, I call the stoneyard associated labour; and we have generally from 60 to 80 working there.

2645. Then what proportion of your number would be employed in associated work?—We have about 430 or 440 men generally, and not more than 100 men I think are on associated work. There are 60 or 80 at stone-breaking, and the others would not make more than 100.

2646. Do you approve of isolated work for short sentences?—Yes, for short sentences I should make them feel the want of liberty, but for long sentences I think association has a good effect.

2647. Do you use the crank in the cell?—The wheel we call it. We do not use a separate crank in

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a separate cell. The crank system is not what we call work in association; it is an ordinary treadmill.

2648. Is that what is called "unproductive"?—Well, we can grind corn or pump water with it. It is not understood amongst the prisoners that it is altogether unproductive.

2649. You do not have any unproductive labour?—No, sometimes the crank labour is unproductive, but that is seldom the case.

2650. Do you approve of that class of work which is unproductive?—Not at all.

2651. Do you think it has a bad effect on the prisoners?—It has not a good effect upon them. They tell you they do not like to pump wind.

2652. I think you have something to say about the appointment of deputy governors?—Yes; my feeling has for long been against a warder being promoted, and being chief warder.

2653. Deputy governors are not necessarily warders?—No; it really in Birmingham comes to that. Our chief warder is really deputy governor, and we consider him not a man of sufficient standing. He is really over the medical officer and the chaplain.

2654. Technically, he has not got the position of deputy governor?—No, he has not got it in name, because he is not of sufficient standing for such a position, but he has got it in practice.

2655. You say you have 420 prisoners?—Altogether. On the male side we have had over 500 at one time within the last year. The prison is built for 450 males, and on one day last year we had 510 males in. We have cells for 110 women, but we never have them full.

2656. But do you think that for all prisons with an average, say, of 500 or 600, you ought to have both a governor and a deputy governor?—Yes, and the deputy governor ought to be a man who is fit to be the superior of the chaplain, the medical officer, and others of that class.

2657. You are speaking now only with reference to Birmingham?—Yes. I understand there is the same feeling elsewhere, and I am speaking now from my own knowledge of the feelings of the officials in that matter.

2658. Taking Birmingham, the governor is not very often away?—No.

2659. He would be away for his holidays sometimes?—Yes, and he has had sick leave lately. He has been away for several weeks.

2660. Then the prison is in charge of the chief warder?—Yes. Just now at Birmingham, that chief warder is a new officer who has been with us not longer than 12 months. The old officer was with us for many years, he was only a promoted warder, and had been a warder in the gaol.

2661. Quite apart from any difference in status as between himself and the other officials of the prison, do you consider that he is not qualified to take charge?—Mechanically, I think he is qualified. He is doing his work well, but I think it would be better for the general management of the prison, if in the absence of the governor there was a man superior to the medical officer and the chaplain. He becomes their superior officer, and it causes dissatisfaction amongst these officers when they have to go to an inferior man to be controlled.

2662. Then you are in favour of a better classification of warders. Will you explain what you mean by that?—Well, they are called assistant warders now. It is a small matter, but they like all to be called warders and to have no distinction of class amongst them. It is a very small matter, but it would give rise to a better feeling amongst these men, for all to be called warders, their classification only depending upon their pay and seniority. I think that would be better than calling them assistant warders. I have only put those down as alterations we should probably adopt ourselves if we had the authority to do it.

2663. Do you think the hours of warders are too long?—No, I have never heard any complaint about it; I think both their holidays and their hours are very fair.

2664. You say that the justices are never consulted with reference to alterations or additions to the prison?—Yes.

2665. And sometimes those are of the most objectionable and discreditable character?—Yes, I know these are two very strong words, but take the first one. We had an alteration three years ago of the visiting cells in the visiting room. That was done without consultation. I suppose they considered their own way best, and so we were not consulted, but the result was that the visiting justices had to complain in consequence of the ill-feeling amongst the prisoners themselves. The arrangements were so altered that every visitor could see every prisoner on the other side, the result of which was that respectable prisoners—men committed for embezzlement, men who occupied a good position—were placed so that all the regular habitual criminals could see his wife when she visited him, and there was a very great deal of ill-feeling arose in consequence. The man said, "I am here for the first time, and I do not want "all these scamps to know my wife when she goes "out; and I want to know why these were altered." They were all altered back to the old system where every prisoner can only see the visitor that comes to see him; and it removed the dissatisfaction at once; but it was a matter that cost 20*l.* or 30*l.* to do; and five or six minutes conversation with those who knew about it would have prevented that outlay. In the other case the prison was built by the Birmingham authorities in something like prison architecture. On one side was the chaplain's house, on the other stood the gardens in front, making it as ornamental in that road as a prison could be. On the other side are a very respectable set of workmen's dwellings. In the last two years two rows of warders' houses have been built up, half the chaplain's garden has been taken away, and fitted up with the warders' houses; half the governor's garden also, and the houses built there are of the most wretched appearance. In the next 10 or 15 years, when the Birmingham smoke has worked into them, there will not be a worse set of houses in the whole of Birmingham. It injured a number of houses in that street which was fairly respectable, and many of us think that the local council, who were responsible for the street, might have been consulted. As it is the council and the borough surveyor think that the street is totally spoilt in consequence of the look of the houses that have been put up. We did feel rather strong about them.

2666. You think that you ought to be consulted more, and do you think you ought to have more discretionary power allowed you?—Not in those cases, but we think, as a matter of courtesy, it would have been well to talk to us about them.

2667. But as regards the various points of prison management, do you think the visiting justices ought to have more power?—Yes, the majority of the visiting justices say they ought to have the powers they had before, and that it would be wise to repeal the present Act and revert to the old system, or something near it.

2668. I suppose you hold those views, because you would say that every locality has an interest in its local prisons, and is desirous to look after them to the best of its ability and to do what it can for them?—Yes, we know the local prisons of the district, and the local character of the prisoners themselves.

2669. I think you say that the visiting justices retain their position in the belief that the Prisons Act of 1877 will be repealed?—Yes. I think otherwise you would have a difficulty in making up a committee in Birmingham at all to carry out the duties of that Act. Five out of eight men are there because they are connected with reformatory and educational work. It is a link between the two. Men have to be reformed, and they want to do something in that direction, but I do not think otherwise you would make up a committee. The position of visiting justices now is that of unpaid servants of the Prison Commissioners, and they do not accept the position.

2670. How many visiting justices are there?—Eight, and five out of those eight are men that have been connected for years with reformatory work, and still retain their position on the committee really out of a philanthropic feeling.

2671. Were any of them in office before the Act of 1877?—Yes. I do not know how many, but the last chairman was, I think, for 20 or 30 years.

2672. Have you formed any views with regard to the better classification of prisoners, and more particularly with regard to young prisoners?—Well, I do not quite agree with some of the members of my committee on the reformatory question. Mr. Alderman Manton, our last chairman, is really the author of that last Bill which was brought in by Lord Leigh and Lord Norton against sending young children to prison first.

2673. I am speaking now more particularly with regard to young prisoners in prisons. Do you think that any alteration is wanted of the present system under which there is a hard and fast treatment, both for young and for old prisoners?—I do not think it would make very much difference if you prevented children coming in under 12 years of age. It depresses me terribly sometimes to go into a cell and find a couple of youngsters there, between 9 and 10 years of age; I think that ought not to be allowed. Children ought not to go to prison under a certain age, say 12 years of age, and above 12 years of age I do not think it matters much about classification.

2674. Take, for instance, the case of a lad of 16 who falls into bad habits, and gets caught and committed to prison. There he is more or less associated with every sort of criminal. Do you think that is the right way of treating a lad of 16, and treating him just as you would treat a hardened offender?—That depends upon whether it is his first offence. Some of those lads of 16 in large towns are as criminal as others at 25. Do you mean sending him to a reformatory afterwards, or a prison only?

2675. Whatever the arrangement may be, do you think that the present system is satisfactory?—If he were to be sent to a reformatory afterwards, I would not raise the age beyond 16.

2676. I am taking the case of a lad who comes to prison for the first time. You would agree, I suppose, that the imprisonment acts in two ways upon him. First of all, there is the punitive side of it, the detention; then, in the second place, there is the fact that his having been in prison goes against him perhaps all his life?—Yes.

2677. Is that the kind of punishment that ought to be awarded to a lad of 16, for, say, picking a pocket?—No; it is so serious a matter that I do not know what to do, unless you have altogether separate prisons and call them by some other name than prison. You will have to punish the lad in some way to deter him from doing it again. In a large prison you might make a separate department of it altogether, and I would not say it would not be advisable. I have not thought much about that; but as far as the reformatory school goes, I would not raise the age to 18 in that case. I think a sentence of less than five years in a reformatory is no good. My experience is that a sentence of three years is not of the advantage it should be. I have been a manager of Stoke Reformatory at Droitwich. We keep them there for three years and get them out at farm work or trade work for the next two years. That is the responsible part of the sentence, and we are responsible for their doing their work well. That is the reason I advocate never less than five years for a reformatory.

2678. Would you make it compulsory on the managers to keep them five years?—Yes. In my own experience five years is not too long.

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2679. You would not let them out on licence?—Yes; at the end of three years I should, but if they do not do their work they are still our prisoners. They are only detained in the reformatory for three years.

2680. You have rather a strong opinion, I think, about short sentences for habitual offenders?—Yes; my own feeling about them is that they do not do any good at all. If a man is habitually coming backwards and forwards to prison I think society should be protected, and no consideration given to him after he has had his chance. I might state as an instance of that, an old warder was talking to a Birmingham burglar, and he said, "5*l.* a week you "can manage to steal at any time." He replied, "20*l.* a week does not keep me when I am out," and that man was in and out of prison always.

2681. You say that you think insanity in the Birmingham prison is very rare?—Very rare indeed. Our returns of insanity are about ·02. We have a mere nothing of it.

2682. And those cases that you have come in you do not think have been affected by prison?—Sometimes it is the result of *delirium tremens*, that is really in the system before they come in.

2683. You have no reason to think that the prison discipline acts upon them?—No. I have very carefully watched them, and I have had a large mass of figures got out to produce to you if you want them, but it is not 1 per cent.; it is not a quarter of 1 per cent., and we have 8,000 prisoners who went through the gaol last year.

2684. (*Mr. O'Connor.*) What amount of visiting does your visiting committee do?—There are eight magistrates, and two of them take a fortnight, the next two a fortnight, and so on.

2685. One visit a fortnight?—Yes, every prisoner is supposed to be seen every fortnight, and as chairman I am there myself continually.

2686. How long would you give punishment diet for?—The governor now has power to give it for three days; we have never given it for more than seven.

2687. You are in favour of mild punishments?—Yes, very mild punishments. I think that is a mild punishment. As a rule the bulk of punishments are for less than three days.

2688. Do you ever take any notice of the books the prisoner has?—Yes, I have done so.

2689. Is it a rule in your prison that no prisoner is to receive other than religious and school books until he has served two months of his sentence?—Well, I should relax that.

2690. But is it the rule?—Yes, I believe that is true. I am often in the library with the man who has charge of the books, and I look over his books and take an interest in them.

2691. I take it a great many of those religious books are nothing but maudlin stuff?—They are what you would get in an ordinary place.

2692. They are not likely to do a man any good?—I do not think they would. They are something for them to read, but as far as the library is concerned it is a very general library. I have been a chairman of public libraries for a good many years, and I say the books are a very fair selection.

2693. When the attention of the visiting committee is drawn to a case of misbehaviour which it is beyond the power of the governor satisfactorily to deal with, how do you arrive at a decision as to the particular punishment to be meted out?—It is very much as ordinary punishments are given from the bench.

2694. Take, for instance, the female side of the prison. If a woman requires to be punished, do you take the opinion of the matron?—Not as to the amount of punishment; we only take from her the evidence. I may say the whole time I have been a visiting justice we have only had to deal with two women.

2695. Take the male side. When a man has to be dealt with severely, do you take the opinion of the governor as to his past conduct?—Yes, we refer to

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the book to see what he has previously had, and if he has become an habitual offender we should deal with him accordingly.

2696. Does the governor suggest how a man ought to be dealt with?—Sometimes he does, but we do not always follow his advice if we think the evidence is not sufficient. We do not take his suggestion as the one we should go by. We act on our own discretion entirely.

2697. Do you think that the discretion of the governor might be usefully extended in respect of punishments; I do not mean to come up to the level of the punishment you could give?—You mean to increase his powers?

2698. Yes?—No; I should not suggest increasing or decreasing them; they work very satisfactorily. I should not be inclined to give a governor too much power to punish.

2699. Would you give him a discretion in the direction of relaxation?—Yes; my experience of the present governor is that he would relieve a prisoner rather of punishment than inflict it.

2700. He would be glad of having a discretionary power of relaxation?—Yes. If we give a discretionary power, for instance, to say that a man shall have 18 strokes with the birch, and the governor is to say when he is to have the second half, invariably the governor gets the second half taken away if the man behaves properly.

2701. Are the schoolmasters in your prisons also warders?—No.

2702. You have separate schoolmasters?—No, I should consider them part of the office staff.

2703. They do not do warders' duty?—No, they only teach; but that is a case in which things ought to be altered, and put into classes of 12, or something of that sort. Going from cell to cell to teach men is quite a failure.

2704. Is your staff sufficient for your number of prisoners?—I believe it is about 38.

2705. You think it is adequate?—I think so.

2706. Is there any Sunday exercise?—Do you mean to chapel?

2707. Is there any Sunday exercise for the prisoners?—In the yard; there is no work.

2708. On the Sunday?—Yes.

2709. Your staff is sufficient for that?—Quite sufficient.

2710. Do you consider it would be a hardship on the prisoners not to have exercise on Sunday?—I think it is a day's change for them.

2711. If your staff was not sufficiently great to admit of exercise on Sunday, you would say it ought to be increased?—Yes; I think prisoners should have exercise the whole of the days of the week; you should not shut them up the whole time; it would be almost a punishment on the Sunday to do it.

2712. Do you think the one hour a day they have out of the 24 is enough?—I think so.

2713. You would not give them more than the one hour out of the cell?—No, they are very healthy, and I think that is quite sufficient.

2714. (*Dr. Bridges.*) I understand you would modify the system of isolation that is at present practised?—Yes, I would.

2715. But that for the first days or weeks, may I take it, you believe in isolation?—Yes, I think for seven or fourteen days. I think for a short sentence of that kind I believe in it.

2716. When would you begin the association plan?—Perhaps at the end of a month if a man behaved himself properly, but in short sentences of under a month I would not give association.

2717. You are not of opinion that much danger results from association with other prisoners?—No; they associate now in the chapel; 400 or 450 of them sit side by side, and it is not once a month you get complaints from a warder that they have been talking in chapel.

2718. You think you could carry out associated labour on a strict system of silence?—Yes, I would have sufficient supervision to enforce that.

2719. That would require an increased staff of warders, would it not?—Not necessarily. I think their behaviour would be good.

2720. You have not thought specially of that question of the increase of the staff of warders?—No, I think the increase would be very slight.

2721. Have you any ground round your prison at Birmingham?—No; we have the exercising yards and the stone yards. I dare say the exercising yards are two acres and the stone yards three or our acres, but outside we are bounded by a wall.

2722. I suppose in your stoneyard each prisoner is in a sort of bunk of his own?—No, only in bad weather. There are 60 or 80 men together as closely as the chairs in this room are.

2723. You have not found any particular harm result from that?—No, the complaints of talking in the stoneyard are very slight. There is nothing that tends to disorder, and if it is observed it is stopped.

2724. Do you begin stone breaking at about the end of a month?—If a man is sentenced to three or six months' hard labour he would be put on to some labour at once.

2725. What amount of stone is a man expected to break?—I am not certain about that, but both that and the oakum picking they can well do within the allotted time.

2726. Oakum picking is, of course, done in the cells?—Yes; but whatever work is done there can be well done by the prisoners.

2727. As far as health goes, would you say the breaking of stone apparently in the open air was a better thing than oakum picking?—Yes. It is a constant request which is made, "Can I be put on stone breaking?"

2728. Is that because of being in the open air, or because of the isolation?—I daresay both reasons act. It is much better for a strong able-bodied man to be out in the air stone breaking than sitting in his cell picking oakum.

2729. You have not considered the question of agricultural work in connexion with prisoners?—No. We have no opportunity of trying it. I know it works satisfactorily amongst the boys at Stoke.

2730. You say that you have very little insanity in your prisons. Have you—not what would be called insanity, but feeble-mindedness? Have you a certain number of prisoners of that kind—weak-minded prisoners?—Yes, we do get them. The medical inspection is very close over them, and if we find they are not answerable for their actions we get them removed to an asylum.

2731. I was speaking rather of men or women who are not fit for a lunatic asylum, but who have not the ordinary allowance of wit?—Yes. I cannot call to mind any instance.

2732. I mean people who in the workhouse would be classed as imbeciles?—We have very few of them. If we had any number I am sure that matter would have been under consideration.

The witness withdrew.

The proceedings were adjourned until Tuesday the 31st instant at 11 a.m.

SIXTH DAY.

Home Office, Whitehall.

Tuesday, 31st July 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, *Secretary.*

Mr. JOHN TREVARTHEN called and examined.

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2733. (*Sir J. E. Dorington.*) You are the secretary at Redhill School?—Yes, at the Farm School.

2734. The proper name of that, is what?—The Philanthropic Society's Farm School.

2735. How long have you been in the service?—32 years; since the first of May 1862.

2736. Do you know anything of the previous history of Redhill School Reformatory?—Yes. I made it a matter of study when I first came, and have refreshed my mind from time to time. The Society, if I may be allowed to give a short description of its previous history, came into existence about two years after John Howard made his celebrated inspection of prisons, and it was in consequence of some of the revelations that were made known in that inspection that the Society took up the case of deserted children, the children of those who, because they were left without fathers or mothers in many cases through those executions which were so frequently the punishment of crime in those days, were left uncared for. The Society started first of all by putting out a baby to nurse in what was then the village of Hackney, and they went on until they had established 12 cottages with children in them. Then they removed from Hackney to St. George's Fields. That was in 1792. In 1788 they began their work; in 1792 they removed to St. George's Fields, they had a school which they called the Reform school, in what is now called Bermondsey. They had a manufactory also at St. George's Fields which is just behind the Blind School as it now stands. In the first eight years of its history it received 314 cases.

2737. Were they criminals?—They were children of criminals. In 1806 the Society obtained a special Act of Incorporation, the preamble of which stated that "the "charity had been of considerable use to the public." In 1817 the Police Committee of the House of Commons reported; "This excellent Institution as well deserving "of more extended patronage, not only for the end the "Society had in view but also for the success which "has attended its labours." In 1845 the increasing number of juvenile delinquents and the better provision that was made for the offspring of convicts under the Poor Law led the Committee to abandon what they had hitherto held—a female school (as well as a school for boys), and they concentrated their efforts at that time on criminal boys. London at that time furnished 25 per cent. of all the boys committed to prison in England and Wales. That was in 1845. In 1848 at the request of our late Treasurer, Mr. Wm. Gladstone (who was the first cousin of the late Premier, and so connected with the chairman), came in contact with the work at St. George's Fields, and was induced to recommend the Committee to make a study of the experience gained in Mettray. The result was that Mr. Sydney Turner, who was then chief of the school, went out with Mr. Painter, one of the London Police Magistrates, and one of the Committee of the Society. The result of their observations at Mettray was to recommend the Philanthropic Society to remove from London, and become an agricultural colony like that at Mettray. In 1848 they went out, and the result of that was that the Committee determined to establish this agricultural colony somewhat upon the lines of Mettray, adapted, of course, to English habits. I have been myself to Mettray, and compared the two things and M. De Metz, the founder of Mettray, has been to Redhill in my time; and two or three other times besides, and he called Redhill "a grand development of Mettray." It has divided the institution into small families rather than having one barrack-like arrangement, and so we have at the present moment 300 boys in the school in five houses of 60 each. When I first went to the school we had 50 only in each house, but we gradually, after the experience of former years, found it was possible to enlarge our schools without injuring the discipline or efficiency of them, and we have risen to the present numbers.

2738. In 1848 how did you get control of criminal boys?—We obtained them from the prisons—most of them—and they were all cases under conditional pardon.

2739. You received the boys through the Home Secretary?—Yes.

2740. Under a conditional pardon?—Yes, as the result of the experience that we had gained from the conditional pardon cases that were received down to the time when the Reformatory Act came into existence. The number was 620 under conditional pardon. These were youths ranging from 12 or 13 up to 20.

2741. You had conditional pardon cases up to 20?—Yes, we had free transfers from Parkhouse, which was an endeavour to establish a special prison for juveniles; but that broke down. Sir Joshua Jebb recommended it, and it went on for some years, but it did not answer. We took some of the boys that were sent to other schools also.

2742. That was a regular boys' prison?—Yes, it was a juvenile prison.

2743. Do you know why that did not answer?—I cannot give you the reason; but it did break down, and it was turned into a convict prison, which it now is.

2744. What were the conditions of a "conditional pardon"?—They were lads under long sentences for offences such as we should now consider somewhat trivial, but which were then punished with heavy sentences.

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2745. It was a revocable pardon?—Yes, at least it was granted on specific conditions. Mr. Turner, for instance, went to a prison. The mode of proceeding ordinarily was this—that certain boys under sentence for a long imprisonment were seen by somebody representing the school—mostly Mr. Turner—and those of them whose character and condition, and so on, appeared to indicate that they might be sent to such a school as ours were selected. The Queen gave a conditional pardon, which was signed by Her Majesty in those days; afterwards by the Home Secretary on her behalf, and those boys were released from the sentence under which they were, on the condition that they were received into the Philanthropic Society's farm school until they were duly discharged by the managers thereof, and that discharge depended as to length of time upon their conduct.

2746. So that they were detained personally by you and could be returned to prison if necessary?—I imagine that would be the case.

2747. And that system was used for boys over 16?—Yes, we had between 1846 and 1856 258 lads at Redhill who were between 16 and 20 years of age at the time of their admission. There were 258 boys who ranged from 16 to 20 years of age, and those I have traced out the subsequent history of, to see what the result was, and I find that 88 per cent. of them were not re-convicted.

2748. That system of taking boys of over 16 terminated on the passing of the Reformatory Act?—It did. The Reformatory Act prescribed that no boy should be received over 16 years of age.

2749. Where do you get your boys from mostly?—Half of them from London, roughly speaking. We get them from the Home Counties also. I will give you a list of those that we received last year, which will give a guiding idea as to the sources from which we receive them. We received 71 boys into the school. There were from Berkshire 2, from Essex 4, from Kent 2, from London 41, from Middlesex 4, from Nottinghamshire 1, from Surrey 4, from East Sussex 1, from West Sussex 1, from the Borough of Barnstaple 1, from Brighton 2, from Croydon 1, from Exeter 1, from Folkestone 2, from the City of London 1, from Nottingham 1; there was 1 from Reading and 1 conditional pardon.

2750. Who decides whether a boy shall be sent from the Metropolitan area to you or to Feltham?—Feltham is an industrial school.

2751. It is only an industrial school in name?—Yes, for industrial school cases.

2752. It is an industrial school by a private Act of Parliament, meaning much the same thing as a reformatory school?—Yes, I am afraid between the two things it is very often obscured in practice; but the intention as between the two classes of schools is quite distinct.

2753. The intention of industrial schools and reformatory schools is quite distinct?—Yes.

2754. But Feltham is under the Industrial Schools Act?—Yes. Feltham was originally established under a special Act for Middlesex as an industrial school. They take some boys under what they call the Middlesex Act—the Act under which they were created; and they also take some boys under the general Act; that is, the Industrial Schools Act.

2755. But under their own private Act, although called an industrial school, they take reformatory cases?—Not as such.

2756. A boy up to the age of 16 may be sent to Feltham for five years?—No, up to 14 only.

2757. Feltham takes no boys over 14?—No, no industrial school does.

2758. Under its own Act?—Under its own Act, or any other Act, so far as I know.

2759. I was under the impression that the private Act of Feltham, as an industrial school, covered exactly the same ground that the Reformatory Act covered?—It was intended to include, I think, a more criminal class of boys than the ordinary industrial school; that is, their own private Act was. To that extent it goes, of course, in the direction you are suggesting, that it was to some extent a reformatory school; but the broad distinction to be kept between the two classes of schools is this, that reformatory boys are boys who have distinctly become identified with crime, and are bent on a criminal career, as proved by their previous antecedents or convictions, and industrial boys are those who are neglected, or who are tending towards crime, but which is not actually on them; but, as a matter of practice, we have received several Feltham boys after they have been there, who have been transferred to us for subsequent offences committed in the school, which are recognisable under the Act, and I find on going into their previous history, they are often sent for petty larcency first, that is to say, they are not sent to prison for felony, but treated as for trifling offences.

2760. Then no boy may be sent over 14?—But they may be retained until they are 18, I think. I am not quite sure as to that.

2761. That is under their private Act?—I think that is so, but I am not quite sure.

2762. You are not perfectly acquainted with the Feltham Act?—No, I am only telling you in a general way what I think about it. I know the Industrial Schools Act also in a general way.

2763. That is the public general Act, which we all know more or less, but Feltham has also in operation its own private Act, which to some extent covers the reformatory grounds?—For many causes they did not at first take any cases under the general Act. The difference to them was, among other things, that the county paid for the whole of those received under their private Act, and when they put themselves under the general Act they got the Treasury grant like other schools, and I think they have gradually come to take a large number of them. I think it is not an unnatural result, but I may take this opportunity of saying that at Redhill during the whole of my time, and I have reason to think before—but particularly during my own time I can speak with confidence, because the department of receiving applications for admission and so on is my own branch of work—we are always very particular indeed never to take cases where they ought to be sent to an industrial school. There is a great deal of confusion in the public mind, even on the bench, as between these two classes of schools, and there is a difficulty in dealing with a child between the two; but as far as we can obtain information all the antecedents of the boys and their character and fitness are gone into. We often reject boys because they appear to us to be not of the class the reformatory school is intended for, that is a distinctly criminal class, because we think there is danger to them in their admission. We have confined our admissions to absolutely criminal boys, and the worse they are the more we think them fit for being received into a hospital for the almost incurable cases. We go upon the principle that having limited accommodation we render greater service to the country when we take those that are most difficult to deal with, and the result is most gratifying.

2764. In your five houses you attempt some system of classification of younger and older boys?—Yes, we do. The first thing is that we have for many years assigned all boys under 14 years who come into the school to one house for obvious reasons. There are many reasons for putting boys of 14 alone, and not mixing them with bigger boys. It lessens temptation and difficulties of many kinds. Then when those boys get older we transfer them to some other house, which I may call the senior house. If a boy comes into the school who is over 14, unless he is diminutive in size, we should put him in one of the other four houses. I have the ages of those at present in the school. The average ages of the boys now in the school including the little boys' house, is 16 2/12ths. The average age, excluding the little boys' house, would raise it to 16 6/12ths. The average age on admission of the boys now in the school is 14 12/12ths, and the average age on discharge last year was 18 2/12th. We have at the present moment 2 boys under 12. Under 13 years we have four more; under 14 years we have 23; under 15 years we have 42; and under 16 years we have 63 in addition. Then we have 95 boys who are between 16 and 18; and of boys between 18 and 19 we have 39; between 19 and 20 we have 18; and between 20 and 21 we have 4.

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2765. How is it you have boys of 20 and 21?—Because a boy may come in at 16 for 5 years.

2766. But how about the Act of last year?—That only applies to cases since that Act has been passed. That is for the future.

2767. Boys admitted subsequent to that cannot be detained after 19?—No.

2768. But boys who were sent before that can be detained until 20 and 21?—Yes.

2769. How many boys have you between 20 and 21?—Four. We have 18 between 19 and 20; we have 39 between 18 and 19. That is we have 61 over 18 years of age. One fifth of our boys at the present moment are over 18 years of age and more than half of them are over 16 years of age.

2770. Why do you detain the boys between 20 and 21. Are not they old enough to gain their own livelihood?—It is not a question of gaining their livelihood; it is a question of their character being sufficiently established to justify our sending them out. We keep a boy as long as it is desirable to keep him to ensure his after success in life. Sometimes a boy may have such a great amount of past habit to undo that it is not easy to put on an entirely new life and character.

2771. These boys between 20 and 21 must have been with you for four years at least?—Yes; then sometimes it arises from the difficulty of finding a suitable discharge for the boy. We think it merciful to a boy, whose home surroundings are so bad, that to send him home (which may be the only course open to us) would be a very unkind thing to do, to keep him as long as we can.

2772. The Inspector of Reformatories who was here, reflected, I think somewhat severely, upon the practice of reformatory schools in general, keeping their boys to that sort of age?—Of course, that is a general statement which it is difficult to meet, except by a correspondingly general one. I can only say we do not deal with them in the mass, but with individuals one by one; and as soon as we can, with proper regard to the purposes of the boy's future life, discharge him. We have very strong inducements to get rid of him because the Treasury put the screw on us in this way, that when a boy has been with us three years, no matter what his character, or his antecedents, or his future may be, the rate is reduced by one-third. They pay 6*s.* a week for him until he has been in the school for three years, and is 16 years of age, and then they drop it to 4*s.* Within the last 10 years we have lost 1,970*l.* through that reduction of grant, which is practically a screw that is put on us, and in these hard times, therefore, we have every inducement of that kind to discharge them.

2773. It would be an error then to say that reformatory managers keep boys of mature age, because they are profitable to them?—Oh, dear, no; that is not in the least the case. If you are speaking of licenses, I have taken generally for the information of the Committee the statistics for 10 years. I thought that was better than giving one year. We have granted in the last 10 years 164 licenses, and we have revoked 35 of them because the boys were not going on satisfactorily. We do not license so many as we did for these, among other reasons. You know that the labour market at the present moment is tremendously overcrowded; and boys who like ours, labour under the disadvantage of coming from a school like ours do not have the best chance of obtaining employment; and other boys of equal fitness would be taken in preference to them, and to find places which are suitable and satisfactory where an employer will report to us regularly, and where the boy's home surroundings or the places they are to live in are satisfactory also are increasingly difficult to find; and when we have kept boys as long as we can keep them in the boys' own interest and send them home we very often find they go weeks and months sometimes before they can find work, which is a difficulty we used not to have to meet. That is one reason why licenses have gone down. The openings for boys in and about London are very much more difficult to obtain than formerly. In rural districts you may find them still, but very few of our boys come from that part of the country. Therefore, we have enormous difficulty in finding places for them. Another point is that to send a large number of boys out from the school on license, to work out properly, involves a considerable amount of supervision and looking after them at their work and their homes, and obtaining frequent reports of them and being satisfied with their going on well. This means a considerable expense. The Treasury gives us a grant of 2*s.* a week for 13 weeks, and 1*s.* a week afterwards for 26 weeks, and that is all the assistance they give. If we had a more liberal allowance for supervision of boys (and this only covers about the expense of going out occasionally after them) we might in our case, I think, even start a home for our boys in London where they might come. We have a sufficient number for that purpose, but our funds would not permit us to enter upon anything of that kind, so that we have not been able to meet anything like that in the face of the difficulty that exists from a deficiency of labour. Another thing is that to work a license system perfectly, you must have reliable people to whom they are sent, and the parents, who, in the first instance, would be interested to find such places for them are really so unprincipled and so little to be depended upon, that it is no uncommon thing for a boy to have gone home on license—most respectable and promising boys who go home to places that have been reported upon by the parents, and of which we have had comparatively satisfactory accounts in other ways, and yet when the boy goes home in two or three weeks he finds that it is impossible for him to continue, because the circumstances under which he works, and so on, are so inimical to his moral welfare. We had a most satisfactory carpenter boy who went home to a place which was said to be a most excellent opening. The boy came back in a fortnight and said if he remained there he would unlearn all he had been taught of what was right and true and pure at Redhill. The surroundings were so bad, the pay was so small, and the temptation so great that he begged to be taken back again to the school.

2774. It is entirely according to your idea of the necessity of the case whether you keep boys to such mature years?—Yes. I should like further to make this remark, that we at the school at Redhill would compare in the office unfavourably with other schools as to the number of boys we send on license, partly for the reasons I have given, but in addition, there is this reason; that we emigrate from Redhill much more than from other schools. One-third of all the emigrations from reformatory schools have been from Redhill, and when we emigrate a boy he is discharged earlier, having qualified himself by a character, and so on, and we obtain that boy's discharge from the Home Secretary, and also for the army, where we send a good many boys.

2775. These represent licenses elsewhere?—Yes.

2776. The Act of last year limited the age to 19. Do you approve of that change?—I do not. I have a very strong objection to the limit having been introduced. To my mind it was absolutely uncalled for, and regarding (as I do) the reformatory work, as one of the most important character—one of the most beneficial for the country and its subjects—I think any attempt to minimise the area of its influence is a great mistake. Apart from which I think there is no

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reason in the world why older boys should not be received and dealt with satisfactorily. I have shown you by our ancient history that we used to do it in "old times"; and when we have the opportunity of judging now, as we continually have, from the conduct and deportment of older boys, we find we have very much more to work upon than we have with smaller boys, and the results are more satisfactory. I have no doubt that we could deal quite as satisfactorily or even more so, with cases up to 18 than we can do with those we now receive; but, of course, when a limit is placed on us by this Act that no boy may be detained after 19, it cuts us up by the roots.

2777. It would be no use sending a boy at 18?—It would be perfectly useless, because the boy would have so much to unlearn, and we should have so limited a time to do it in.

2778. Would you recommend that the age for admission to reformatories should be extended, and to what age?—I would extend the age of admission to 18.

2779. You would recommend, that the age of admission to reformatory schools should be extended to 21?—No, 18 for admission, and that they should be detained until they were 21, which we have been able to do until lately, but we have not been able to receive them beyond 16. Then I am glad to say that magistrates sometimes, in what is called "the judgment of the court," will send us a boy who is a little bit older, and professedly 16, and we find they are the most grateful for the opportunities given them, and turn out best in the long run.

2780. You have a general knowledge of reformatories in England?—I have.

2781. I suppose you would hardly say that all the schools in England would be capable of doing what you are doing at Redhill?—I do not think they would.

2782. You have opportunities of classification, which they have not elsewhere?—Yes.

2783. It might be possible perhaps to license some of the existing reformatory schools, so as not to receive small boys?—I think so; I think it would be a very great advantage to the whole movement.

2784. In that way there might be a classification of reformatories?—Yes.

2785. Just as you classify your houses in other places, the schools might themselves be classified?—Yes, and I think the managers of schools might be asked to make their choice. They might be asked, "Will you take junior cases or senior cases," and they could adapt their arrangements accordingly.

2786. Perhaps you can suggest the line of demarcation you would make between the junior and senior?—I should say a school laying itself out for senior cases should take none under 15 on admission, and they might be allowed to retain them if the age of admission permitted it until they were 21. Of course they would come for not less than three years; that is a very great improvement in the Act of Lord Leigh, which by cutting out that ridiculous two years' sentence, has done a good service. We never received a two years' boy; we always refused it, because if a boy really required reformatory treatment, two years was an absurd time to send him.

2787. You say a senior school should receive no boys under 15, and that a junior school should receive no boy over 15?—I do not think they ought. I should draw the line at 15 or so. We should find no difficulty, as you have observed, in sending all that class of boys to one house. I might instance this in this way, that I think it desirable to put line down as low as 15. Some might perhaps suggest a higher one, but my reason for suggesting 15 is this, that the more you can make a school like the actual world the boy has to live in, the better preparation and training it becomes for the future, and if you have a school of boys all over 17 or 18 and up to 21, it would not be the least like the outside world. It would be a selection of boys of one age, and it would not give the same chances for the development and training of character that smaller boys being in the house would afford. For instance, bullying and fifty other things would suggest themselves. If you want to train a boy to be manly in his deportment, you must give him the opportunity of being otherwise, and I think the influence of the younger boys would be better than having boys on too hard and fast lines.

2788. Are the views you have expressed generally held by reformatory masters?—I think so. The only exception ever taken by other schools is that they are all very particular, and wisely so, that if any change were made in this respect it should be accompanied by the classification to which I have referred, and that it would be perfectly impossible to receive senior boys into the schools as they are now constituted, but that by making a proper classification it would be very easy to do so.

2789. I think you are one of the joint secretaries of the Reformatory Societies' Association?—I am the honorary secretary of the Reformatory Committee of the National Association for certified Reformatories and Industrial Schools.

2790. So that in that capacity you are generally acquainted with the opinion of Reformatory Managers?—I am in communication with all the managers of reformatories in the country, and have had special opportunities of acquiring their impressions about it.

2791. You make a point of keeping a record of your boys after they have left?—Yes, for four years at least after discharge.

2792. What per-centage do you find doing well?—Here, again, I will give it you for 10 years, which is a fairer guide than any one year. The average of our discharges in the last ten years of those who have been followed up for at least four years and in some cases more who are now doing well is 91·7 per cent. That is, of course, remembering the class of boys we take. Of those we have discharged in the 10 years who have been re-convicted the proportion is 6·9, and of unknown (as showing the extent to which we keep touch with them), it is 1·2 per cent. only.

2793. 1·2 per cent. are unknown?—Yes; in all the other cases we have followed them.

2794. And 7 per cent. are re-convicted?—Yes, 6·9, that is roughly 7 per cent.

2795. And the rest are doing well?—Yes, that is practically 92 per cent. are doing well, taking an average of 10 years.

2796. And this is a school which has peculiar difficulties in putting the boys out, owing to the origin of the children within the metropolitan area?—Yes. Might I venture to add to what I said just now about the Government arrangements under which we received the boys before the Reformatory Act was passed, that we had a special rate of allowance for them. It is a matter of life and death to have a sufficient support for these things, and I venture to think that it would facilitate immensely the acceptance of a senior class of boys, which I believe would be of the greatest possible service to the country, if we could revert, at any rate to some extent, to the kind of grant which was made to us in those cases before. I have looked up the facts about that, and I may mention that the grant for those senior boys to whom I refer as being dealt with in former years was a shilling a day instead of 6*s.* a week, not subject to the reduction which we now suffer; and that in addition to that the Treasury paid all the expenses of their disposal. You may imagine how generous they were, and how one longs for a return to them when I say they have even been known to pay 30*l.* for a boy's expenses to Australia. Of course I do not expect at present we should get a return to anything so liberal as that; but working out the disposal expenses as we now incur them on an average—because we have to provide for them also—I find that it is about 7½*d.* per week per head additional to the maintenance rate, which would cover what we incur for disposal, that is, sending some home and some abroad. I find it comes to about 7½*d.* per week.

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2797. If you take a class of older boys, you think the Government allowance would have to be increased?—I think it ought to be.

2798. Could you take them at the present rate?—We would rather do that than not have them, because we should be doing so much more good which is above all things what we desire to do, but I do not think it would be quite fair to us to expect us to take them at the same rate.

2799. Have you a large annual subscription?—No; I will give you the last year's account. Of course we have suffered so tremendously from the agricultural depression that our circumstances have been somewhat peculiar of late years. At one time we relied very little upon subscriptions and donations, but our industrial profits were sufficient.

2800. Farming has now become so bad?—I have got a little pamphlet in my hand which we have issued with pictures of the schools, and in the course of it I put in these figures which I drew up at that time just to show the effect of the agricultural depression on us. Taking the last 30 years, the average annual income from the farm for the first 10 years was 865*l.* 13*s.* 3*d.*; for the next 10 years it was 736*l.* 6*s.* 9*d.*; and for the last 10 years it was 97*l.* 16*s.* 7*d.* That is an index of the extent to which agricultural depression has told upon us. This, of course, was one of our sources of income. That was written two years ago. The farm profit last year which had begun to improve a little, was 173*l.* 5*s.* 5*d.* and we made a profit on our trades with which we only supply ourselves, of 96*l.* 8*s.* so that our total industrial profit was 269*l.* 13*s.* 5*d.* only last year; that is, speaking roughly, a loss of say 800*l.*, and we have tried to make that up by having an occasional public dinner or something of that sort, but it is rather against the grain, though we must live (spite of Talleyrand). Our subscriptions last year were 286*l.* 9*s.* 5*d.*, and we got from a public dinner 340*l.* besides.

2801. The Act of last year made an alteration about the imprisonment of children?—It did.

2802. All your boys at the present time have been sent to prison previously to going into reformatory?—Yes, they had been.

2803. Have you any remarks to make as to that?—Yes, I have a statement here which I think is very interesting indeed, especially with reference to the objects of this Committee as I understand them to be, and which will illustrate, what I am afraid must be considered rather an unsatisfactory want of principle in the mode of working the Reformatory Act, without imprisonment. I am one of those who did not object to previous imprisonment, which is explained by the circumstance that I have already mentioned, that we only profess to deal with juvenile criminals distinctly as such, and that though a boy may not have been actually imprisoned before he comes to us, if we take a first conviction, as it is commonly called, that is because there is no previous imprisonment or punishment recorded against him, we take care that there is forthcoming such proof of his character that it would show it was only by what he would call good luck he has been able to elude detection, and they are the worst boys of all who have succeeded in longest eluding the vigilance of the police.

2804. If he comes to you on first conviction, you do not take him without a criminal history?—Exactly. We always publish in our reports every year the circumstances which have led us to accept these boys who have been sent to us on first conviction, and you would be perfectly astonished if I read to you some of those particulars which are abstracted and put in here.

2805. Perhaps you will put that book in?—Yes, the particulars are given on page 18 of the Annual Report. Page 18 gives the particulars of which I have been speaking—I was going to say, if I may be allowed to refer to it, that there is a wonderful variety in the mode of treatment as compared with what was the case before the passing of Lord Leigh's Act. I made up yesterday a statement of the treatment in that respect of the 67 boys whom we have received under Lord Leigh's Act, which was passed in September last. Of these 67 boys six of them were sentenced to previous imprisonment. One to seven days, one to 10 days, and two to 14 days; that is four boys. That was the ordinary way of treating them before. One of them was sentenced to seven days in the police cell, which I venture to think is a great mistake, and one was actually sentenced—and it is so put in the warrant—that he should go for seven days to a workhouse. I shall have a word to say about the workhouse a little later on. So that six of these boys, and only six of them, were sentenced to imprisonment at all of any kind, and one was sent to the police cell and the other to the workhouse. Then 42 of these were remanded to prison for various periods, ranging from 3 to 28 days, nearly all of them to Holloway. When it runs beyond seven days of course it means necessarily that they were had up again and sent back three or four times. That might arise from a difficulty in ascertaining the particulars about the boy or following up the case and in scarcely any case did it arise from any difficulty with us. There must necessarily be a margin of time between the boys being sentenced and his coming to us in order to allow us to exercise that veto which the Act of Parliament permits us to exercise as to whether we would receive a boy or not, and therefore there must be some few days to find out a school which will take them.

2806. A boy cannot be sent to a reformatory whether there is room for him or not as he can be to a prison?—That must rest with the managers. Of course the managers may make any arrangement they like with the court about that, but as a question of principle it does involve a certain delay to inquire into the boy's antecedents and also as to whether a particular school will take him. 42 of them were remanded to prison. There were 21 remanded to workhouses, and I have already pointed out that all our boys are distinctly criminal boys. 21 boys were sent to workhouses varying in terms, being for 1, 6, 7, 14, 21, and 24 days. One boy was remanded to the police station for no less than 25 days off and on. One was on bail. Now, what I wanted to say about the workhouses was this, that it may not matter in the case of non-criminal children that such children should be sent to mix with the pauper children, but I should venture to remark that for boys such as we take it must be a very bad thing indeed to send these boys to a workhouse to mix with general children. It must be very bad for the workhouse, I mean; and of those remanded to the workhouse four had been previously in prison, so that there is not much principle about non-imprisonment running through it. Perhaps this may not have been known to the magistrate but four who were remanded to the workhouse had been sentenced previously to imprisonment, and 13 of those sent to us had been previously in prison. I just mention this to show that there is a great deal of irregularity and difficulty about it. Of course, our appeal now is to the magistrates, and to nobody else as to this part of the case. We still recommend that for boys who really require reformatory treatment owing to their antecedents, imprisonment is the best thing for them; because we object very strongly indeed to being considered part of the penal discipline of the country. When a boy comes to us he turns his back on all his past career, and we bid him welcome to start a new life entirely. Therefore we do not put him under any imprisonment for an offence he has committed; and so whatever he may have done, he gets no punishment at all for it except this remand which means generally a few days' laziness at Holloway or in the workhouse.

2807. In fact, the boys generally, although they do not go to prison in a technical sense, do go to prison,

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only they have nothing to do there, and it is not part of their sentence?—It is not recognised as part of their sentence; they are simply put there as a place of safety.

2808. Is they any harm in that?—No. I should think the separation from the home contamination is a great advantage to them. A great deal is said about the stigma of imprisonment, but whatever that may mean in sentimental people's minds I think would attach to the reformatory also. In the meantime it gives us a very bad start. It does not give the reformatory the same chance it would have if he had a punishment for his offence, and realises that he is entering on an entirely different career.

2809. In addition to your view that prison is not disadvantageous, do you also suggest that there is a practical difficulty existing owing to magistrates not knowing what to do between the time of boys coming before them and their being sent to a reformatory?—Yes, exactly; which points to the old practice of sending a boy to prison as part of the sentence. They may still do it; and in Lord Leigh's Act one of the qualifications for the boys being sent to the reformatory is that that he must have been imprisoned if he is under a certain age. Of course it does not say they shall not be imprisoned, but the whole tone of the Act is in the direction of non-imprisonment, and it stipulates for the first time in reformatory legislation that a boy if he is under 12 years of age must have been previously in prison. It is not "previously convicted," but it is "previously in prison."

2810. The boys who go to industrial schools are never sent to prison?—No.

2811. How was the practical difficulty got over there between the time of appearing before a magistrate and the selection of a school for them?—I am sorry I cannot say.

2812. It must have arisen in that case as well as in the reformatory cases?—Well, perhaps it may be that as there is less discrimination required on the part of industrial schools as to the kind of cases they receive in cases under the Industrial Schools Act they would probably receive them right away, whilst we on our part discriminate between mild cases and serious cases. There are different rules in various schools, for instance, take the Wandsworth Reformatory. The "Boys' Home" on Wandsworth Common puts at the head of its regulations for admission that "no "decidedly criminal boy can be received." We, "on the other hand, put it that none but absolutely "distinctly criminal boys will be received at Redhill." At Wandsworth they take the mildest cases that come under the Reformatory Act. So I say in schools we exercise a good deal of discrimination as to whether the boy is really eligible according to our rules; that is to say, whether we are doing our duty best by receiving such cases. It might interest the Committee to have a comparison between the working of Lord Leigh's Act as to the number of admissions.

2813. I would ask you this question; owing to the system of imprisonment, boys were not being sent so freely to reformatories as they might have been?—Quite so.

2814. Magistrates were sending to industrial schools?—Yes.

2815. The practice of imprisonment was rather crippling the reformatory schools?—Yes; of course the introduction of the "First Offenders Bill" has had a great deal to do with it. An immense change has come over the treatment of prisoners, and a good many of the boys who really come to us on first convictions are very bad boys indeed; though technically they have never been in the hands of the police before. If such a case as that comes before the magistrate under the "First Offenders Bill" the magistrates have a discretion which they very frequently exercise in favour of giving the subjects some other treatment rather than sending them to prison; and directly that circumstance became known a large number of what are called "voluntary institutions," "voluntary homes," and so on, intervene. In London there has been a tremendous number of young people who came before the Court, technically upon their first charge, who have received the benefit, such as it is, of being treated under that Act; although when it came to be investigated subsequently their antecedents had been most unsatisfactory and criminal in character, it was not brought out at the trial, and he received the benefit of the "First Offenders Act" in being sent to some "voluntary home." There are several of them in London. After staying there sometimes a few hours, sometimes a few days, sometimes a few weeks (because they had no legal control over them, although they were handed over to them), these fellows would fall again into crime and then would be sent to us. We have had a good many of those cases that have been let off under the "First Offenders Act," had been sent to "voluntary homes," have fallen again into crime; and then we have discovered how unsatisfactory that treatment of such cases has proved to be; and it has had the effect obviously enough of diminishing the supply of re-convictions and of tinkering up the cases instead of curing them.

2816. You think too free use has been made of voluntary schools by the magistrates?—Yes.

2817. Owing to their not being acquainted with all the circumstances?—Yes, I do not think they have the least idea of what happens to them afterwards, because none of these "voluntary homes" make any reports about their cases. Some of the boys are most unmanageable; they take these boys and they have no legal power over them; they make the home their place of residence; they go out from there to find work; they go out in the streets and they are under the least possible control from the "homes" themselves; and the amount of poisoning influence that goes on in those homes, through the extraordinary mixture there is really appals one, inasmuch as the number of downright bad ones they mix up with is really appalling. It is most unsatisfactory.

2818. So that philanthropic persons are rather doing harm than good?—Yes, many of them are, in the way I have explained. Of course, that they do not do a great amount of good I do not wish to imply at all.

2819. Cases that should not go to them are sent to them?—Yes, a great many.

2820. While the cases that ought to go to them perhaps are kept out, because there is no room for them?—Yes, I think these homes ought, as far as possible, to be kept for the non-criminal classes; and that criminal boys do get into them is unmistakable by the representations they make, and thus the opportunity of curing the boy is lost, and the mischief he does to the comparatively innocent lads is quite appalling.

2821. I believe your warden has prepared a list of such boys?—Yes, he has.

2822. Will you hand it in?—I have not got it here, but I shall be very happy to send it to you. The kind of thing is this; a boy is brought up, for argument sake, at a London police court; he is apprehended for theft, picking pockets, or some other offence of the kind. There is nothing known against him at the time. The magistrate thinks, for reasons that occur to him at the moment, that the boy may be given the advantage or benefit of the "First Offenders Act." The representative of a voluntary home comes forward and says, "Well, your Worship, "if you will allow me to have this boy, I will send him "off or take him into a home." The magistrate not unnaturally says, "Well, you may take him," and so far as the cognisance of the police is concerned he has gone from their purview. They do not follow him any longer, because it is not a technical charge; he is given to that man. The length of time they stay in the "home" is very short; they nearly always bolt. All the boys who have come to us have absconded, and there is no difficulty placed in their way. They simply live in a home in some street in London where they meet after they have done their work; and after their evening meal, the rule is that they go out and they may stay out until 9; in some cases until 10; they meet in the street, and I have known boys in our school admit that they have made appointments with boys to meet them on the old ground and carry on the old game. The one is not in the "home," the other is; and so this lad has not only the time deferred when he should be properly dealt with with regard to his own reclamation, but he is poisoning the minds of other boys.

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2823. Perhaps you will send in a list of cases which have occurred to your knowledge, within the last 12 months?—Yes, I will. (*See Appendix IX.*)

2824. (*Dr. Bridges.*) I gather that there is considerable difference in the practice of different reformatories with regard to the cases that they admit?—Yes. That is the ground of selection you mean?

2825. Yes?—I have broadly hinted that in giving the two illustrations of Wandsworth on the one side, where they say they will not take a decidedly criminal boy if they can help it; and we on the other hand who lay ourselves out absolutely only for criminal cases, and sort them after they come to us.

2826. With regard then to reformatory managers, to adopt what I will call the "Wandsworth plan," would you be prepared to say that the distinction between the children admitted into such a school as that and the children admitted into an average industrial school, were of a very different character?—I would not say very different; but I should think a difference which could be recognised. My contention rather was that the industrial school system was intended for boys—I am speaking of boys, because I am connected with boys, but of course it applies to girls also—and cases that could not be technically recognised as cases of crime, but of boys who were rather neglected and driven into crime.

2827. Yes, I am aware of the intention that prevailed when these two sets of institutions were organised. I was rather directing my attention to the actual practice, whether in the class of reformatories that adopt a different principle from yours, or where there is any other real and sharp distinction?—I should think not very sharp.

2828. Between the industrial boys and the reformatory boys?—Yes, I have heard industrial school managers admit that they very often have boys sent to them that ought not to be sent to them, that if the rule as to the character of the school were more particularly observed they would not have committed to them at all; that is to say, they ought to be in reformatories; and of course there are a certain number sent to reformatories that would do just as well in industrial schools; and I venture very strongly to recommend that as for as my observation goes (and I have had some experience, because I myself have received 2,641 cases at Redhill), I very strongly recommend anybody who is concerned in the question to accentuate, as far as possible, the real distinction which ought to be made between the two schools, which I think would be very much to the advantage of the country and of the schools also.

2829. You have stated your own opinion on that point with most extreme clearness, but as a matter of fact your view is not the view which prevails universally?—No, it is not.

2830. You have spoken of the criminal class of boys. How do you define whether a boy belongs to the criminal class or not. Do you define it, I mean, by what you know of the general character of the boy, or do you go by the number of convictions?—Certainly not by convictions—by the character.

2831. Is it then possible that there may be many boys who have not been convicted at all who are of exactly the same type of character as those that you admit into Redhill?—Certainly, I think that they go through the net, and are not apprehended in many cases, the more astute thieves, for instance, elude detection longest.

2832. Have you any knowledge of Poor Law Schools?—I have none.

2833. It would not surprise you to find that in Poor Law Schools there are a considerable number of boys of that character?—I am not surprised. My own knowledge of Poor Law boys is that we have received from time to time a good few of them, and I am sorry to say that, as a class, they are nearly always very unsatisfactory.

2834. Quite so?—I need not go into the reasons, but it is a very curious and striking fact in our observation that pauper boys who come in to us rather prove to be very unsatisfactory cases.

2835. That is just the point on which I wish to ask you a question. Have not you found in your experience cases in which in a single family some of the boys have gone to the workhouse and other of the boys have gone to the reformatory?—I do not think I know cases of that kind, but I have known cases, as I have said before, come to us from the Poor Law Schools for offences committed there. It is no uncommon thing to have two or three of a family sent to us in succeeding years. I do not want to detain the Committee a moment longer than is necessary, but a case that occurs to me I may mention now, and I think it may interest the Committee, as to the effect produced on the mind of what at first appears to be some unpromising subjects. A boy came to us with a very bad record, and the whole time he was with us he was very unsettled in his conduct. He made two or three attempts to abscond and at last succeeded. He had been with us only a fraction of a year, I think nine or ten months. He got back to London; we made all kinds of efforts to recover him if possible. We suspected certain people of harbouring him, and we tried as usual to discover if he was in any way connected with them, but he absolutely and entirely eluded all researches until at length his time was up, and then according to the law we may not touch him if his term has expired, although he may not have served the term in the school. If we could have found him before, we could have punished him accordingly. We had given up all hope of tracing him until one Sunday evening I had a telegram sent to me from the Whitechapel Police Station to say, "McKeown is in custody here; what shall we do with him?" That was rather a poser. I wired back saying, "I will come to-morrow morning." I went to the Whitechapel Police Station to find that he had given himself up at the police court and said, "I am a runaway from Redhill, I want to be taken "back again." He is a fellow of 20 years of age, a well grown stalwart chap, and the next morning I went up to see him. I said, "What do you want?" He said, "Sir, I hope you have come to take me back "with you." I said, "Your time is up." He said, "I "hope you will work it somehow, I want to go back." I said, "Where have you been?" He said, "I have "been in and out of prison ever since I came out of "the School. I have just come out of six months "now." I said, "I cannot entertain any notion of "taking you back into the school again at present. "You have behaved so badly, you know, that it "would be a bad example, and I do not think you "would deserve it." The fellow with tears in his eyes, said, "Well, I hope you will be as kind as you "can." I said, "I have made up my mind that as I "cannot punish you now for absconding which I "would have done, I shall charge you with stealing "the clothes you have got on." He said, "Please do "not send me to prison any more, it will not do me "any good, I have had such a lot of it." I said, "But you have served us so badly you deserve it, "and what will the other chaps think about it?" He was sent down to Redhill, because, of course, the offence was committed at Redhill. I took him before the mayor and told him how the thing was, and I said for the moral influence of the boys in the school it was necessary to assert the principle that he had incurred some punishment for his base misconduct, and

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that if then having purged his offence he was willing to start afresh, we would give him an opportunity as far as we could.

2836. As a volunteer?—As a voluntary case. So I took him before the Mayor at Redhill, and asked the mayor to deal tenderly with him. I suggested that a a month at Wandsworth would, I thought, be sufficient and accordingly he was sent there. At the end of the month, the day that the punishment was up, McKeown made his appearance. He walked in about 11 o'clock and said, "I beg your pardon, Sir, I am sorry I am a "bit late." He said, "I could not catch a train "before, but I caught the first I could catch and I "am here, I am sorry I could not come before." I said, "What do you expect me to do with you?" He said, "You are going to take me in, a'int you." I said, "You ran away from the place when you were "here." He said, "I was a great fool; you may do "anything you like with me and treat me how you "like, but do take me in." I said, "All right, you "may go and take your place; go and put the school "clothes on, and I will do the best I can. If you "misbehave yourself out you go, but if you behave "yourself you shall be treated just as well as we can "do it for you." That boy at this moment is really one of the best behaved and hardest working and most satisfactory fellows in the school. I am sorry we have got him as a volunteer because we get no help towards keeping him, but I hope we shall find some useful employment for him. That illustrates the point I was trying to make to the Committee in the first instance, that we have so much more in the experience and character of older lads to work upon; their good sense comes to the rescue, and if the experiment could be made of sending us a number of boys, say under conditional pardons as they used to be, I believe it would be the greatest possible blessing to a large portion of the population who now absolutely perish because they have no hope before them.

2837. With regard to the general system of reformatories with which you have had great experience, I observe that in the last report it is stated that of the boys 75 per cent. were doing well and 19 per cent. had been convicted; of the girls 76 per cent. were doing well, 5 per cent. had been convicted; do you on the whole consider that result a satisfactory one?—I think it is satisfactory.

2838. That one-fourth of the boys should be convicted afterwards?—Though the general average is not as high as it ought to be I think that it is a very satisfactory return considering the class of cases dealt with, though for my part I do not see why the returns should not be better judging by our own experience.

2839. Can you point to anything in the management of reformatories which in your opinion produces that great difference between them?—No, I cannot distinctly put my finger upon it, but I think it will be found perhaps to some extent in the length of time that they are detained. I have shown this morning that we keep our boys as long as we think it is necessary to keep them, even to the last hour of their time.

2840. The time of detention would be one of the things?—Yes.

2841. Can you point to anything else?—I think the aggregation of large numbers is a mistake. I would separate them into smaller groups. I think the personal energy and character of those in charge is an potent factor; and then I believe the religious training of the schools is perhaps above all the most important.

2842. The moral influence?—Yes; the arrangements that are made for systematic and proper training in religious matters.

2843. With regard to the employment on which the boys are put (I am speaking specially of boys now) do you consider that that is a matter of great importance with regard to the success of the reformatory?—I think it is.

2844. What kind of employment do you think is of the greatest value, first of all as far as the physical condition of the boys goes?—Farm training is of course pre-eminently the best. I believe the digging in the fields which all our boys go through in the first instance, though they pass into trades afterwards, is the most healthful thing in the world. Nothing can be more striking than the difference between the boys after they come in from London and have been working for a time in the fields. It is astonishing to see how their complexion clears, how their appetites grow, and how their spirits improve.

2845. And it is good for their morals as well?—Yes, wonderfully.

2846. And although a large proportion of your boys come from London is it for those boys you would think agricultural labour was of great value?—Yes, not so much to fit them for after-employment, though that is importance in the case of emigrants, as for the healthful effect it has. I believe mother earth is the grandest deoderiser of morals as well as other things that has ever been found yet.

2847. In the last report of reformatories with regard to Redhill there are references to a difficulty which occurred with regard to Gladstone House?—Yes, some two or three years ago.

2848. Could you mention very shortly what the general nature of that was. I only ask for the sake of eliciting difficulties with regard to management of reformatories?—There were two or three boys in that house who since then have turned out remarkably well, who at that time were discontented and exercising a bad influence upon the others and they got up a kind of an *émeute* which at that time appeared to be a very serious thing, but in the course of five or six hours with the exception of six boys who got right away there was a perfect end of the whole thing; the fellows all went back in to the house, and so on. It was an outbreak of boyish folly. It was not anything more serious than that.

2849. What kind of punishment are used in your reformatory?—The most serious punishment is birching, with the cell confinement on bread and water, which is very rarely used indeed. There is our caning, which is the ordinary kind of punishment inflicted. I have got a list of all the punishments in our Annual Report here and I will send the Committee copies of them. On p. 26, there is a comparison for the last eight years of all the kinds of punishment inflicted. Last year was 1893, we had 11 boys birched; we had 34 in the cell; 151 caned; and 155 fined. The caning is applied over the seat of the trousers and not over the hand or back. We do not allow caning on the hand or back. They are both very bad things for boys. We do not allow any punishment to be inflicted by any subordinate officer at all. It is always done by the superintendent or master of each house, and a caning means that the fellow stoops down and has half a dozen cuts on that particular part of the body which does him no harm, but does him a lot of good.

2850. How long is bread-and-water applied?—The average would be about a couple of days.

2851. A pound of bread or something of that sort?—Yes, a pound of bread.

2852. You mentioned that you carried out in your five houses a classification between the houses to some extent, that is to say, one house was kept for boys under 14?—Yes.

2853. Do you attempt any classification with regard to the other four houses?—Yes, to some extent, only so far as that the ascertained character or apparent character of a boy would indicate that a certain master whose strong points we should know would probably deal better with him than another. There is not anything that could be formulated with regard to these houses, only that some particular man has a strong point one way and another one another. One is perhaps more fatherly, and another more lordly, and so on. For the last 10 years we have transferred from house to house in the school 158 boys. That is one great advantage of our arrangement, that if a boy is not doing well in a particular house we give him change of air, and then it may be he does wonderfully well. We have found boys who do not do well either from the companionships he makes in the house or from the relation in which he gets to stand with the authorities or from fits of temper, or something of that sort; and just moving him into another house is like putting him into a new world. Of these 158, 139 were little boys who had grown up to be big boys, and who were transferred into the other houses, so that there were 19 cases that were removed on grounds of expediency and in the hope of giving the boys a better chance in another house than they possess, and in almost every case with advantage.

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2854. With regard to your wish that boys of the older class should be admitted into your reformatories would you consider that 60 young men, as we may call them, from 17 to 20 might be possibly an unmanageable item in one house?—I do not think so.

2855. What sort of officer have you in control?—We have a man whom we call a schoolmaster, but he is really head of the house in every respect. He is the father of the family. He is a married man with his wife and children living in the house. Then there is a labour master who takes the majority of the boys in the house to their work, and superintends their work and assists the master at any time when called for. That is the house staff, but in every department of the school we have got a particular superintendent. Then we have a gymnasium, and so on, and the labour and everything has its special head. We built the gymnasium by special contributions about three years ago, and although we used to have a good deal of exercise before, it is quite impossible to overrate the immense moral good which has accrued from the regular [illegible] in the gymnasium. Every boy has at least an hour a week, and when they excel in their exercises they have other classes too. There is a delightful spirit of healthy emulation got up between the houses and the boys, and I could not express too strongly my view of the immense advantage the establishment of a gymnasium has been to the school.

2856. You spoke about the immense importance of individual attention to each case?—Yes.

2857. You would say that the schoolmaster who would be at the head of the house of these 60 boys from 17 to 20 would be able to know a good deal of the character of each boy. Would it be the schoolmaster whose special business it would be to inform himself as to the character of these 60 boys?—Yes it would and then in all work of that kind the warden of the school who is the resident chaplain is also in continual observation and contact with them every day and continually.

2858. But while they are in the house this schoolmaster is the responsible head?—Yes he is.

2859. Under the general warden?—I might point out that of course quite obvious that the reason we [illegible] such a large number of boys in the house [illegible] are not all turned in 60 at a time. Here [illegible] community with its settled tone established [illegible] years of experience and its acknowledged [illegible] into which a single case comes this week and [illegible] next week and so on. The boy comes into a [illegible] community. If we were going to put 16 or 20 [illegible] there might be a risk, but if we take them [illegible] a time I do not think there is the least [illegible] in the world.

2860. How many of these 60 are in the same dormitory?—We have usually three dormitories in the house. They are equally divided. We have generally one small dormitory in which the bigger boys go, but they are very nearly alike. They are very simple in their arrangement, and there is a system of monitorship right through.

2861. I have one more question to ask you as to reformatories, general system of reformatories. Are you able to tell us what is the status and education of the officer who is, generally speaking, put at the head of the reformatory. What guarantee of capacity is given by the officer who is made and chosen to be the head of the reformatory?—Of course I can only speak for our own, but if you take them all round most of the superintendents are men who have been in their office for a great many years who were selected for the combination of the fatherly character with practical common sense and a certain amount of education, perhaps about equal to that of an elementary school teacher, but always men I think who were in the early days chosen for the combination of those qualities; not so much for their intellectual force as for their personal influence and character, and their opportunities of having acquired a knowledge of men and things which, after all, best equips men for this particular work.

2862. (*Mr. De Rutzen.*) I suppose you know that as a rule there are a great many boys who are admirably adapted for reformatories or industrial schools who have something which unfits them for industrial training?—Not a very large number, I think.

2863. But a good many?—Yes. We do not make a very strong point of that. We lay down as one of the rules that a boy should be capable of outdoor employment, but we sometimes relax that rule in the case of a very bad boy. I will illustrate it by two Birmingham boys. One of them was a fellow who walked with a crutch, and two or three schools in that neighbourhood had been asked to take him, but they declined on the ground that he was a cripple. Mr. Alfred Hill wrote to us and said that this boy was a trainer of thieves in Birmingham, that he stood at the corner of streets and sent half a dozen fellows to sell papers or things like that, but who were really thieving, and he tempted them, and they brought him the proceeds. This boy was a bad boy, although I may say he was the son of a father and mother who were both captains in the Salvation Army, and they wanted to get rid of him. Under these special circumstances we took him. We found he was not able to go into the fields, and we put him into the shoemaker's shop, where he soon learnt the trade sufficiently, and before his time was up we licensed him to a shop in London, and there he carried on his trade. The fellow turned out very respectable, and I believe he has gone to Birmingham again. Another was also a case in Birmingham of a little fellow with a hip disease, and upon a representation of his being certain to go to ruin if we did not take him, because other schools rejected him, we took him. Now and then we do not know these points, but, as a rule, it is very natural that we should prefer to take boys we can put into the ordinary work of the school. However, we do not make a point of sticking to it so formally as not to vary it.

2864. I suppose you have heard of circumstances where, in the old system, a boy has been sentenced to 10 days and afterwards to a reformatory, that no reformatory would take him?—Yes, it has occurred.

2865. Often to your knowledge?—Not often, I think. We should strain a point if the case were really a bad one.

2866. Yes, in your particular reformatory?—Yes.

2867. Have you any suggestion to make as to what should be done for that sort of boy?—No, I really have not. I do not think that the number of them would justify a separate institution, and it would be an exceedingly difficult one to work. I should think it would be much better to try and persuade the schools to strain a point and to save them; and I think in most cases they would do so if the boy were decidedly criminal. If he were not I think some of these charitable homes would take him, but if it were absolutely necessary that the boy should be sent to a reformatory, I should hope that most reformatories would take him, whatever their rules were, and make the best of him.

2868. You said just now you were of opinion that if a boy committed an offence which was a bad offence some punishment should follow?—I think so.

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2869. And that under the "First Offenders' Act," and the lenient way in which criminals are dealt with now, boys who ought to be sent to reformatories are not sent to reformatories, thus starving the reformatories and filling the prisons afterwards?—Yes, I am perfectly sure, so far as I am able to speak, that for the future, it will not be very long before we shall see an immense accession to the prison number of youths and young men who are beyond the reach of reformatory effort in the ordinary sense of the word. I mean they will be too old for treatment, and being over 16 there is no chance in the world for them except going on being imprisoned and ending with penal servitude and dying miserably. That may be easily altered if we can induce the authorities to extend the area of our influence, and then we shall perhaps be able to undo some of the mischief arising from this wave of sentimentalism which has passed over the country during the last few years.

2870. (*Miss Orme.*) In the case of having special institutions classified according to age and supposing a boy is sent under 15, what do you do with him when he is over 15. Do you move him on?—No. I contemplate that if a boy was sent to what I may call the junior class of school it would be an advantage that he should be detained in order that the proper influence between the older and the younger should operate in the school. I am not at all in favour of making a school too select with regard to age so as to make it unlike the world. I would give them a training and the opportunity afforded by the variety of age within certain limits, but if a school were limited so that they might not receive them over 15 that would be provided for.

2871. Then you think even in that junior reformatory there would be sufficient control for the older boys?—I think so.

2872. (*Chairman.*) You could reserve power to transfer boys from that school to another if they turned out badly?—I think occasionally that might be necessary, but I think very rarely. Of course in such a case we should change the boy from one house to another but it might be desirable in a small school.

2873. Can you give us the per-centage of licences which are revoked?—Do you mean in our own schoool?

2874. Yes?—I gave the numbers, but I have not worked them out in per-centages. It is about one-fifth.

2875. And can you tell us what proportion of those cases of boys whose licences are revoked turn out satisfactorily subsequently?—I am sorry I cannot tell you that straight off, but they have gone into the general returns amongst the others. The probability is that a boy whose licence was revoked would turn out quite as well or better because he would come back to the school and begin his training again, so to speak, and we should be doubly careful in putting him out next time. Sometimes the revocation has not been through his own fault. Sometimes revocations occur from failure of employment or the surroundings.

2876. At any rate they give you no special trouble?—No.

2877. Can you tell me what proportion of your boys go into the Army and Navy?—In the last 10 years we have discharged 834 boys, and of those 34 went into the Army. The Army has furnished us an output for our boys of increasing importance of late years. Out of the 34 I speak of, 24 would be within the last four years. We are finding a greater demand for our boys than formerly, very much through the development of our band and gymnasium. Both these things have helped to make the fellows more acceptable as recruits, and the successful boys coming down as soldiers to see their fellows has stirred up a certain amount of martial ardour which they have expressed in their desire to enlist themselves. Not only that, but in several cases the colonels and officers of regiments having had our boys have wished us to send particular cases to them. I think we are likely to find in the future an increasing proportion of boys sent into the Army with very great advantage.

2878. What is the length of your period of observation subsequent to departure?—We keep an eye on them for four years, and only lose, as you will observe, one per cent. of them.

2879. You spoke of the worst cases in your school, and you said that your result was most gratifying?—Yes.

2880. Do you mean by the worst cases the boys who are most disposed to be criminal?—Yes, whose antecedents are the worst.

2881. As to antecedents do you make very careful inquiries?—Yes.

2882. And you treat them to a certain extent according to their special antecedents?—Yes.

2883. And your rules are not of cast iron?—No.

2884. You can adapt them to each individual case?—Yes, we have certain rules as to eligibility which appear on the application forms sent to prisons and courts, and so on.

2885. Could you tell the Committee how many boys you would have on an average who might be called of the habitual criminal class?—So far as the juvenile age can admit of that description I should think that by far the largest proportion were such because, as I have said before, we try not to receive other than those. So far as a boy's tender age ranges only up to 16, and the average age at which they come to us is only 14, it answers that description by saying they are most of them of that character.

2886. I observe you use the phrase in the pamphlet you handed to me "Adepts in Crime"?—Yes.

2887. Do you say a large number of those boys would be adepts in crime?—They are in the particular class of crime in which they excel, for instance, we have had some of the most successful pickpockets and other forms of thieving. I can give you some illustrations which for their cleverness are highly amusing. They are boys who are very sharp witted. Half of them come from London, and London circumstances seem to call out their native talents.

2888. But you have as a matter of fact under your charge a number of lads who are to all intents and purposes, except, perhaps, their number of convictions, as much habitual criminals as those who are between 16 and 21 in prisons?—Quite so.

2889. Would you be prepared to take charge of an average habitual criminal who is now in prison?—Yes, if he had had his punishment. We should stipulate for that.

2890. Some of the witnesses before the Committee seem to think that when a lad between 16 and 21 has really fallen definitely into crime and has been convicted two or three times he is as hopeless and diffi lt a case as the older criminals?—I do not agree wi em at all.

2891. You would not be afraid of him the least.

2892. And you are confident that sup whole of the prisoners between 16 and 21 worth or any other prison were transferre and you had the proper means of supervis that you would be able to reclaim a great m of them?—I think I should make this difference do not think we should take them from 16 to on admission; we would receive them and keep the until 21, but from my present opportunities of obse vation I should not think it would not be desirable to take them older than 18. I am not sure at all but that an experiment made upon cases between 16 and 18, whom we are not able to receive at present, but who m we ought to be able to receive, would enable us perhaps to deal with still older cases up to 21.

2893. You have given us this morning the case McKeown who has certainly fallen into the po definition of an "habitual criminal" and who was 20?—Yes. He had the opportunity of knowing w

the school could do for him, and that it was through his own fault he left it.

2894. Possibly other prisoners may wish to have the same advantage?—Yes, I think it would be found so.

2895. Supposing a change was made by the establishment of what may be called "penal reformatories," that is to say the establishing of an institution halfway between the reformatory and the prison, would you approve of such a change?—I should be quite willing to take such cases at any time.

2896. I suppose you agree that the older and more hardened the youthful prisoner is the more severe discipline it might be necessary to apply to him?—Yes, but I should not depend upon that. I think there ought to be a reserve of that sort if necessary, but in my opinion it would not be called for provided that the particular offence which brought him under the cognisance of the law should be adequately dealt with by sharp punishment at the time and not by leaving us to punish. I should like to enter a protest against the idea of calling any reformatory penal. Of course we can use it as a matter of convenience as between ourselves, but I think it would be very harmful to associate any penal character whatever with the reformatory. We try to draw our line as clearly as possible. When they come to the reformatory they have done with everything penal unless they bring it on themselves; when there is punishment, it is very short and sharp, and straight to the point, but they need not have it unless they misconduct themselves.

2897. I understand from you that a boy from a reformatory school would have a better opportunity of securing a position than a boy from a prison?—Certainly, he ought to.

2898. Still I gather that you are in favour of imprisonment at all events preliminary to the reformatory school?—Yes, if he comes to the reformatory school he ought to be punished first. If they are not sent to prison they are remanded for a few days' laziness, or they get a casual whipping, and all the boys I have examined as to whipping (and I have had a good many of them) have despised the six or eight strokes which is ordinarily given by the court. They do not treat it with that respect that they treat the six or eight strokes that we give them; so that I should very much like to accentuate that point that the morality of the individual should be respected, and that his respect for morality should be accentuated by proper punishment before he comes to us, and we ought not to be associated in any way with the punishment.

2899. So far the after-effects on the lad who undergoes imprisonment are concerned you draw a distinction between imprisonment as preliminary to a reformatory school and ordinary imprisonment?—Yes, I only argue for imprisonment as a punishment because there is nothing else you can do with a boy except whipping him; fining him falls upon his parents. Sometimes they ought to be fined, but ordinarily I think imprisonment is the only thing that can be done.

2900. You think the after-life in the reformatory purges a boy of the taint on him through going to prison?—I am quite sure it does, but whether it has that effect in the popular mind I do not know; because I am afraid there is a little confusion as to reformatories and they think it is a part of the prison system, and the restraint under which they labour for that length of time of course gives the boys the notion that it is a continuation of the species of imprisonment.

2901. Do you think that the views you have expressed on the subject of imprisonment are generally held by the managers of reformatories?—There is a great of difference, I think, among managers of reformatories. It is curious that in the northern regions, and in Scotland particularly, though of course the numbers there are very small, there is a strong feeling against imprisonment as part of the sentence. In the south it is different, and this association of all the certified and reformatory and industrial schools, of which I am honorary secretary on the reformatory committee, passed a resolution two or three years ago in favour of the retention of imprisonment as part of a reformatory course.

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2902. Was that unanimous?—It was all but unanimous.

2903. So that as far as England is concerned you fairly represent their views on the subject?—Yes. As a disclaimer it is sometimes said of us who take that line that we are advocates of juvenile imprisonment. We do not advocate that. If it could be abolished and something substituted for it, we should be glad. We only stipulate that we shall not be part of the punitive system of the country, and that crime shall be adequately punished; it is not our duty to provide the punishment, and that being over we can take them up and we can do all the better with them because they have received that punishment which their misconduct has earned them.

2904. (*Mr. O'Connor.*) Originally the only portal to the reformatory was the prison?—It was.

2905. It is not so now?—No.

2906. Has the Act of September of last year had any effect, so far as you have been able to ascertain; are magistrates more ready to send to reformatories now without the prison portal?—I think they are to some extent. We have received under Lord Leigh's Act, 67 boys at the present time. Going back over the same period in the year immediately previous to it I find we received 59 only, and as that was very close I went back to the year before that, and curiously enough I find that then it was 64; so that that does not show that there was very much difference. But I have no doubt that practically it does afford those magistrates who object to imprisonment an opportunity of sending boys they otherwise would not have sent.

2907. Have you reason to believe magistrates are fully alive to the fact that they can now send to the reformatories direct?—Yes.

2908. With regard to the punishment to be given before the boys go to a reformatory would you give them their penal dip perhaps in the police station, or do you think they ought to have a good flogging, or something of that sort?—If it were really a good flogging.

2909. But at any rate punishment is not the principle of the reformatory?—Not the least. We want to dissever it as far as possible.

2910. And these boys, if not stopped, would go into the criminal class?—Yes, those that we are taking are there when we take them.

2911. Only a few of them drift into the criminal community?—Yes, that is so.

2912. From your observation of what boys you have had to deal with would you say that they are in any way different from the generality of boys who have more happy domestic circumstances, or are their failings due to their surroundings and their bringing up?—I should think it is very largely due to their environment. I think under other circumstances they would be like other boys, and they are just as capable of the highest results as any class in the world.

2913. I suppose the offences of boys who have better surroundings are committed in their playground or homes, whereas these children have their playgrounds in the street, and are dealt with by the policemen?—No doubt the criminalty of their life enters much more into their life because of their circumstances. They are in it continually. I imagine a superior class of boy might now and then fall into some of those laches, but it would be only incidental and accidental, whereas these are continually surrounded by circumstances which aggravate them in the wrong direction.

2914. And their offences are committed within the jurisdiction of the public officers, whereas the boys of

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the better class are committed under the domestic roof?—Yes.

2915. You think if they were placed under similar circumstances they would come out just as well?—Yes, I believe there are great capacities in this class, and they would come out as well as any others.

2916. You told us that the gymnasium and band are the principal means, which together with moral persuasion and other similar influences make them worthy of something. Have you any reason to believe that those influences lose their effect at the age of 19?—No.

2917. Supposing you put these boys to pick oakum or turn a crank, do you think you would be equally successful?—I should not expect any success from that. I have brought with me, if I may leave it with the Committee, an extract from an annual report of ours published in 1891, which deals somewhat in detail with what we venture to call "The proposed "extension of the area of reformatory work." Incidentally it gives facts and figures bearing on this point which I think might be interesting to the Committee. I shall have great pleasure in sending a copy of the annual report. I do not know whether "Saved from the Wreck" would be equally acceptable to you, but that illustrates the life in the schools by pictures.

2918. (*Chairman.*) Yes, I shall be very glad if you will send us one?—I shall be very pleased to do so.

The witness withdrew.

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Rev. WILLIAM DOUGLAS MORRISON called and examined.

2919. (*Chairman.*) You are the Assistant Chaplain at Wandsworth Prison?—I am.

2920. How long have you been there?—I have been altogether in the prison service about 12 years; I think I have been at Wandsworth about eight years, I am not exactly certain, but it is about eight years.

2921. How do you divide your work with the senior chaplain?—Well, we take it in turns. I see the men on reception one week and he sees the men on reception another week. I see the men on discharge one week and he sees the men on discharge another week. Then the rest of the work consists in visiting the prisoners, in visiting the sick, in visiting the people who are under punishment, in visiting special applicants, and in visiting people who seem to require more attention than the majority do; prisoners that are very much troubled and that kind of thing. That is a brief epitome of my work, I think. Then letters that come from prisoners' friends we see and attend to, and we pay particular attention to all young prisoners, both on reception and during imprisonment, and also on discharge. Then we pay attention to all people who apply to us to get relief on discharge. Well, there are such a number of miscellaneous things that one does that I forget exactly what they are.

2922. Do you consider that the number you have at Wandsworth is too large for adequate supervision on the part of yourself and your senior chaplain?—I do not consider it is quite possible for one to know the prisoners as you ought to do when you have got 11,000 or 12,000 coming in every year. It is not merely the daily average, but it is the number which come in you must take into consideration. You must remember that if you have a vast stream passing through the prison you cannot know them so well as in a convict prison where they have perhaps 1,000 as an average, but have the same men for five, six, or ten years. That makes a considerable difference.

2923. Are you satisfied that the present system of religious services is altogether satisfactory?—Well, I do not know very well how it could be altered.

2924. You think that the effect of compulsory attendance at chapel at religious service is not harmful?—I think most prisoners are only too glad to get to chapel whether they like it or not; for this reason that it affords them an opportunity of getting out of their cells and it affords them an opportunity of exercising their lungs (which they cannot do at other times) in the way of singing and so on; and it is looked upon as a privilege by almost all prisoners; I only know in fact one instance in the whole of my prison life where a prisoner has refused to go to chapel.

2925. Was that on the ground of conscience?—No, he was a man who was a little peculiar and who simply resisted everything, but if any prisoner objects to go to chapel on the ground of conscience the Governor will not compel him to do so.

2926. Do you find that prisoners who are re-committed often describe themselves as being of a different religion to the religion they have professed before?—Yes they sometimes do; in fact the cases are not infrequent when they do. Sometimes a man will come in as a Roman Catholic and sometimes he will come in as Church of England. Sometimes they put down one faith and sometimes another.

2927. Passing now to the special points referred to this Committee I will begin with the question of overcrowding. In calculating the amount of cell accommodation should the cells ordinarily set apart for special cases, for instance, punishment cells hospital cells, and so on, be included?—No, they should not be included, and I think in no prison except Wandsworth are they included; and they are included at Wandsworth for a very simple reason. At one time Wandsworth was a prison for both men and women and when it was a prison for both men and women there was a hospital for the women as well as for the men, but when it was turned into a purely men's prison the same hospital existed for almost double the number of prisoners that it existed for before, and the doctor had to take a number of the hospital cells and cells that were used for other purposes and use them for what is really hospital accommodation. Take, for instance, Wakefield prison.

2928. Were you at Wakefield?—Yes, I was at Wakefield for a few years; at that time it was as large a prison almost as Wandsworth is now. At Wakefield Prison the hospital had hospital cells and epileptic cells; and all those cells that are now included in the Wandsworth Prison itself were outside the prison altogether. The hospital was a separate building, and the fact that Wandsworth is in an anomalous position in that matter is seen in the erection of a new hospital, so as to bring it into line with the rest of the prisons.

2929. Will epileptic prisoners be placed in the new hospital?—I expect they will; they will go immediately into the hands of the doctor, and out of the hands of the discipline authorities. The class of prisoner that go into the hands of the doctor and out of the hands of the discipline authorities are in a different position altogether from the ordinary prisoner who is in the ordinary certified cell.

2930. Then as to prisoners who would go under Rule 26 in association; where would they be placed?—They ought by right to be in the hospital.

2931. You do not know whether it is intended to put that class there?—I do not know whether it will be necessary to be done in this particular instance, and of course it would be a pity to do it if it is not necessary, because it would be an expense.

2932. You think this special class of cells should be used for their special purposes, and should not be used for the reception of ordinary prisoners?—I do; because they are under the charge of the doctor; they are out of the charge of the discipline authorities.

2933. Have you looked at the evidence on this point which was given by Captain Schuyler?—I have not looked at it.

2934. He has given the Committee the general statistics with regard to Wandsworth, so that you need not go over them?—I know he has.

2935. With regard to section 17 of the Act of 1865, what is your opinion of the difficulties of excepting convicts?—When they were under the local authorities the convict prisoners were removed to the convict prisons, being a very short time in the local prison; but now, in many of the local prisons, convicts are kept for nine months, so that although that stands in the Act, yet it stands in it under very altered conditions from what it did before the Act of 1877, before the prisons were consolidated.

2936. Perhaps you would like to state what in your opinion are the chief evils resulting from insufficient cell accommodation?—Well, I think in so far as they affect a prisoner when half-a-dozen or more prisoners are huddled together all day long in one room they are in practical idleness; you cannot give them anything to do except oakum picking, they are in practical idleness and they pass the time in corrupting one another; as a rule the worst ones generally get the mastery of the good, because the spark of goodness in the good is not so very strong, and it is easily quenched. Then first offenders are apt to be associated with old offenders and the better class of prisoners who happen to be put in association complain and have complained to me frequently. In fact it is a common thing for them to complain to the chaplain about their being placed in association. The better a man is the more he hates this kind of association without supervision. It is association without supervision and association in a room a quarter the size of this room without the least particle of supervision. You take the door, pull it to and lock it, and there they remain for hours and hours at a time, because at the time there is this overcrowding in the prison, the warders have not much time to see to the prisoners at all, so that they are practically left to their own devices.

2937. You are now speaking of prisoners put into association cells to relieve the block?—Yes.

2938. And not of the others at all?—No.

2939. How often would such block occur?—Well, it has occurred every year at Wandsworth with one exception since I have been there.

2940. More than once?—Yes, more than once. One year we had the whole of the school work utterly paralysed. The schoolroom was filled with prisoners; every available spot was packed, and all the educational work of the prison was paralysed for a time, and the result was a very bad one.

2941. That special congestion would only last for a day or two, I suppose?—Sometimes it would last a day or two, sometimes longer. That would depend on circumstances.

2942. Whenever it did occur you always had complaints?—Always, without exception, we had complaints from the better class of prisoners.

2943. Then would you be in favour of absolutely forbidding association under these circumstances?—No, I should not forbid association so long as you had association with supervision, but I object to association without any supervision at all, and that is the form of association which exists at the present [illegible] when we have a block in London prisons.

2944. When you say "with supervision" I suppose you are chiefly speaking of what one might call the hospital cases—association under the doctor's orders?—No, I mean ordinary cases. Of course, I do not think there ought to be a block at all, but if there is an inevitable block, because there might be a riot and you might have hundreds of prisoners thrown into

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prison all at once in a place like London, so that you could not possibly say you would never have overcrowding; but in these circumstances there ought to be supervision over the prisoners when they come into the prison; they ought not to be shut up in a room and left entirely to themselves.

2945. We have had evidence from two governors of prisons in favour of abolishing association except under the special circumstances provided in the rule according to which association is ordered by the doctor?—Yes.

2946. You would not necessarily go so far as that?—Not quite, because I do not think you can provide for extraordinary exigencies.

2947. I am rather thinking of the ordinary periods of the year when congestion is likely to occur?—It would be a far preferable state of things if we had no association at all, because a prisoner likes to have some little time to himself, and if you have a man with another man in the cell he is never alone; he never has a moment that he can call his own; he is always mixed up with others, and I think after all there is something in allowing even a prisoner to have a certain amount of time to himself and his own thoughts, if he chooses to have it.

2948. Then it really comes to this, that a larger margin of available accommodation should be kept?—Decidedly larger than exists at present in the London prisons. I am not talking of country prisons, because many of them are comparatively empty.

2949. Then have you any special recommendation to offer for obviating the dangers of this overcrowding?—Well, I think that a return should be issued every year with the Prisons Report to show exactly the condition of the prison. At the present time if you look at the Prisons Report you will see it is impossible to tell whether the prisons are being overcrowded or not when you have a return for one year only; but you want to have a return for the five preceding years, and then have the daily average. You want to have first the name of the prison, then to have the daily average in the next line, then have maximum number for the year in the next line, then the maximum number for the preceding five years in the next line, and then have the ordinary certified cell accommodation in the last. Then if you have that, anybody who looks at a prison report can see at once whether a prison is being overcrowded or whether it is not. That is the way it should be drawn out. I will hand this in (*document handed in. See Appendix II.*).

2950. Then do you suggest that any amendment should be made of the 17th section of the Act of 1865, with regard to the average maximum of the preceding five years?—It is section 17, sub-section 1. I should exclude the clause saving convicts, and I should say "separate certified ordinary cell accommodation." That is how I should put it. I should put it "separate certified ordinary cell accommodation shall be "provided equal in number to the average of the "greatest number of prisoners who have been confined in such prison at any time during the preceding five years." "Separate cells" is vague. It might mean itch cells, hospital cells, or any cells. You want to define that more clearly.

2951. Now the Committee has been asked to express an opinion upon the present system by which the appointment of a Deputy-Governor is limited to prisons with more than 700?—Yes, I did not quite see the drift of that reference, I did not quite understand what it was about.

2952. I do not clearly understand the practice which [illegible] but I imagine that when you get over 700 [illegible] prisoners a Deputy-Governor is appointed. Assuming that that is the prevailing practice, do you think that in a rough and ready sort of way, that is a proper provision?—I have not any very definite or decided opinion one way or another upon it; some people think a Deputy-Governor is a superfluity; others again, think there should be a

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Deputy-Governor. Of course, I think myself there should be a certain number of Deputy-Governors in the prison service, because we want some place for training the men who are to take charge of the big prisons in the future; and if we have no big prisons to train them in then there would be no proper place for training these men at all.

2953. I understand that the disadvantage of not having a Deputy-Governor is that when the Governor is away on leave his duties devolve upon the chief warder?—That is so, no doubt.

2954. And that when you get a large prison say like Liverpool with a 1,000 prisoners or more without a Deputy-Governor it is too big a charge for an official in the position of chief warder who may or may not be a specially good man?—That is perfectly true and that is certainly an important point.

2955. The question really rather is whether you would provide that a prison in the absence of the Governor should always be under the charge of a Deputy-Governor?—I have no very strong feeling on it one way or the other. I can get along just as well with a chief warder as with a Deputy-Governor, or with a Deputy-Governor as well as with a chief warder. Some men prefer a Deputy-Governor to deal with.

2956. You do not think that is a point of much importance?—I think not.

2957. It may be a matter you think which is raised by the Visiting Justices?—Yes it may be. It may be a matter of feeling with the officials. Of course some may prefer to deal with a Deputy-Governor rather than with the chief warder, and perhaps friction may sometimes arise because you only have a chief warder. But I think that the other officials if they are sensible men, ought to avoid anything like that, and I think it could be avoided too.

2958. Then a further question referred to us is, whether it is right to appoint chief warders as warders in charge of persons with a population below 100?—Well, I have no strong feeling on that point either. Some chief warders in charge are exceedingly sensible men indeed; they may not all be highly educated men, but still they have had a great deal of experience of prisoners, and I should be very sorry to destroy the career of those men. It is a very humble career at the best, and if you have a prison staff of say, between 1,800 and 2,000 men, there are a certain number of those men who really ought to get the chance of rising to be chief warders in charge. It is not much of a position even if they get it; it is only about 150*l.* a year; but it gives them something to look forward to at the latter end of their life, and I should be sorry to see the system destroyed, although, at the same time, I do think it ought to be worked better than it actually is worked. I do not think the present way of dealing with chief warders in charge in local prisons is a good one at all. I think chief warders in the local prisons are unduly overlooked in favour of officers in convict prisons; and that arises from the fact that the Prison Commissioners do not come in contact with the officers in charge of the local prisons in the way they come in contact with the officers in charge of the convict prisons. The Prison Commissioner sees the officers in charge of convict prisons once a month. He may not see those in local prisons for years and years, so that the local prison officers, however good they may be, are often overlooked, not because anybody wishes to do them an injustice, but simply because they are not known, so that if the system of chief warders of prisons in charge is continued there ought to be greater consideration shown for the chief warders in the local prisons, because, after all, I think the chief warder of a local prison is the best man, seeing that the chief warder of a convict prison is dealing with different Acts of Parliament. He is also dealing with different prison rules; he has no experience at all of the work of a local prison, and he is thrown sometimes, all at once, into one of those prisons without any previous experience, and, perhaps, with results that the Visiting Justices themselves find fault with. That may be one reason why Visiting Justices do not like chief warders in charge. I do not know personally, but it is possible that may be one of the reasons, because some are men of no experience.

2959. I suppose it may be said the effect of having this possibilty of promotion before them is that the chief warders might be encouraged and are encouraged to put forth their best strength in following out their duties?—They certainly are.

2960. It is a premium on efficient and faithful service?—Certainly, they look forward to that more than anything; and I should be very sorry to destroy the little hope they have, because it is dull work for them in a prison, and I should not like to see their career in any way interfered with.

2961. Now I should like to ask you a few questions about prison labour and occupation before passing on to the other points. First of all, with regard to books I think your practice at Wandsworth is to give a book once a fortnight?—Yes, it is so.

2962. Is that a matter of discretion with you?—It is, to a very large extent. We practically do what we like in the way of giving prisoners books, although it is against the rules. If a prisoner is fond of reading and applies for books I should be very sorry to refuse him a book; in fact, I would not do such a thing; and if a prisoner wants more than one book I should be sorry to refuse it him if he is doing his work. If there is no complaint in any other respect I should like him to read as much as he likes, as long as his work is done.

2963. As a matter of fact, are there not difficulties at Wandsworth with regard to the distribution of books?—Yes, there are difficulties; because practically we have only got one man at liberty for the distribution of books. I am not absolutely certain about the practice at present, because it is in a state of transition. We used to have three schoolmasters at Wandsworth, and now we have only got two; and what has happened in consequence of our only having two, I really do not follow exactly.

2964. But I understand you really to express your opinion that you do not see any objection, apart from your own practical difficulties of distribution, to giving prisoners as many books as they care to read, provided that it does not interfere with the labour they have to perform?—It is the very reverse; I should like to see them occupying their minds. The great difficulties we have is to get these poor people to occupy their minds.

2965. But as a matter of fact, the number of books supplied is really a matter of discretion for the officials of a particular prison?—It is in practice. It is left principally to their discretion, and they may use their discretion liberally, or they may use their discretion in a niggardly way. It is practically left to them.

2966. Then with regard to prison labour, are you in favour of extending the practice of association in industrial employments, such as you have at Wandsworth?—Decidedly. I think that you can get much more work out of a prisoner in that way, and that the monotony of prison life being varied by that, that you could keep the prisoners in a better state of health. If you have a man in a cell for 23 hours out of 24 the monotony is something horrible.

2967. We have had it in evidence from Mr. Manning, of Pentonville, I think, that there are a large number of prisoners who strongly dislike association in any shape or form whatever?—Yes, that is true.

2968. And for that reason he seemed to be doubtful whether it was expedient to extend the system of association?—I should not force a prisoner to go into association; but I should always give him the option of going into association if he chose to do so.

2969. And you think the present workshops are not sufficiently large to employ the prisoners who would like to be employed there?—Not nearly; I am sure of that. One of the greatest privileges you can

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give to a prisoner is to allow him to work out of his cell. That is a privilege which is reserved for prisoners who have been in prison for some time, and the applications to the Governor for work out of the cell are always a large number. That shows the general feeling of prisoners on the subject.

2970. I suppose habitual prisoners would always like to work in association?—Habitual prisoners are often morose. They are not all fond of seeing each other, although habitual prisoners do prefer association. I do not think it would apply more to habituals than it does to others.

2971. You would not draw a distinction?—No; there is one class, I think, might not like to be in association; that is to say, a man who may have been in a fairly good position in the world, and who all of a sudden finds himself in prison. That man in many cases, does not care to go into association, and he is, no doubt, of the class which Mr. Manning refers to. He and I have talked that matter over before now, and I think that is the class he would be referring to more than anything else—the class of man who is not the ordinary habitual criminal, but who gets into trouble once in his life, and who likes to be left to a certain extent alone; although that is not the case with all of them, because many of them who are of that class when they are left in prison alone become absolutely wretched. They keep on thinking what is going to happen to them when they go out, and so upset their minds very much indeed; but although they may not like to come into association, yet I believe association would be a good thing for them, because it would compel them to take their minds for the time off themselves, and it would keep their minds in a more healthy condition. For instance, a short time ago, we had a man sentenced to prison at Wandsworth, a man who was in a fairly good position in the City, and who got three months' imprisonment. That man was in an absolute state of misery and despair while he was in, as to what his friends would think of him, and how he would be received by the world when he went out, and I had to go and see that man through it for a considerable time, to keep him from doing something desperate; and when he did go out I was afraid of him. I made inquiries to see what happened to him, and he is utterly broken down and has now become a complete wreck. Before that he was a man who had never had a stain on his character, and was looked upon as a very respectable person; and I say if that man had been induced to go into association, it would have kept his mind in better balance. That is one case.

2972. Are you afraid of prisoners talking to each other?—No, not much. If you do not let prisoners talk at all they are very fond of putting in a word and becoming sly and so on, but if a man is not forbidden absolutely to talk what he will talk about will, perhaps, more likely be what he is working at than anything else. Of course you have an officer in charge who would take care that unseemly talk did not take place, and I have not that fear of talking some people have. Some people have a great dread of it, but I have not.

2973. Do you think there are distinct evils arising from the very strict rule forbidding talking?—I do; I think it induces a lot of trouble. Take, for instance, the chapel; they go to chapel, and a man perhaps does not open his mouth for weeks. It is the only chance he has of opening his mouth, and many of them cannot resist it. They do not mean any harm by it; they are not bad prisoners, they are men who would do all right in the world again probably, but they are so constituted that they cannot resist saying a word, and I believe that if we had the same experience that they have we should be much in the same state as they are. Of course with regard to convict prisons, I think the system of absolute silence is an abomination. According to the present rule a man may be sentenced for life, and he is to be silent for life according to the rules. Well, I look upon that as horrible, and as condemning a man to absolute silence for the whole of his life, or for 20 years. It used not to exist in convict prisons, and it has been introduced in recent years. It cannot be a good thing, and if a man's faculties are so stifled I think it must be a bad thing.

2974. Do you say that the silent system has been introduced recently?—It has. It has not been of very long continuance.

2975. How long?—I could not tell you, perhaps 10 years or so; I know some convicts used to be allowed to choose their companions, I do not remember the exact way in which the system of allowing the conversation was worked in the convict prisons, but I think there were evils connected with it, and I think those evils might be obviated.

2976. Have you ever been in a convict prison?—There is little to see there which cannot be seen in a local prison as all convicts pass through local prisons.

2977. Do you imagine that there is improper talking in chapel?—Yes, there is a tendency to it. Well, you hear men of that class talking to each other outside. It is pretty rough talk, and it is very much the same talk inside. You pass a street corner where the class of men who go into prison are talking to one another and you hear pretty strong language. You are apt to hear and you do hear exactly the same sort of language in chapel, and nothing more or less but just the same sort of language the social class they belong to indulge in.

2978. At Wandsworth they sit very close together?—They do. I think if you had half the prisoners in on one day and the other half the other day, you would by physical means prevent so much talking.

2979. Do you think that the chapel at Wandsworth is so crowded that there is considerable danger of improper communications?—I do.

2980. The prisoners are sitting close together?—Too close together.

2981. And there is a very small space between one row and another?—Yes; and there is no space at all between one prisoner and another. They are packed together too tight.

2982. And you think means could be found for giving greater space?—Yes, by letting one half of them come to chapel one day, and the other half the next.

2983. With regard to what you say about dividing the prisoners and having two services, does that involve more work upon the chapel?—It would be exactly the same thing. If you have one-half in on one day and the other half in on the next day, you would be having two sets of prisoners, and they would be only getting chapel every alternate day, and I am prepared to say that that is quite enough.

2984. Then with regard to the industrial labour in cells, I suppose you are in favour of that so far as it can be carried out?—Yes, I am.

2985. Such as mat making?—Yes, certainly. I think the industry of mat making was most unfortunately destroyed in the prisons. I do not exactly know the intimate facts of the case. Therefore I do not say this as anything more than what I have heard, but I hear the reason it was destroyed was because the monopoly of mat making was given to one firm, the result of which was that the other mat makers combined, and so the Home Secretary destroyed it altogether.

2986. Do you say a monopoly was given by Government to one firm?—Yes, to Messrs. Goodacre; and the remarkable thing is that these very people, I understand, learnt mat-making in prison.

2987. Was it a contract for prison labour, or what?—Yes, they contracted for prison labour, and they got the contract for the whole of the prison labour of England.

2988. (*Sir J. E. Dorington.*) To sell mats made by the Government?—Yes. If the Government had had the prudence to divide the contract amongst a number of them it would possibly have split up the combination, and there would have been no disturbance at all.

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I do not know whether it was to save trouble, but there may be good reasons for it.

2989. (*Chairman.*) I can quite understand that what you say has produced an effect, but I understood the chief opposition to the mat making came from the trades unions and the workmen themselves?—I do not know about that. They worked on the trades unionists, but I believe it was stirred up by the manufacturers.

2990. You have a strong opinion of the desirability of restoring it?—Yes; I think it is one of the best of industries, because it can be learned in so short a time.

2991. Is there any other industry?—Well, some of the county magistrates used to make a profit out of their prisons. The prison I have heard at Hull sometimes used to pay its expenses.

2992. Are you against what is called unproductive labour?—Yes; I think it is a degrading form of labour, and the best of the prisoners like it least. There is no amount of skill required in it. It is only grind, grind, grind. If he is a good class of prisoner, he complains of that a good deal.

2993. You are now speaking of the unproductive crank?—Yes; and mills and that kind of thing. The best class of prisoners object to that.

2994. Do they object to the mill and pump as much as to the unproductive crank?—Yes; they object to the whole of that sort of thing, because there is nothing to occupy the mind. It is a mere physical operation, and I do not think that should be used.

2995. That goes to the root, does not it, of what is called first class hard labour?—It does.

2996. Would you be in favour of abolishing that kind of labour?—I certainly would.

2997. Would you substitute any other kind of hard labour for it?—If hard labour did any good to the prisoner afterwards, I would retain it; but I do no think it has any reformative effect. I think what yo want is to get as much industrial labour out of men a possible, because there is nothing that dignifies the mind of even a prisoner so much as the knowledge that he has done a good day's work at something which is remunerative. It gives him a feeling he never has on a crank or pump or anything of that kind.

2998. Of course this question of labour bears very directly on the question of health and the physical and moral condition of the prisoner. You are of opinion that the present system tells most unfavourably upon the prisoners' mental condition?—Yes, and physical too. We do not have an account of all the illness in prison in the statistics.

2999. I think you have said that the number of suicides are out of proportion in the prison population?—That has been decreasing recently, but I think the suicide has been transmuted into insanity on account of the physical obstacles in the way of its accomplishment. There was an inquiry into the amount of suicides in prison some time ago.

3000–1. In 1879 and 1880, I think?—Yes. If you look at that inquiry you will see that most of the suicides arose very soon after reception, so that suicide must have arisen in the prison. That is perfectly certain. We are told that a great deal of insanity arises outside the prison, but it is a perfect certainty anyhow that suicide arises inside the prison, and I think it is questionable whether a certain amount that is said to be insanity arising previous to imprisonment did exist before the man was sent to prison.

3002. I see that the summary of the results to which you have been alluding with regard to the first three points are that the tendency to commit suicide is greater?—Yes, when they come in at first. So is insanity when they come in first.

3003. Secondly, that persons under remand or waiting for trial are more likely to commit suicide than persons who have received their sentence?—That is perfectly true.

3004. And thirdly, that habitual criminals are less likely to commit suicide than persons who are in prison for the first time?—That is perfectly true.

3005. But all those results rather go to show that suicide is dissociated from prison discipline?—I do not know that. I believe if you take a man and put him into a cell where he has no work at all, as happens when a man is committed to prison, it has a bad effect on him. When a magistrate commits a man to prison he is put in the unconvicted part of the prison and he is allowed to work or not as he likes. In fact, he does not get any work to do unless he asks for it, and that man, by the mere monotony and the silence and the solitude he is exposed to, becomes a prey to insanity and suicide.

3006. Do yon think he is affected by the depression and discomfort which may result from punishment for breaches of prison discipline?—Of course it is not one cause alone that produces the suicide or the insanity, but it is a combination of them. There is the fear of sentence, the imprisonment, and the sense of shame it may be. Suicide as well as insanity is not produced by one single condition but oftenly a variety of conditions acting together.

3007. I think you have said in the article you have written or in "Crime and its causes," that the prison population is a population which is specially prone to congenital infirmities?—That is quite true.

3008. They are weaker and feebler?—Yes, they have predisposing conditions, and then if you put a man in circumstances which will aggravate those predisposing conditions you will have the explosion.

3009. The number of suicides in prison is less than you would reasonably expect having regard to those physical infirmities?—It has been decreased by mechanical means recently. Greater care has been taken to prevent the commission of suicide than used to be the case. In consequence of that committee's inquiry very great care was taken to prevent suicide from breaking out; and I believe in consequence of *this* committee's inquiries greater care will be taken to prevent the breaking out of insanity.

3010. As a matter of fact the proportion of suicides is not greater in prison than outside in relation to men of the same age?—I have not worked out the statistics of suicide quite recently, but it used to be very much higher. I have no doubt it is higher if I were only to work it out.

3011. Then with regard to insanity, I think in your article in the "Fortnightly" you have given the annual ratio from 1875 to 1877 at 113 per 10,000, and in 1890 to 1892 at 226 per 10,000. With regard to those figures from 1875 to 1877 are they compiled exactly in the same way as the more recent figures?—Precisely in the same way. There is no difference whatsoever. I do not know of any change that has taken place in the way of compiling the figures. If a case of insanity breaks out it is put down by the doctor, and he is bound to report it at the end of the year. He was bound to report it to the Home Office before, and he is bound to report it to the Government central authority. I know some people say there is not so much care taken as in the past, but that is always the assertion. It is a very convenient way of getting out of a difficulty, but that is not my way of getting out of a difficulty. I say there was as much care taken by the local authority as is taken by the central authority.

3012. But of course the number committed to asylums has steadily increased?—Yes, there is an increase of insanity undoubtedly, as far as I can see—doctors differ. Dr. Ogle does not think so, but I think the general opinion is coming to be that it is increasing; and I think the Lunacy Commissioners are coming to admit it now in their last report.

3013. Has not the proportion of cured people discharged from an asylum increased?—I am not sure whether that is so or not. I have not followed that point sufficiently closely to be able to say.

3014. Is it not also the fact that it is the growing practice on the part of magistrates to commit persons who are brought before them whom they may have reason to think are not of sound mind?—I do not think that it is a growing practice. I think magistrates used to commit people on remand. There used to be as many committed on remand as there are now, I think.

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3015. Is not it natural that it should be a growing practice?—It might be and it might not. I doubt if it is.

3016. Is not it a matter of increasing difficulty now, to get medical men to give certificates for removal to an asylumn?—Well, I am not sufficiently acquainted with the facts to say whether it is so or not.

3017. And by sending a person to prison a good deal of trouble and expense is avoided?—No, I do not believe in that again. I do not think at all that men are sent before magistrates that thay may be certified to be insane. That I do not believe for one moment.

3018. But the fact that so many prisoners are returned in the report as insane, who come in in that condition and are found to be insane rather tends, does it not, to support the view that this is an increasing tendency?—It is said they come in large numbers in that way, but I have serious doubts about whether it is so or not. I believe that they may become insane when they are in prison, just as people commit suicide when they are in prison. The suicide takes place inside the prison anyhow and the insanity may do the same. We have no absolute proof that the men had not become insane when they came in. If the doctor has to examine, as he has to at Holloway, perhaps 100 prisoners in the morning, it is often impossible for him to say whether a man is sane or insane. It often requires a long time to ascertain. I remember a man once being in Wakefield for six months or even more before we could find out he was insane. I was convinced he was insane, but the doctor could not find any trace of it, and I could not find any definite trace of it myself for some time, but one day he was talking to me, and he said, "I am the man that tried to shoot "the Duke of Edinburgh at Melbourne." That was his delusion, that he was the man that tried to shoot the Duke of Edinburgh at Melbourne a great many years ago, and that is how it came to be found out.

3019. Taking the figures for 1893 there were 307 cases of insanity, and in 251 of them it was found that the disease existed and was found on reception into the prison?—So it is said.

3020. And that in 227 cases of mental disease it was recognised a few days after reception?—So it is said.

3021. And that in only 34 cases did the disease appear to originate within 21 days after reception?—Yes. These things are stated. That is all I will say about it.

3022. They are stated on the responsibility of the medical officer?—That is perfectly true, but I do not think it is possible for a medical officer who has a vast number of prisoners to say this off-hand in all cases. The border line between sanity and insanity is a vast one.

3023. If a man is overworked, would not the tendency on his mind be rather to err on the side of caution?—Well, the case comes before him afterwards. The man does become insane afterwards, and he may believe he was insane on admission, or he might see something strange with him. Very often men are strange without being insane. He might see something strange with him on admittance, and he might believe he was insane.

3024. I have got figures relating to Wandsworth, and in 1890, according to this report, four prisoners were found insane, of whom three were insane on reception, and the fourth developed general paralysis of the insane two months after reception?—Yes, great precautions are taken at Wandsworth to avoid insanity. We have this large association room in which large numbers of people who might otherwise become insane are put. Then, remember, that Wandsworth is a prison for convicted prisoners; not for prisoners who are not convicted, but who are only received. Holloway is a prison for prisoners on reception before trial; Wandsworth for convicted prisoners. Therefore, a very large number of insane cases would be weeded out before they reach Wandsworth at all; just as they are weeded out in the local prisons before they reach the convict prisons.

3025. Yes, I quite see that, but according to your theory that the present system of prison discipline acts on the mental state of the prisoner, of course, one would expect to find a larger number of prisoners develop insanity in a prison like Wandsworth?—The shortening of sentences has an effect on it too, and Wandsworth is a short-sentence prison. If you take them for a very short time they have not time to develop it.

3026. I think one of your points was that there was a larger increase in insanity in local than in convict prisons?—Yes.

3027. It is difficult to reconcile them?—The amount of insanity on reception may be very large, but the amount of insanity afterwards may be very considerable too. Of course there is a very great deal of difference of opinion among doctors. Take, for instance, a prison where the doctor is rather an expert in insanity, and finds a good deal. Another doctor who does not pay so much attention to that finds very little. The border line between sanity and insanity is so wide in many cases, that it is not so easy to say "Yes" or "No," and one doctor may say it is on one side of the line, and another doctor may say it is on the other; and some doctors are far more particular about certifying that a case is insane than others are. It depends to a large extent on the doctor.

3028. We also recognise that the question of insanity is one which is surrounded with immense difficulties. You will be inclined to admit that it is very difficult to form definite conclusions about it, either in prison or out of prison?—Yes; I am looking only at facts. I say if I see insanity increasing in prison under precisely the same conditions from 113 in 10,000 to 226 in 10,000, there is a very serious state of things which requires inquiring into, and we have no proof that exactly the same number on admission before 1878 were not as insane on admission then as we have them now.

3029. Then as between the figures for 1875 and 1877, and the figures for 1892 and 1893 surely differences have arisen with regard to the prison population. In 1875 and 1877 there would be a larger number of young persons in prison, children?—Yes, there was a larger number and that would affect it to some extent, but that is neutralized by the fact that the sentences are now at least 25 per cent. shorter than they were at that time. Sentences have decreased one-fourth, I should say, within the last 10 years. That can be proved by figures.

3030. Still would that compensate for the great change effected by sending children in increasing numbers to Industrial and Reformatory schools?—Yes. The death-rate in prisons has diminished largely because people are in for so short a time that they have not time to die. Dying is a process. It takes time to die, and if you have people in prisons of the same class for a long time the per-centage of deaths will be greater, because the effect of imprisonment will be greater on them and they will die in larger numbers. Prisoners when they come in are always in a certain state of health.

3031. Assuming that the figures you give are a fair standard of comparison, what do you argue?—Well, I argue this—that the conditions of prison life are such that we want to diminish this ratio of insanity. If the conditions of prison life are such that 226 persons per 10,000 are found insane per annum in a prison, we say the conditions to which these men are subjected are bad, and we want to alter them in some way.

3032. Do you connect the change in any way with the Prisons Act of 1877?—I think there is a connexion. I think when the magistrates used to come in and go round and see men, and see curious cases, and so on, a number of them are very kind men, and

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they made a recommendation as to the treatment of the man, and he would be attended to. The magistrates then had responsibility. They were responsible for their prisons. They looked at each other's counties to see which county was doing best, and then there was a certain amount of healthy emulation among them; but now there is none of that; the magistrates have practically no power.

Adjourned for a short time.

3033. We will pass on to communications with prisoners. Will you give us your opinion with regard to the regulations at present existing?—In the case of old offenders I think the regulations concerning visits and communications should be left as they are with one exception, which is that children should not be allowed to visit these offenders unless in exceptional circumstances and under exceptional conditions. These exceptional conditions will in the nature of a death in the family. In such cases the child should be allowed to see the parent without the intervention of barriers and other humiliating conditions calculated to destroy the child's respect for its father or mother. That, I think, is a change that ought to be adopted.

3034. Then would you allow interviews between husband and wife?—Yes; in the case of first offenders I should also allow an interview between husband and wife, and in the case of first offenders it might take place free from humiliating barriers. Interviews of that character are very heartbreaking. The wife, if she is the innocent person, and the husband, if he is the innocent man, feel it very keenly.

3035. Then you would leave the discretion with the Governor?—Yes, decidedly.

3036. Then with regard to the old offenders?—In the case of old offenders I should not allow them to receive a visit or write a letter except in the present way and according to the present system; but if there was a death in his family, for instance, and a child came to visit him in consequence, I should allow the child to visit him, but I should not allow a child to visit a prisoner as a rule at all.

3037. Then under these exceptional circumstances you would always allow a child to see a prisoner?—Yes.

3038. No matter how he had behaved in prison?—Well, in all these cases, no matter how a man has behaved in prison, a death is always communicated to him, and I think if it is a death of a near relative, such as a father or mother, or wife or child, that a visit should be allowed in such circumstances even to an old offender, no matter how he has behaved in prison. I would allow that.

3039. Then with regard to juveniles?—In the case of juveniles I think the three months should be relaxed for the parents' sake. They often write very pitiful letters to us to see their child—their son or their daughter—and they are not allowed to do so under existing circumstances. Then it should be relaxed on account of the offender himself, because they are often frightened to go home again, and if they are not allowed to communicate with their friends to know how they will be received at home they do not go home at all; so that I think there ought to be some communication established between the parent and the child if it is possible when the child is in prison, and in all cases where juveniles are imprisoned I think his parents, if he has any, should be communicated with and informed when and under what conditions they can write him a letter or pay him a visit. That ought to be done.

3040. That refers to prisoners under 16?—Yes, I would make it refer to prisoners older than 16. If it were a first offender I should not mind making it refer to prisoners under 21, because it is often the first breaking away from the home that is the worst of all things, and if when the prisoner is in prison he can be induced to enter again in communication with his parents it often does him more good than anything else.

3041. Then with regard to the first offenders?—Yes; the three months' rule, I think, should be relaxed in their case, although what a first offender really is I do not know. Our prison returns are so dreadfully bad in that respect. If you take the prison returns for this year and look at the number of previous convictions in such a prison as Liverpool, and compare it with the previous convictions in a London prison, you will see that our statistics relating to habitual criminals are very defective. It is difficult to know what a "first offender" is. Supposing then this man is a first offender, the three months' rule should be relaxed in his case, partly on account of the offender himself, but mostly on account of anxious relatives. It should be relaxed to the extent of allowing the first offender either to write a letter or receive a visit, or perhaps in both directions. It should be relaxed in one respect at least in the case of a first offender.

3042. Then with regard to communications between prisoners and officials?—It should be permitted, I think, for a prisoner to send for the schoolmaster. He can often say to the schoolmaster what he cannot say to the chaplain; and in some of our small prisons there is no permanent chaplain at all, so that there is nobody except the Governor he can apply to see; and the Governor is a busy man in the prison and cannot always see a prisoner. Down in the North for instance, where there are a good number of Nonconformists I think it is only fair that they should be allowed to have the choice of selecting the schoolmaster or the chaplain just as they like. Sometimes the Nonconformists have very strong feelings, and I think if we can respect them even in a prison we ought to do it.

3043. What is the rule at present with regard to the interviews between the schoolmaster and prisoners?—He is practically in the same position as a warder. His position has been degraded for some mysterious reason in the local prison service, and in the convict prison service his status is a very much better one for no reason whatever; in the local service I think a schoolmaster is more needed than in the convict service, because you have a very much larger proportion of young people. One-fifth of our prison population is under 21, so that you have the largest juvenile population in the local prison, and yet the schoolmaster is not allowed to speak to them, except when he is teaching them.

3044. As a matter of fact they must speak to them to a certain extent?—Yes; but they are not supposed to do it unless they are compelled to do it.

3045. They can see a prisoner alone in his cell?—No, decidedly not. If a schoolmaster is going to teach him he can see him alone in his cell, but not at other times.

3046. Then there is no supervision?—No.

3047. So that he could speak to him then?—Yes; but there are a number of prisoners who do not require teaching, but yet who would like to see the schoolmaster about something. The schoolmaster is nearer to them socially than the chaplain, and they can say things they cannot say to the chaplain, and one gets to know a great deal through the schoolmaster about prisoners. I think he should not be crippled in his capacity at all, and if you are going to give a man the position of a schoolmaster you should place sufficient confidence in him to allow him a discretion as to what he shall say to the prisoner.

3048. How does the schoolmaster get to see a prisoner. Is it where the prisoner asks to be taught?—Only when we certify that the prisoner shall be taught. Supposing a man comes in for four months, I examine him to see whether he can read and write and sum. If I do not think he can read and write and sum sufficiently I say, "You had better be taught by the schoolmaster;" and if he is under 40 he is taught; but if we do not say that he is to be taught the schoolmaster has no right to go near him at all, except for the distribution of books.

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3049. Is it open to a prisoner to ask to receive instruction after he has passed under your supervision?—It is open to him to ask to receive it, but if he is a good-enough scholar, that is, if he can read and write, and sum perfectly well; if he can read a book and write a letter to his friends, then there is no necessity that he should receive any more instruction. In fact, our schoolmasters could not give it them.

3050. Do you think it would be better that the prisoner should be allowed to see the schoolmaster than see the chief warder?—I think, in many cases, it would be very much better; but at present a prisoner cannot make an application to see the schoolmaster.

3051. The schoolmaster is a discipline officer?—Yes, he is a discipline officer now. He never used to be. In the local prisons, at Wakefield for instance, he was a most useful man in the prisons under the local authorities, because he was not a discipline officer. He went about in the same clothes as people outside, and the prisoner did not look upon him as a discipline officer, and therefore treated him with a certain amount of confidence, and he was able to exercise his influence on the prisoner, but now we have reduced our prison schoolmasters to mere discipline officers. We make them sleep in at night just as if they were warders, and we keep them on for as long hours as if they were warders. I consider the position of a schoolmaster now, in a local prison, is most unsatisfactory.

3052. Would you propose that they should not wear a uniform?—I do, and I propose that they should not be discipline officers at all, but they should be what they are—schoolmasters. It is difficult to combine disciplinary with educational functions.

3053. If what you suggest is carried out, would not there be some harmful competition taking place between the chaplain and the schoolmaster?—I do not think so. Everything in the end, of course, comes to common sense, and if people will not work a system with common sense it will not work, but I do not see why there should be any competition between the two, and I should think the chaplain ought to be only too glad to get the assistance of somebody else.

3054. Did this alteration in the status of the schoolmaster take place in consequence of the transference by the Act of 1877?—Yes.

3055. When did it first take place?—I do not know.

3056. Was it before you came into the service?—I do not remember. The old staff of schoolmasters was still in existence for some time after the transfer.

3057. (*Sir J. E. Dorington.*) As the new schoolmasters come in, they come in as warders?—Yes.

3058. But the old schoolmasters retain their status?—Yes.

3059. (*Chairman.*) Still do they not wear uniform?—No, they do not.

3060. Have you any at Wandsworth?—No, ours are schoolmaster warders, as they call them.

3061. You have none of the old ones?—No.

3062. Coming to visits to prisoners by outside agencies, have you any recommendation to make?—I think women attached to Prisoners' Aid Societies when approved by the Home Office, should be allowed at certain hours, and under certain defined conditions to visit female offenders, and I also would recommend that they should be allowed to visit boys under 16, when they are prepared to provide the boy with occupation on release. I should not allow them to come in merely to talk, and I should not allow them to come to visit adult male prisoners.

3063. You are speaking of women visitors?—Yes.

3064. Do you approve of the existing system with regard to Prisoners' Aid Societies?—Of what system?

3065. Well, it seems to vary a good deal, but the general idea seems to be that the Society attached to the prison has special facilities for seeing prisoners before discharge?—Yes, that is quite true.

3066. Do you think that the present system works well?—I think it works satisfactorily so far as that is concerned. Our method at Wandsworth is this: the Visiting Magistrates come round and they see anybody who chooses to make an application to see them, and then they consider his case and if they think his case a deserving one they decide how much aid he shall receive, and the agent of the society sees the prisoner and the following morning, on his discharge, sometimes he sees him in the prison itself and then gives the aid.

3067. Then when you say the Visiting Justices decide how much aid he shall receive, what does that mean?—Well, it means whether he shall receive clothes, or whether he shall receive tools, or whether he shall receive lodging money.

3068. By what authority do they say what he shall receive or what he shall not receive after he leaves the prison?—Well, they say it on their authority. They get the funds.

3069. What I am driving at is this: representations have been made to the Home Office by different societies asking for greater facilities for access to the prisoners and they say that for one reason or another they are kept away from the prisoners. They are anxious, more especially with regard to individual cases, to help the men, but under the present system they say they cannot get at them and that the access is monopolised by certain societies who are rather jealously inclined to exclude the co-operation of other societies?—There may be something in that.

3070. Do you see any objection to allowing a prisoner, if he likes, to see a list of all the societies and the names of the societies' agents that are willing to help prisoners, and to his making a selection of a particular society which he wishes to be helped by; and then allow the agent of that society to see the prisoner before discharge?—Well, that proposition is new to me. I should not like to give a definite answer on it just at once; because you might have a prisoner taking a mental note of all the societies and going round to all the societies afterwards and getting assistance from all the societies.

3071. But surely a Prisoners' Aid Society ought to be on its guard against that practice?—Yes, they ought to be, but I do not know that they are. I quite agree with you that it would be a very good thing if we could get as many Prisoners' Aid Societies to help us as possible. The more Prisoners' Aid Societies we can get to help us the better I shall be pleased, but it must be done with discretion, and it must be done so as not to turn the prisoner into a mendicant when he goes out. I do not know that I should hang up a copy of all the societies in the cell.

3072. I did not mean that, but suggested that a notice might be put in his cell that if he applied for such a list he could see it?—Yes, there would be no harm in that, but the danger is that we should be turning these prisoners into beggars who would be going to all the societies asking this society for assistance, and that society for assistance, and so on, and really abusing the privileges of the societies.

3073. With regard to prison offences?—My duties in connection with prison offences consist in visiting offenders who have been convicted of those offences by the Governor. I think that numbers of these offences are produced by the nature of prison life itself. I think the solitude and monotony of the cell often makes a man commit offences. He gets perfectly mad sometimes in a cell, and he has an outbreak without any reason whatsoever. Women have more than men. Women have simply a time when they break out, and you cannot tell why. Then I think degrading prison labour produces it too.

3074. You find more offences in local prisons than in convict prisons?—Yes, very many more. About three times as many as in convict prisons.

3075. Will you hand in a table on that?—Yes (*the table was handed in, see Appendix VI.*). There is a very much larger per-centage in the local prisons than in the convict prisons owing to the system of regulations. Our regulations in the local prison system produced three times as many offences in proportion

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to the daily average of population as you will see by that return.

3076. With regard to these returns which you have handed in, are they compiled from official figures?—Yes, you will find them in the last two Blue Books.

3077. They are taken out of the Blue Books?—Yes, they are taken out of the Directors' reports and the Commissioners' reports.

3078. Then to go on with the conditions which produce prison offences?—Well, I think that prisoners often get ill in the prison and they get miserable, and they break windows or do something, and they get into trouble in that way. Then the prison officers cause offences too, no doubt. Many prison officers are not very discreet or very sensible people. They do not understand prisoners frequently at all, and the result is that the prisoners gets into trouble. The officers charges him with being insolent, and the Governor sentences the prisoner to so much punishment; and I am sure that the outbreak at Wormwood Scrubs that arose two years ago or so, arose to a very large extent from the indiscreet way in which the prison was handled at that time. The officers were too young to begin with.

3079. You were not at Wormwood Scrubs?—No, I was not, but I know well about it, because Captain Schuyler was there, and from what I know, I believe we had some of the men who were at Wormwood Scrubs.

3080. Well Captain Schuyler will be here on Friday so that we can follow that up then?—One man who came to us had received what I conceived to be an inhuman amount of punishment.

3081. In consequence of what?—In consequence of bad management of the prison, I think. I think it arose because they had too many young officers there.

3082. I want to understand you. You say the prisoners who came to you at Wandsworth from Wormwood Scrubs had received inhuman punishment?—I think undue punishment.

3083. What punishment do you allude to?—I allude to flogging.

3084. At Wandsworth?—No; I allude to Wormwood Scrubs.

3085. These prisoners told you so themselves?—No. It is on their records. It is not their putting down at all. If you will call for the official record of a prisoner called J. E. you will see it.

3086. These official records come to you at Wandsworth?—Yes. There was an outbreak at the Wormwood Scrubs, and these men had to be dispersed all over England to quiet it, and some of them came down to us. This was about two years ago. I was away when they came down, but as soon as I returned I went to see these men, and I went into the cell of one man named J. E. I found him in a sort of collapse. I went to the doctor and the doctor took him and put him in a cell, and he had to remain, I think, under medical treatment for the whole of the remainder of his sentence, and if you look at the record you will see that there was too much punishment inflicted on the man. I do not say there was any but good intention, or that it was not done with the best of motives, but I say it was indiscreetly done. There was too much punishment.

3087. On the record which came under your notice, was it flogging?—Flogging, cells, bread and water, and all sorts of punishment. The man wrote a most pathetic letter to his friends which was not allowed to go out, because it was making observations on his treatment.

3088. These punishments being inflicted before the breaking out?—Yes, and I believe it was in consequence of those severe punishments that that breaking out took place. I do not believe it would have taken place at all if there had not been such severity exercised.

3089. And you think it is possible to remove some of those conditions?—I do, by a proper staff of officers. I do not think if you take a number of young fellows and put them in charge of old prisoners it is very effective. If you take a boy of 25 and put him in charge of prisoners of 40 or 50 who have been in prison before, and who know more about prison life than the boy himself, you would get the whole prison in an uproar. As far as the men who came to us, that man in particular, I think the punishment which was inflicted on him was what ought not to be inflicted on any man.

3090. The record would not state the cause of the punishment?—Yes, it states the cause why the man was punished and the punishment he received.

3091. But the record which you saw?—Yes, the amount of punishment he received, and the way the punishment was given is on the record. A prisoner has always a record, and this record states the prisoner's name, his sentence, and particulars about him, and also the punishment that he receives, and the reasons why he receives this punishment.

3092. (*Sir J. E. Dorington.*) And when he was transferred a copy of this record was furnished to Wandsworth Prison?—Yes; the man never got into trouble with us at all, he was a most peaceable man.

3093. (*Chairman.*) How long was he with you?—Six or seven months.

3094. Have you any other individual cases?—There were very few cases that came to us. I think most of them went out very soon afterwards, but I think that the records of all those prisoners that were transferred from that prison at that time ought to be called for.

3095. (*Sir J. E. Dorington.*) Who were transferred to other places?—Yes.

3096. (*Chairman.*) Now with regard to your recommendations?—Well, I would recommend that in the first place if you have more workshop labour you will have far less punishment arising than with cellular imprisonment. In the second place I would abolish penal labour, such as the crank, except as a punishment and the offences under this head will disappear. In the fourth place I would only admit half the prison population to chapel at a time so as to prevent the punishment which arises from talking in chapel. In the fifth place I think first-class prison food often makes men miserable and causes them to commit offences. I think the prison food should be made better. In the sixth place I think you should instruct all your prison officers as to the character of the prison population and the severities of prison discipline in its normal form. It is only a knowledge of prison character and the effect of discipline upon the prisoner which enable you to get good management.

3097. With regard to that, what do you say about the diet? Do you say that this low diet injures the prisoner physically?—I think it destroys his self-restraint. He has at the best of times not very much restraining power over himself, but if you give him very little food he seems to have no restraint at all. Then I say, "do not give your officers too long hours." I say the hours put down on paper are mere paper hours; they are not the hours the officers work which are put down in the blue book. The officers are on duty about an hour longer I should say on the whole than is put down on paper. Then many of the prison officers are discontented. As I said before, the local prison officers think they are overlooked in favour of the convict prison officers because they are not known by the Prison Commissioners. Then another proposition I would make is, to abolish the power of the Prison Directors to inflict corporal punishment. I would certainly do that. What is done now? Gentlemen are appointed who have no experience at all of prisons. These gentlemen are given the power of inflicting a punishment on the prisoner which is refused to the highest judges of the land except in one or two special circumstances. If the offence which a prisoner is often flogged for was to take place outside he would be punished with a paltry fine by the magistrate in many cases. I do believe the Prison Directors are competent persons. I believe they are able men; but I do not believe they ought to have the power of

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flogging, because some of them have had no experience of prisoners at all. It is like taking me and putting me in command of a man-of-war; I may have any amount of ability, but I could not direct it.

3098. One witness has suggested to the Committee that, with regard to women, hand-cuffing should be substituted as a punishment for a penal diet?—Well, I do not like mechanical restraints at all if they can be helped; but it is a thing to think out. It is really a matter that the Committee would be able to form as good a judgment upon as I should be.

3099. You have had women prisoners under your charge?—Yes, I have.

3100. But you do not like to approve that suggestion?—I really do not like putting women under mechanical restraint.

3101. Would you be in favour of allowing long sentence local prisoners to have the power of earning remission?—It is a question I have often thought of. I do not see why one should object to it. If a convict prisoner is to be allowed to earn a remission I really do not see why the local prisoner should not. It is just possible it might have a good effect in the way of diminishing prison offences, because it would hold out the hope to a man that he would get out all the sooner if he would keep free from punishment.

3102. Now with regard to juvenile offenders. Of course under the present rules juvenile offenders must be under 16?—Yes.

3103. I should like to ask whether you think imprisonment has less of a deterrent effect on juveniles than it has on older men?—Well, I do not know that there is very much to be said for the one or the other.

3104. I will put it another way. They mind it less during the time it lasts?—No, they do not mind it very much. They do not understand it. They do not see the meaning of it or the effect it will have upon them in the future. They do not realise it much. They are immature and they do not realise it. The existing regulations as to juveniles are that a juvenile has a mattress under 16. He has the diet of a female prisoner; he has second-class labour; he has school for one hour daily; notification is sent to his friends of the date of his discharge with a request that they will be at the prison gate to meet him; and if he is under 14 the Home Secretary is apprised of the fact. Now in Belgium the Minister of Justice is always apprised of the imprisonment of all juveniles under 16, and all those cases he orders to be removed from the prison and placed in a *quartier de discipline*, a reformatory school.

3105. I think the Home Secretary here is only notified of those under 14?—That is all. I would recommend the abolition of imprisonment for children under 14. I think on this point our penal law should be brought into line with industrial legislation. The Factories and Workshops Act says "the expression 'child' means a person under the age of 14." Then I think that young children under 14 should be dealt with if the home was a bad home by sending him to an educational institute of some kind for his own good. If he has not exhibited a serious degree of depravity, finding a surety to come up for judgment if called upon might be resorted to; but if he exhibits a serious degree of depravity I would send him to some home, even if he has a good mother. The report, I think, should be more explicit than at present, and should go to the age of 16. It is impossible for the Home Secretary with the present reports to say what to do with the child. There is a report which is sent to the Home Secretary as to a child under 14, but it does not enable the Home Secretary to judge what sort of case it is.

3106. Of course the Home Secretary does not act upon that, but he would refer it to the authorities?—It would not be for action at all, but simply for his information. Then as to the young prisoners between 16 and 21, I do not think it is realised at all what a high per-centage of the general population between 16 and 21 come into our prisons. That arises from the way in which our figures are drawn up. It is only for five years, from 16 to 21.

3107. We have asked the Prison Commissioners to give us full information about that?—It is from 21 to 30, and from 31 to 40 in the case of other offenders, so that the proportion to the population of other offenders is much greater than it appears. For instance, 13·36 per 1,000 of young offenders between 16 and 21 are annually committed to prison; between 21 and 30 the per-centage is just the same, it being 13·88. So that you have as large a per-centage of young people between 16 and 21 committed to prison in proportion to the numbers of the population as you have of grown men between 21 and 30. That is a fact the statistics do not bring out at all, and they should be altered so as to bring it out. Here is a return dealing with that point, and it should be altered so as to bring that out. (*The return was handed in. See Appendix III.*) Now I should like to give you another return showing you the parentage and social condition of 100 male prisoners who on their last birthday were 16, 17, and 18 in Wandsworth Prison between the 14th and 20th of June. 54 per cent. of these young people were living at home; 46 per cent. were in lodgings; 32 per cent. had one or both parents dead. (*The return was handed in. See Appendix III.*)

3108. (*Mr. O'Connor.*) What does "at home" mean?—Living either with parents or with relatives of some kind or another. Then as to the occupations of these: 77 per cent. were at unskilled labour, 23 per cent. were at skilled labour. I may remark that the lower down you go in the scale of labour the higher up you get in the ranks of crime, and that comes out by looking at the general returns dealing with the population as a whole. For instance, general labourers form 64 per cent. of the prison population. They only form about 16 per. cent. of the general population, and you will find exactly the same thing here with regard to these young people. They form 77 per cent. of the unskilled labour. Then if you take the height of these children you will find that it is distinctly inferior to the height of the general population. In fact, 92 per cent. of the children of 16 and over were below the height of the general population. 94 per cent. between 16 and 17 were below the height of the general population. 89 per cent. of the age of 18 were below the height of the general population. It is the same with weight. But that I think will give you an idea as to the physical and social condition of young offenders who come into our prisons between 16 and 19. (*The document was handed in. See Appendix III.*) Then a very large number of those that have parents have bad ones, because as a matter of fact we have 86,000 cases of parents who are tried every year for not sending their children to school.

3109. These are included in the cases described as "at home"?—The 86 000 cases are. This is a different point altogether. The 86,000 cases tried before the school board of course would be "at home" cases. There is another return I was going to give you. If you look at the Reformatory and Industrial Schools Return you will find exactly the same state of things as in that return I have just handed in; those who are at home, and those who are not at home. This return that I have here shows the per-centage of labourers in the general population, and also the per centage of labourers in the prison population. (*The document was handed in. See Appendix III.*) Then I have here a return dealing with the question of juvenile crime per 100,000 of the population, showing where most juvenile crime arises in the country, and you will see that it arises generally where there is the greatest density of population. (*The document was handed in. See Appendix III.*

3110. Are these returns all taken from the Blue Book?—Yes, every one of them.

3111. You could append a reference to them?—Yes, I can give plenty of references to Blue Books, and everything. I may put in these returns now.

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3112. If you please?—This is a return showing the relation between pauperism and crime. Where there is most pauperism there is least crime. (*The return was handed in. See Appendix III.*) Here is a return showing the relation between illegitimacy and pauperism both running together, showing that illegitimacy is not a serious factor in juvenile crime, because it occurs in the country. (*The return was handed in. See Appendix III.*) Here is a return showing the relation between density of population and crime, there being most crime as a rule where population is most dense. (*The return was handed in. See Appendix III.*)

3113. Even in proportion to population?—Yes, always where the population is most dense there is most crime. I hand in these returns to show the juvenile offender is the product of bad parental, economic, and social conditions, and I say the aim in the case of these juveniles should be to remove these adverse conditions where they are removeable, and in no circumstances to aggravate them, as we do now, by imprisonment, and with a view to doing so I recommend in the first place that these juveniles between 16 and 18 anyhow, or, if you like, between 16 and 21, should be in special establishments where the juveniles are sufficiently numerous, and in special divisions of the prison where they are not numerous. The article of the German penal code is to that effect, and I think you wanted me to give you that. It is at page 152 of the book I have where you will find the article of the German penal code. It is article 57.

3114. (*Chairman.*) We had better get a translation of it?—Yes, I will give you the translation. That is a book which might be useful to the Committee. This is my second recommendation. When placed in special establishments these institutions should be administered more on the reformatory than on prison principles.

3115. Will you translate it, so that we may have it on the notes?—Yes. "Imprisonment is to take place "in definite establishments or in definite divisions of "a prison in the case of young offenders." That is the translation. It is a free translation, but that is the point of it.

3116. Then with regard to these special establishments?—"It is to be regarded as an essential part of "the treatment of juveniles under 18 in these esta- "blishments," says the German prison code, "that "they shall be employed at occupations which shall "serve for their advancement on discharge." That is at page 153.

3117. I think you said that they should be administered more on reformatory than on prison lines?—Yes, they should be, "and the character of the "officers placed in charge of juveniles is of the "utmost importance." This is again from the German code. This is what the Prussian Standing Order says, "Whilst exercising strict supervision "over the young prisoner these officers shall regard "it as their special duty to awaken his better nature." Our prison officers, of course, are not allowed to speak to the boys. Then, Industrial occupation for juveniles shall be non-cellular. Cell life aggravates the morbid physical and mental conditions of a boy, and provokes them when they do not exist. At the present moment juvenile prisoners have more cell life than adult prisoners have in our prisons, because they are not fitted for service in the prison so that they have the worst time of it of all. They are kept more in the cells than anybody else. As a large per-centage of juvenile offenders are physically below the average, the prison scale of diet must be drawn up so as not to render them unfit for industrial life on discharge. Some of those children are not really fit to go to work to begin with. They are weak when they come in, and they are weaker when they go out, and I am never surprised to find them back again. On discharge juvenile offenders in large cities should be found occupation in country districts, for this reason, that they will be removed from temptation, if they can be kept in the country. "Up "to what age should a young prisoner be considered "a juvenile?" That is a point as to which I myself have not yet come to a definite opinion about. It is 16 in England at present; it is 18 in Germany; and in the new German Code perhaps it will be 21.

3118. In what state is that code?—It has been before the Reichstag but it has not yet passed. It was introduced by the Government. There is a strong opinion in favour of it in Germany; but they cannot get it through. The Factory Acts define a juvenile as a young person under the age of 18. In Lord Herschell's Act it is 21. That is the Betting Act. Age is a question I should not like to decide upon.

3119. Do you agree that there are many cases of habitual offenders between 17 and 21 who are as bad as any prisoners in confinement?—Do you mean that the offences they commit are as bad?

3120. That it is as difficult to reclaim them?—No, I do not. I think that they are all in a state of immaturity. All these children are in a more immature state than the children of the well-to-do in proportion to their age.

3121. You are speaking of persons up to 21?—Yes, they almost cease to grow when they reach the age of 16. You will see by that return the state of growth from 16 to 18. The growth is almost nil, whereas in the general population there is considerable growth after 16. If you look at Dr. Francis Warner's return as to industrial schools you will see he comes exactly to the same conclusion as I have done with regard to that (*the document was handed in. See Appendix III.*) The average for all schools is there. There is the per-centage of certified schools and there is the average for all schools. You will see there is a greater state of deficiency amongst industrial school children.

3122. What is that out of?—That was read before the Statistical Society by Dr. Warner.

3123. Would you propose to send these young criminal to a place in the nature of a reformatory?—I would.

3124. Would you send them to the existing reformatories?—Some of them I would. Many of those between 16 and 18 I would send to a reformatory. They are distinctly cases for a reformatory. Take a child now who comes into Wandsworth. He has got in the first place no home; in the second place he has got no occupation; in the third place he has no where to go when he gets out. What happens to him? He goes back into exactly the same condition of life that produced the offence, and therefore the offence is repeated. He goes on repeating the offence; he becomes an habitual criminal and goes away to penal servitude; that is how it is

3125. You think that sufficient discretion is not allowed under the present system by the rules to prison officials?—I do not think it is. I think if you are going to have prison officials put into positions of great responsibility you should in the first place see that they are competent men, and after you have found them to be competent men you should trust them.

3126. You think it is too centralised?—I think it is distinctly too centralised.

3127. I suppose it has always been open to prison officials to make representations to the Commissioners?—They can make representations. This is another return I should like to put in with regard to children eventually sent to reformatory schools who have been previously in voluntary schools.

The proceedings were adjourned until Friday, August 3rd, at 11 o'clock

SEVENTH DAY.

Home Office, Whitehall.

Friday, 3rd August 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
RICHARD BURDON HALDANE, Esq., Q.C., M.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., *Secretary*.

Captain SCHUYLER recalled and further examined.

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3128. (*Chairman.*) In connexion with prison offences, what is the practice at Wandsworth in obtaining evidence from the prisoners?—In the first place, a prisoner will come up and say "If you will "send for so-and-so, he will be able to state such- "and-such a fact." The governor invariably sends for that prisoner or the two in connexion with the case. We have an office, and they are kept outside and come in one at a time. He hears what the prisoner has to say about what he is being charged with, and then he asks the other prisoner if he was present, if he heard anything about it, and if he can give any evidence; he takes that evidence and weighs it for or against the prisoner.

3129. Is a prisoner against whom an offence is alleged allowed to call evidence from other prisoners?—Yes, as a rule he is.

3130. Then supposing a warder brings a charge against a prisoner for some breach of discipline or an assault, or any prison offence, would that prisoner be allowed to call other prisoners to give evidence on his behalf?—Yes, I think he would. In fact, it has been done at Wandsworth, I know.

3131. Practically then, in those cases you would call evidence, or rather you would receive evidence much as a magistrate would receive it in a court of law?—Quite so; and invariably in the case of officers. If a prisoner says that so-and-so was there he always does call him.

3132. Now with regard to prison labour, are you in favour of the unproductive crank system?—No, I am not. I have a gradation scheme here that I would show how I divide the labour if you would allow me to do so.

3133. Yes, perhaps you would go through it?—Yes, I will. I would divide the labour under four heads or classes from the lowest or degrading to the higher skilled remunerative or useful labour. The first would be non-productive. That is the cranks in cells of which we have 100 in Wandsworth. Under this head I would also class oakum picking as it can hardly be called remunerative, there being really no profit attached to it. It is only carried on to give employment to prisoners for whom no other work can be found under present arrangements, and although, perhaps, not degrading it is very little better. The second would be unskilled labour, such as cleaning, labouring, jobbing, cranks used for grinding wheat, and pumps, pumping water, cooks, whitewashers, gardeners, laundrymen, repairing sundry utensils, wood-chopping, and stoking. That is the second-class. Then the third-class would be skilled labour in simple industries such as mail bags, knitting, hammocks, repairing and making coal sacks, and so on. The fourth-class would be skilled labour in *bonâ fide* industries such as shoemaking, tailoring, brushmaking, waterproofs, bricklayers, carpenters, smiths, basket makers, painters, glaziers, &c. Those are the four heads I wished to class them under. Then I would abolish the unproductive crank labour, and would only keep sufficient oakum to employ very short sentence prisoners such as seven days or under, who could not in the time take up even unskilled labour, and for those prisoners who from some infirmity would be unable to do anything else, and are not tasked; and boys who at present only pick oakum; but, in passing, I advocate that they should be allowed to do simple industries. Then I would like to speak about the substitute for these labours (such as by the abolition of the cell cranks, and the majority of oakum picking), by which a large number of prisoners would have to have work found for them. I would suggest that prisoners of over seven days should be put to one of the classes tabulated as 2, 3, and 4. During the time the prisoners were not on the crank, that is the pumping water and the mills, they could be supplied with simple industries in their cells in lieu of oakum picking which is now done.

3134. Are you of opinion that the unproductive crank has a bad effect upon the prisoners?—Yes.

3135. Do they complain to you about it?—Well, not directly; but what to my mind proves it in one way is that we have a number of offences for idleness on the cranks.

3136. When you say that, do you mean the unproductive crank?—The unproductive crank in the cells as distinguished from the pumps and mills.

3137. How do you account for that?—Well, they are simply grinding away, and they have to do 8,000 turns in their cell knowing perfectly well that they are doing no good for the country or for anybody, and it is distasteful to them, I suppose, because they know that.

3138. I suppose the advantage of the crank is that there is no danger in it because it can be perfectly adjusted?—There is no danger whatever in it. They do tamper with it I know, but they can always be found out.

3139. Then the number of offences in connexion with the crank is very material—I mean the offences in connexion with the cell cranks and mills and pumps?—Yes, it is.

3140. Could you give us any figures demonstrating that?—I have left a Return behind me. I drew it out to show the number of offences on the cranks and on the pumps and mills for three months.

3141. Will you let us have it?—I will. I have drawn out the offences in the prison for three months showing all the different offences committed, and showing the number of cranks in cells and in the

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pumps and mills, and also offences in chapel, talking at exercise, &c.

3142. That will be a very useful return, so perhaps you will send it to us?—I think it is only for May, June, and July. It is only for the last three months. (*For this Return see Appendix VI.*)

3143. Have you anything to say as to the prison regulations as to the maximum and minimum hours of hard labour?—Our maximum is eight hours, and it runs from six to eight. I think myself that the hours are right.

3144. Does that mean that a man would work for eight hours at a corn mill, say?—No; perhaps he would be on before breakfast at the pumps. Then he would take his turn during the morning down at the mills in grinding corn, and then he might be again on the pumps in the afternoon; but as a matter of fact they do not do more than six hours.

3145. That is to say six hours absolutely turning the crank?—Absolutely turning it. Of course they have other work when they get to their cell, such as picking oakum, but they do not really do more than six hours roughly speaking.

3146. Would you like to add to the appliances for training prisoners in various industries?—Yes, I would very much, and the only way it could be done would be this. Of course for the first month the prisoners have to be employed in their own cells, and after that period we draft them out as vacancies occur into these shops. For the first month I would employ all prisoners in their own cells, and after that period I would draft them as vacancies occur into the shops. I have two reasons for that. One is to eliminate all the short sentence prisoners from the workshops, who during the time they are in prison could not be taught *bonâ fide* industries, and it would prevent these short sentence prisoners of one month getting with the old prisoners, and telling them what is going on outside in the world, which is no doubt what they would do. I would not advocate the first month prisoners being let out of their cells into the shops.

3147. Do you find amongst any considerable number of prisoners any dislike of the association in industries?—*None at all. They are all eager for it.*

3148. That is your experience, that they are all of them eager for it?—Yes, but they have a great distaste for picking oakum and also for the crank and wheels, I have been told that in the prison.

3149. We have had the evidence of one Governor to the effect that a great many prisoners are in such a position that they have the strongest dislike to meeting other prisoners, whether in chapel or in connexion with prison labour or under any circumstances at all, but that is not your experience?—I have not heard that. I have never heard it expressed myself in Wandsworth.

3150. You think that the effect on the prisoners is distinctly good?—I think it is decidedly good.

3151. Are you of opinion that the rules with regard to talking are too rigid now?—Well, of course there is a great deal of talking going on, particularly in chapel, and there is only one way of stopping that, that I can see, and that is by not allowing them all to go at one time. They are so packed together in chapel that unless they were allowed to go half one day and half another, talking takes place. Chapel is the great place for talking. There is no doubt about that, and there is also talking at exercise to a certain extent.

3152. Do you think it is a good thing to adopt the policy of enforcing silence the whole of the day and on all occasions amongst prisoners?—I think it is on the whole. I do not think it would do in a large prison to allow them to talk, because there is no doubt they do talk. That you cannot help.

3153. One objection that has been given to us against extending the practice of associated labour is that the prisoners have opportunities of talking when they are working in these shops?—Well, I do not think that they do to a great extent. I go round to the shops and I see them there under the officers being instructed. Some are taught in rows, and some of them are in boxes.

3154. At any rate do you think the advantages of this associated labour more than compensate for any dangers arising from talking?—Decidedly, I think so. Besides it is good for the prisoner. The idea is that when a prisoner comes in you should do everything you can to look after his life in the future, and that you should do what you can to teach him anything to set him on his legs again when he goes out That is what I should like to see.

3155. Do you find there is much surreptitious work in cells?—No, I do not think it could be carried out at all in any well-conducted prison. I do not quite know what you mean by "surreptitious work."

3156. I mean when a prisoner gets hold of a bit of paper and sketches on it; or when he gets hold of some bit of metal or wood and manages to work it?—And passes it out?

3157. To pass his time in the cell?—Well, I cannot say in my time that we have had one single case of that kind. We have had cases where they have got hold of pieces of paper and written a letter to go out which has been invariably stopped, but I have never yet heard of a case of their making things in the cell in our prison. I do not think it could be managed there, because the officers go round at different hours, and their cells are searched.

3158. You are of opinion, I suppose, that it is a very unfortunate thing that the manufacture of mats and other industries was withdrawn from prisons?—I am. I know it has been expressed by the prisoners at Wandsworth that they were very sorry when mat-making was done away with.

3159. In fact, there is only one opinion on that amongst all who are connected with prisons?—I think so, decidedly.

3160. Are you satisfied with the present arrangements as regards the distribution of books?—Yes, I think it works very well, but I am rather inclined to think I would allow prisoners to have books, say, after they have been a week in prison. It would not add very much to the labour, and I do not see why a prisoner should not have a book to read in his leisure hours. He has not got much leisure.

3161. You see no objection to allowing them to read as much as they can, provided it does not interfere with the prison regulations?—No, I see no objection whatever.

3162. Have you any view to express to the Committee about plank beds?—Yes, I would give every prisoner a mattress, and not adopt the system that we have now of only giving them mattresses after a time. A prisoner at the present moment in the first stage gets no mattress at all, and then in the second stage he only has it five nights a week; in the third stage, six; and in the fourth, seven. I would urge that every prisoner should have a mattress, and allow the Governor the discretion to withdraw that mattress if he misbehaved himself.

3163. Is it your opinion that the plank bed is deleterious?—Well, in this way, that a prisoner comes in perhaps for his first offence: he is put on first class diet, he has to do his six or eight hours on the crank, or whatever it may be; he is hard-worked all day, and when he gets to bed at night he has nothing to lie upon except a hard plank. It seems to me that the hardship is quite enough without depriving him of a mattress.

3164. Now, with regard to diet?—I would allow all prisoners of over seven days to commence on the second class diet, because at present a prisoner coming in for seven days is really only in for five days. He comes in late on the first day. He then has a special diet, a pint of porridge and a loaf of bread, and he goes out early on the seventh day; so that he is only practically in for five days, and I would not touch him at all; but it is hard on the prisoner who come in for longer sentences, because he would get seven days on 1st class diet if he comes in for a month; and then he goes on to the second class diet, which is not very much better; and I do not believe in lowering the prisoner It is bad enough in prison with the hard labour and everything else without making his diet so low when he first comes in.

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3165. Do you think it has a bad physical and moral effect?—I think so. They come in and at once get very low diet. I think it could be easily worked to give them second class diet from the beginning. It would be no trouble whatever.

3166. Should you be in favour of any form of punishment, such as the use of fetters or hand-cuffs?—No, not at all. We have to do it occasionally, but only in case of violence.

3167. A proposal was made that handcuffs as a punishment should be substituted for the dietary punishment. You would not approve of that?—No, I would not approve of that.

3168. Would you be in favour of allowing prisoners in local prisons to earn a remission of part of their sentences, as they are able to do in convict prisons?—By good behaviour?

3169. Yes?—Yes, I do not see why it should not be so at all.

3170. But you could not apply that, could you, to short sentence prisoners?—No, I do not think you could do it for short, but you might for long sentences.

3171. Where would you draw the line?—Well, anything over six months I think would be the margin for it.

3172. Do you think the prison system as it exists is too rigid? I gather that in some respects you do?—I do to a certain extent. Do you mean with reference to the powers of officers; and whom?

3173. Of the prison authorities?—I think the Governors should have more power given them, so that they have not to make so many references to the Commissioners. There are lots of cases come up that can be dealt with by the Governor on the spot, who has a far better knowledge of what is going on; but these have now to be referred to the Commissioners.

3174. You have a great number of different classes of prisoners, men of different positions in society and different ages, differing in regard to physical strength: do you think that the prison discipline, as it exists at present, works equally and fairly with regard to all these different classes of prisoners?—No, I do not. I think that I should like to see, if it could be done, first offenders who come into prison put on a different footing. I would like to see the first offenders put in one part of the prison and not put on the cranks and mills and pumps, if you can prove that they are first offenders, but of course I am aware of the great difficulty there is in finding out the first offenders. If that could be worked out I think it would be a good system.

3175. Then would you have any differential system in regard to young prisoners say up to the age of 21 years?—I should not like to give an opinion on it without consideration. I have not gone sufficiently into it. It is a very intricate question.

3176. I suppose you will say that it is desirable to reclaim as many young prisoners as you can?—Certainly, I should.

3177. And having regard to the effect, especially in after life, of the imprisonment on young offenders, it would be desirable, if possible, to save them from that slur which follows imprisonment?—Certainly it would.

3178. In your experience do you think that you have many young prisoners who are as irreclaimable as older individuals?—No.

3179. Or do you think that it is possible there is a fair chance of reclaiming nearly all young prisoners?—I think there is, decidedly so.

3180. Apart from young prisoners, would you approve of differential treatment between older prisoners who come from different states of society, bearing in mind the different effect which imprisonment has upon people who come in from different states of society?—Would I make any difference?

3181. Yes?—If it could be managed, but I do not see in a large prison how that is to be done very well.

3182. You think that in a prison it is necessary to go to a great extent by hard-and-fast rules?—I think you must in a large prison. I think it could be worked easy enough in a small prison.

3183. You do not think it would be possible to give to Governors the power of applying a different treatment, for instance, to educated persons?—I think it might be given to Governors, but I cannot say whether it would work.

3184. Take the case of a highly educated man who comes into prison for forgery or some other offence; do you think it is a rational plan to treat that man exactly as you would treat the ordinary run of prisoners?—Well, I am rather inclined to think it is, because that man has got into prison through his own fault, and I do not know why you should make any great difference, except he were a first offender.

3185. Still, is not it the fact that prison discipline and prison rules have been drawn up in direct regard to the average class of prisoners; that is to say that the average class of prisoners are men of comparatively low intellect, low education, and low attainments. Now, that being so, when you do get an educated man, is it altogether rational in treating him to bring him down to the level in prison of the ordinary run of them?—Well, I suppose it really is not, but I do not know how it could be worked to make the difference.

3186. From the point of view of the punitive effect of imprisonment, is not the mere fact of an educated, cultured man going to prison, to say the least, as heavy a punishment as it is in the other case; and even if he is treated in a different way and allowed books and so forth, is not that at least equivalent to the effect of imprisonment on the uneducated and more degraded kind of prisoner?—Yes, I think you are right there.

3187. (*Miss Orme.*) Have you found that the occupation of picking oakum is as unpopular as working a crank on the whole?—Yes, I think I have.

3188. You would put them on an equality as to aggravation?—Yes, I would. I said just now that I would in my evidence. I called it "degrading "labour."

3189. And the offences that are committed respecting the oakum picking are very numerous, are they not?—Yes, it is for idleness; they throw it out of the window.

3190. They put it in their ventilators?—Yes, they put it in their ventilators and throw it out of the window. They have said themselves—"It is no "good; it is degrading;" and they do not like doing it. "Put me on other labour," they say at once.

3191. And some of the men at Wandsworth are doing knitting, are they not?—Yes.

3192. What kind of prisoner would you give an occupation of that kind to?—I would give it to those prisoners that I am advocating should, for the first month, be taken off the crank, because any occupation of the simple labour class could be taught in a short time.

3193. When they leave the prison do you imagine they could earn a penny by that occupation?—I do not see why they should not if they are taught properly.

3194. Men?—Men.

3195. But you know, as a fact, it is not an industry which men do earn money by?—No; but you have picked out knitting, which is very little done, and I suppose there are very few in Wandsworth who do knitting.

3196. I want to know what sort of prisoner you would give such an occupation as that to. Is it only the old men who cannot do anything else?—Not hard labour men; men who are not sentenced to hard labour, the men whom as you say we do not want to give oakum to, and whom we cannot give anything else.

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3197. Really it is for the want of anything else?—Yes.

3198. You only take it as a last resource?—That is so.

3199. And as to the men who already know anything of an industry like mat-making would you try to give them work of that sort?—Yes, we are only too glad to do it, and I think a great many more might be doing that.

3200. Then supposing such a system were adopted as the chairman suggested of making a difference of treatment between different kinds of prisoners, do you think that that would become known in a prison through the sort of conversation that takes place?—Certainly it would.

3201. So that the mass of the prisoners who received the old treatment would know that a few had been picked out for special privileges?—I think they would know it. It would get about. There is nothing that goes on that does not get about somehow.

3202. (*Mr. De Rutzen.*) I only just want to ask you one or two questions. At Wandsworth you have some workshops?—Yes.

3203. And they are much too small for the employment of anything like the population in prison?—Certainly.

3204. Now, assuming that you had a greater number there you could only do it by an increase of the staff?—Certainly, and the shops.

3205. The shops in the first instance; and a very considerable increase in the staff afterwards?—Yes.

3206. For the supervision?—For the supervision. We could carry on a great deal more industry at the present moment. I know, for instance, at the present moment they want us in all the four London prisons to carry out making the mattresses and pillow slips for the army. It is a very large tender and they wish it to be done by us, but I do not see how it can be carried out unless we can take these prisoners off the oakum and the cranks and let the large majority of that work be done by the prisoners in their cells. They would be learning something then, and it is an easy industry which they could learn in a few hours.

3207. But the objection to the oakum-picking is rather imaginary, is it not? They do not like it?—And there are a lot of offences in connexion with it.

3208. But they see the result by the oakum being picked in pieces, whilst it is different with the crank?—It is not as bad as the crank, but it is next door to it.

3209. It is universally disliked?—Yes, and I do not see any object in it, because I should have thought the object was to teach the prisoner something.

3210. Is that ever used?—Yes, a lot do oakum picking the whole time. It is second class hard labour. It is done by a lot who cannot do anything else. Prisoners in their cells do oakum picking.

3211. If they cannot do anything else what would you give them to employ their time?—I would find out something. There is sewing of different sorts and there are some of the industries I put down under the No. 2 class.

3212. Then they could do it?—Occupation could be found for all these prisoners if we are allowed to extend the works of simple industries, as I call them, because we can get simple industries for the contractors and the Government, and carry it on. We could make coal sacks, for instance, and so on.

3213. But how often do the Visiting Committee pay you a visit?—They come twice a month: the second and fourth Mondays in the month.

3214. Do they make an appointment for the Governor or Deputy-Governor to meet them?—The Governor or Deputy-Governor always attends and hears of any reports or applications or complaints in the prison. Of course, one of the Visiting Committee also comes once a week, but he comes more in connexion with the "Surrey Aid Society." Their agent comes every day.

3215. And any complaints are made to them?—Any complaints are made to them by the prisoner.

3216. And if a prisoner prefers it, he makes it straight to head-quarters at once, does he not—I mean to the Commissioners or to the Home Office?—He generally makes it to the Inspector when he comes round, and the Inspector deals with it or refers it to the Commissioners.

3217. But have they got power to make their complaints straight to the Home Office?—I do not think the Governor would stop it. It must come through the Governor. If they came to the Governor and he said, "I wish to make a complaint," he would send their complaint on in writing with his remarks.

3218. Of course you see the prisoners when they come in?—On reception every day.

3219. And do you notice that a great many of them physically and mentally are of a low class?—Well, I should not like to give a decided opinion on that. It is more for the doctors: it is not for me to say: I might say what I thought and it might be contradicted by the doctor.

3220. You would not give an opinion on that?—No.

3221. (*Dr. Bridges.*) With regard to overcrowding, I understand what is meant by that is not overcrowding in the sense of insufficient breathing space?—No.

3222. But overcrowding in the sense of embarrassing the administration?—That is it, that there are not enough cells when there comes a pressure.

3223. Similarly in chapel, when you speak of the prisoners being crowded together in chapel, you do not mean that the atmosphere is vitiated by the numbers who are there?—Well, I should think it would be. That is a medical point I cannot very well speak about, but I mean to say we are so crowded that you have only got to sit as I do every morning of my life in chapel to see them all packed as tight together as can be.

3224. Apart from the medical question, have you found the atmosphere very oppressive at times?—Decidedly, particularly on Sunday afternoons in hot weather.

3225. I understand that you are in favour of keeping the existing No. 1 dietary for prisoners who are sentenced to anything under a week?—I am.

3226. With regard to people who have repeated short sentences of a week, have you many of those cases; I mean those who go out and come in again—The next day?

3227. The next day or very shortly after?—We have a fair number.

3228. Might it not be that with regard to those, they are kept on what is very nearly a continuous short diet?—That is a question that rests with the doctor. He has the power if a prisoner goes out one day and comes in the next to allow the sentence to run on if he thinks fit.

3229. Apart from the discretion of the doctor, there used to be a grievance in that respect?—He would have to put them on first class diet, as if they had never been in prison.

3230. And it is part of the doctor's business to check that?—Yes, there is an order upon him if a prisoner goes out and is arrested at the gate and comes in again, that he can use his discretion as to giving him better diet.

3231. You have spoken of the difficulty of finding suitable employment for various classes of prisoners. Have you ever considered the possibility of agricultural labour; I do not mean mere ornamental gardening, but hard digging labour for any class of your prisoners at Wandsworth?—No, because I do not see how it could be carried out at Wandsworth. They do a certain amount. They go out into the garden and dig the potatoes and all the different things we grow there; but we have no power, we have no means, and we have no place to teach them digging and all that sort of thing.

3232. Have you any land round the prison?—No, none at all. All the lands which belongs to Government is let out to the nursery people Neal. We have only the officers' quarters and a piece of recreation ground.

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3233. There is land adjacent to the prison, but which is now used for other purposes?—There is land belonging to the Government who let it out to Neal the nurseryman.

3234. With regard to those few people whom you do employ in your gardens for what class is that gardening labour used?—Chiefly for men who have got into the fourth stage, who have been some time in prison.

3235. It is privileged work?—Yes; it is for those prisoners for whom it is laid down that when they get into the fourth stage they should be given a post of trust in the prison. Of course that is very much sought after.

3236. Supposing the difficulty of land was got rid of, and supposing you had land at your disposal properly walled in, do you see your way to using agricultural labour to a somewhat larger extent, and for a somewhat severer form of labour than is at present the case?—Not under the existing arrangements, because it would necessitate a large increase of staff.

3237. It could not be done without a considerable increase of staff?—Decidedly it could not, and at great expense.

3238. Leaving the economic side for the moment out of view, would you see any physical advantage in employing an under-grown London prisoner at that kind of work?—I should think it would be a very good thing for him indeed.

3239. The Chairman has asked you a question about the differential treatment of the educated prisoner. You have said also that that differential treatment would speedily become known in a prison. Might it not be said that there was one treatment for the rich and another for the poor. Would not that be a criticism of outsiders. Would not outside public opinion take that form?—Yes, I think it might. It would be open to that certainly.

3240. Might it not be said also that the forger is the greater criminal because he has had the advantages of a good education, which the poorer prisoner has not had?—Yes, that might be said too, decidedly.

3241. With regard to the punishment of the plank bed, I understand that you are in favour of abolishing the plank bed in the first instance?—No, I did not say so.

3242. Then what did you say?—I said I would give them all mattresses on their plank beds.

3243. I perhaps did not express my meaning clearly, but you would place a mattress on the plank bed?—Decidedly, I would allow every prisoner to have a mattress.

3244. Would you be in favour of regarding the unmattressed plank bed as a form of prison punishment that might in some cases be used?—Yes, I gave that as an opinion just now. I said that I would allow the governor to use as a punishment the withdrawal of the mattress.

3245. I gather that you are in favour of first offenders being separated if the separation could be adequately performed?—Yes, if you could ascertain that they were first offenders. That is the difficulty.

3246. If they could be ascertained to be first offenders?—Yes, exactly.

3247. Have you paid attention to the discussion of the Bertillon system?—No, I have not. I would not like to speak about that.

3248. (*Mr. O'Connor.*) You say that the great object must be to set a man on his legs again when he goes out?—Yes.

3249. Do you think the average prisoner, after his plank bed, and his work, and his diet, is as a matter of fact sent out in a fair condition to earn his living? Is he on his legs in a proper way?—Has he also learned things in prison, do you mean?

3250. Yes, or is he in a physical condition to take part in the struggle for life?—I think on the whole, so far as physical condition goes, he does not increase in weight in prison. The idea is that he decreases.

3251. What is your objection to No. 1 diet?—I think when they first come in, the No. 1 diet to begin with is hard, and when they are getting on they go on the second class diet, which is very little better, and the work they have to do at first with the cranks and pumps is so hard, that it is likely to be detrimental to them; but as their time progresses in prison and they get on to the 4th class diet, and on to the industries, the diet does not effect them so much.

3252. I understand first class diet is given to all prisoners to begin with?—Yes, unless the doctor orders differently.

3253. The overwhelming majority of prisoners are short sentence prisoners?—Yes.

3254. The great majority, therefore, of prisoners would be on No. 1 diet for a month?—They would for the first week.

3255. Then when they go out, the majority of prisoners have been on No. 1 diet all the time?—No, they are on No. 1 diet for the first week. There is seven days for the first class diet. Then prisoners up to a month for the remainder of the time go on to second class diet.

3256. Do I understand that you propose to abolish No. 1?—Altogether for any prisoners over a week. I would not touch them under a week.

3257. Now with regard to the crank, supposing you had a horse in prison, could you put him to any more useless or unsatisfactory labour than you put these human beings to with a crank? What labour is there you could put a horse to, which is more unsatisfactory and useless than the crank to which you put the human beings?—None at all. I am dead against it.

3258. Do the men consider it inhuman to put them to this useless labour?—I cannot say they have ever said that, but I know they think that, as it produces no good, it is degrading to them.

3259. Has your experience led you to conclude that any actual inhumanity or even sense of inhumanity is calculated to do the prisoners any good?—I should say not.

3260. You are at Wandsworth now?—Yes.

3261. Were you ever at any other prison before?—I was at Wormwood Scrubs for three months.

3262. When?—In 1891. I think it was in September, October, and November. It was three months about that time.

3263. Do you remember clearly the condition of the prison when you went there?—Yes, I do.

3264. What was the condition of the exercise yards when you got there?—Well, they were under water in some cases at times when we had very heavy rains.

3265. And they could not be used, I suppose?—No, they could not at times.

3266. Did you make any representation about that? Yes, and I also represented a case about the condition of the corridors at Wormwood Scrubs.

3267. To whom did you make the representation?—To the Prison Commissioners.

3268. While you were there was anything done?—Yes. The drains were looked to now and again, and it stopped it to a certain extent, but not altogether.

3269. You were not there when there was an outbreak?—No. I went there directly after it had taken place. I was sent there suddenly from Wandsworth and asked to take charge, and I went.

3270. Was not there one later?—Yes, about 10 days after I left there was another.

3271. There was one before and one after?—Yes.

3272. There was none while you were there?—No.

3273. But there was one after you left?—Yes.

3274. In the case of Wandsworth, are the requirements of the Act of 1865 discharged in the matter of cells. Have you as many certified cells as you ought to have under the Act, do you know?—Well, not if you take it that there should be a separate cell accommodation.

3275. You were not in the service under the old system, I suppose?—No, I was not.

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3276. Have you ever looked at the estimates of the prisons?—Not to take any special notice of them at all.

3277. You do not remember whether pay is drawn for a larger staff than you have?—I could not say. I would not like to give a decided opinion on that.

3278. Have you a staff at Wandsworth fully adequate to all requirements?—No, I think not.

3279. Do you find on pressure you have to take in casual warders or assistants from outside?—Temporaries we do. We are only allowed them on certain conditions.

3280. Is this statement true: "It is literally a "fact that for years it has been the custom of Govern- "ment to call men from highways and byeways to "supplement the prison staff in times of emergency "or during the holidays of the permanent staff." Is that proposition true?—I should not like to say it is true because that is out of the paper, but we have to call them in where we can get them. It is not exactly from the highways, because we know pretty well where we get them from. We get them from discharged soldiers and old officers.

3281. Have you any reason to suppose that in your time either at Wandsworth or Wormwood Scrubbs any trafficking has been carried on?—No trafficking has been carried on.

3282. Has it been carried on principally through these outsiders, or would you think it likely that that was the case?—I should think if there was trafficking it would be done more by them than by anybody else, decidedly. I am strongly opposed to that. If we had an adequate staff we should never hear of it.

3283. You say you would keep the prisoners who are in only for one month working in their cells only, and not at the crank?—What I mean is that I would allow the one month prisoners to go out to do pumps and mills, and when they were not employed on that, and those who could not, because there were not enough pumps and mills for them, I would put on small industries in their cells instead of picking oakum.

3284. Are there some prisoners who are employed in their cells altogether at work?—Yes, there is bound to be.

3285. Is this proposition true: "Out of 24 hours "more than 22 must by the regulations be passed in "the cell, for the maximum time of exercise is an "hour, and even then can be curtailed for breach of "discipline." Is that true?—Yes, if a prisoner has to do work in his cell he only goes out for exercise, of course and chapel.

3286. Then it is true. Now with regard to punishment diet, how long can that be continued?—Punishment diet by the Governor is limited. He can only give him three days bread and water and other dietary punishments.

3287. Is this true: "The punishment diet which "may be continuous for six weeks is mere gruel bread "and potatoes"?—Well, if it were carried out, but it hardly ever is carried out.

3288. (*Chairman.*) Is it possible to continue that punishment for six weeks?—I do think it is with stated intervals for the diet of the class to which the prisoner belongs. The Visiting Justices can give it, but it is a case that never occurs in a prison to begin with.

3289. (*Mr. O'Connor.*) However, the punishment diet is mere gruel, bread, and potatoes. So far the proposition is correct?—Yes, that is correct, if you mean by "gruel" stirabout.

3290. The punishment diet which may be continued for six weeks is mere gruel, bread, and potatoes?—Yes, if you mean by "gruel" stirabout.

3291. (*Chairman.*) That is a newspaper article. That is not an official statement.

(*Mr. O'Connor.*) No. I want to ascertain the truth. Is this true: "The prisoner as a rule learns nothing "in prison that is useful to him"?—No, that is not true.

3292. How far would you qualify that statement?—I say the prisoners do learn something. As soon as they get out of the first stage they are put on to these simple industries and taught sack making and different things.

3293. How long would they have to be sentenced for to be put on to sack making?—Well, we do not carry out the exact letter of the law, because we cannot do it, but directly he gets into the second stage, that is after the first month, he may be put on to it.

3294. He may be?—Yes. We do it in fact at Wandsworth where we utilize as many as we possibly can.

3295. Is this true: "The rule prevails that no "prisoner is to receive other than religious and school "books until he has served two months of his "sentence"?—He gets school books when he gets into his second stage. That would be when he has done one month. When he gets into the second month he gets school books.

3296. That is not the question. The statement is that: "The rule prevails that no prisoner is to receive "other than religious and school books until he has "served two months of his sentence." Is that strictly true?—No, because he gets a bible and prayer book.

3297. But we call those religious books?—He does not get any library books or school books until he gets into the second stage.

3298. Let me read it to you again: "The rule "prevails that no prisoner is to receive other than "religious and school books until he has served two "months of his sentence." That is to say during the first month he does not get any books except school books or religious books?—That is quite right.

3299. In consequence of the proportion of your staff to the prisoners, and the work your staff has to do, would you say that they are overworked or not?—They are decidedly overworked.

3300. Is it true to say that the staff is overworked and under-manned?—I think so.

3301. Is it true that the warder's work per day is 10½ hours?—That is about it.

3302. Now, with regard to the schoolmasters, what schoolmasters have you at Wandsworth?—We have only one schoolmaster, but we have another warder schoolmaster who is allowed to act as schoolmaster.

3303. How many prisoners have you?—It varies.

3304. About how many on the average?—I should say we have an average of about a thousand.

3305. And only one schoolmaster?—Yes, and an assistant.

3306. An assistant who is a schoolmaster?—Yes, he is a warder who does nothing else, except occasional duty.

3307. Having regard to that number of prisoners, do you think that the assistant schoolmaster warder has not more to do than one man can do?—I think so. I think that both the schoolmaster and assistant schoolmaster have a large amount of work to do.

3308. Is there any difference so far as you know in the hours of duty and the leave out between the convict and the local prison schoolmaster?—I do not know. I could not give an opinion.

3309. Is it true to say that "the prison system is so "severe that discharged prisoners are often unfit to "enter the ranks of labour, needless severity unfit- "ting him to earn his livelihood"?—I do not think so.

3310. And it is your impression that the employment of men upon these kinds of labour such as the crank and the oakum picking, produce a sense of injustice in prison?—I think so.

The witness withdrew.

(Mr. Gladstone here left the chair, which was taken by Mr. De Rutzen.)

Rev. WILLIAM DOUGLAS MORRISON, recalled and further examined.

Rev. W. D. Morrison.

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3311. (*Mr. Haldane.*) From your book and otherwise I gather that you have given a good deal of attention to the study of the old prison system as well as to the modern one?—Yes, I have, as far as I possibly could.

3312. Am I right in thinking that one of the main features which distinguished the old system from the present was that there were very much more rigid rules defining the daily life of the prisoner; for instance, greater freedom in respect of intercourse?—Decidedly, very much greater freedom of intercourse.

3313. So that it may be, and from one possible point of view is, that while the modern system is a great improvement in respect of sanitation and all the elementary conditions of life, there are still other points in which the prisoner was better off under the old system?—I certainly think he was better off in many points. I do not think that he was looked upon so much as a mere piece of mechanism under the old system. He was looked upon more as a human being under the old system than under the new. That is, I think, a distinctive difference between the old and the new.

3314. Sometimes of course the old systems were very bad?—I am quite prepared to admit that the old system was very far from perfect and required serious alteration, but my opinion is that we went too far the other way.

3315. May I sum up your opinion in this way, that notwithstanding the admirable features of the new system, which we should all wish to preserve, it has carried things to a length of rigidity which it may be the time has come to relax?—That is exactly how I should like to express it.

3316. I should like to put to you one or two points on this. First of all with regard to young offenders, I understand from your evidence given last time that you are strongly of opinion that the law requires considerable alteration with regard to young offenders, for instance that children under 14 should probably not be imprisoned at all?—I decidedly think children under 14 should not be imprisoned, and that there are plenty of methods at present existing for dealing with those children without resorting to imprisonment.

3317. Between 14 and 18?—Between 14 and 18 I should say imprisonment might be necessary in certain cases, but between 14 and 16 I think all those cases where children are imprisoned should be reported to the Secretary of State just as all cases under 14 are now reported to him.

3318. And as is done in Belgium for instance?—Yes, as is done in Belgium.

3319. Passing now from 18 to 21, where you can influence people, would you make any difference in the present system?—Between 18 and 21 is a more difficult age to deal with, and each case I think ought to be decided on its merits. With regard to cases between 18 and 21 the magistrate would have to decide that, but I consider that as far as possible an educative influence should be brought to bear on these young people between 18 and 21.

3320. Do I understand you to say that even though 18 might be too great an age at which to send a prisoner to a reformatory, you would in prison have a mode of dealing with him which would have an educative purpose?—Yes, as far as possible considering the length of the sentence, but I do not say that 18 is too old to deal with them in a reformatory. I think it is possible that many young people might be committed to a reformatory up to the age of 18 with good results.

3321. One may summarise your evidence, I think, on this point as being to the effect that in the case of prisoners under 18 it is desirable to treat the prisoner from a reformative point of view?—Yes.

3322. Of course there may be exceptional cases with which you must deal?—Yes, but taking it as a rule I think that the reformation method is the way in which young people under that age should be dealt with.

3323. And you think the present system inadequate for that purpose?—I certainly think so.

3324. Let us pass now to another class of prisoners, and that is the class of prisoner you gave an instance of in your evidence on Tuesday, the case of a man who was in the City and who had been in a good position of life and who was in for three months and found himself in circumstances which drove him desperate; are you of opinion that it is desirable to provide greater elasticity in the prison system to deal with cases like that?—I think far greater elasticity should be given to deal with a class of that kind, where you have distinctly first offenders. I have not a doubt, if that man had been allowed to see his wife more often, it would have had a good effect on him. The poor woman used to come to the prison morning after morning, entreating me to do everything I ought not to do, in order that she might get some intimation as to what was going on. Now, I am expressly forbidden to make any communications of that kind or do anything whatever between a wife and husband. The man was in a great state of anxiety about his wife, and she was in a frightful state of mind about her husband.

3325. In a case of that kind, it might amount to inhumanity?—Distinctly inhumanity, as far as the innocent person is concerned, because you are really inflicting as much mental punishment on the innocent person as you are on the guilty.

3326. We have dealt with the point of visiting. That is a point in which you think discrimination or classification should be allowed?—Certainly.

3327. Now, let us take another point. Let us take the point of mental occupation. As I understand it (I may be wrong) there is a rule that for the first two months no books, other than religious and educative works of a low standard are allowed to the prisoners?—It is to that effect.

3328. That is by a rule which the prison officials have no power to relax?—We cannot relax that. We ought not to relax it, but as a matter of fact we do.

3329. So that if a man of the condition we are speaking of is brought into prison he is necessarily provided with a class of literature which may be wholly inadequate to his capacities?—Decidedly so.

3330. That is another point on which there might be classification?—I think so.

3331. Now, on the question of food. Have you formed any opinion about the possibilities of classification?—I think the first-class diet is diet that is too low for the prisoners altogether. My own conviction about it is that it ought to be abolished. Remember that many of these prisoners come into our prison in a very low condition; they are weighed when they come in, and it is thought sufficient if they are the same weight when they go out; but we do not take into consideration that they are very often in a very miserable state when they come in, and it is no answer to say that they are the same weight when they go out. So that if the first-class diet does not reduce the weight of these people in certain circumstances it is because they are in such a reduced condition before they come in that it is hardly possible to reduce them more.

3332. Of course, one knows the great difficulty of discriminating between rich and poor in a matter of this kind, but has your observation led you to form any judgment on the question whether prison diet and the present conditions are not very much severer punishment for a man of luxurious habits than they are for a man who has come into prison off the street?—It must be ever so much more severe to the man who has been accustomed to what we may call the luxuries of life than to the man who has not.

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3333. Now, bearing in mind the difficulties of discriminating, have you formed an opinion as to whether an attempt should be made at classification in that regard also?—I should not mind making alterations. Still, I fear the public would hardly tolerate them.

3334. You think it would be very difficult?—I think it would be very difficult on account of the state of public feeling.

3335. Might the same object be accomplished by giving a larger discretion to the prison officials?—It could be easily accomplished by giving a larger discretion to the medical officer.

3336. I take it the medical officer acts only for medical reasons; he will not interfere unless there is a danger to the health?—He ought not.

3337. Would you suggest he ought to have a wide discretion?—I think he ought to have a wide discretion in these matters.

3338. In point of view of occupation is the existing system defective in discriminating between prisoners in different ranks of life, different antecedents and habits, and so on?—The only thing the Governor or doctor can take into consideration is whether the prisoner is fit for first class labour, or whether he is not. If he is certified by the doctor to be fit for first class labour the Governor must put him on first class labour, no matter what his previous occupation may have been.

3339. That is to say, the crank and oakum-picking?—Precisely. I have seen clerks come in, for instance, to prison, and put to oakum-picking, who were absolutely useless, when they went out some time afterwards, on account of their fingers being cut and bleeding with it.

3340. In other words, when they went back to resume the occupation to which they had been trained they could not do it?—They could not do it.

3341. Do you think that should be altered?—I think that in a case of that kind the doctor should certainly have more latitude allowed him.

3342. Your evidence seems to point to this, that more latitude should certainly be allowed to the prison officials in discriminating between the class of prisoners. Do you think it is enough to give that discretion to the doctors, or to distribute it amongst other officials in the prison, say the chaplain or the Governor?—I should not like to lead to any collision among the authorities, and I think it is better the responsibility should, as far as possible, be placed on one man.

3343. And you think the medical officer would be a suitable man?—Yes, I think the medical officer would be a very suitable man.

3344. From what you have seen of medical officers in prison, do you think that as a rule he is generally possessed of authority which goes rather beyond medical grounds?—He has no legal authority to go beyond medical grounds. He cannot consider social or economic antecedents. The great difficulty with all of us in prisons is that we are so accustomed to see people under punishment and under suffering, that we are apt to get a little hard in the matter unless we take very great care; we have to bend our minds as much as possible the other way. That is my experience of prisons.

3345. Just let me ask you about this question of discretion. You have told me that in your opinion there ought to be wider powers of classifying prisoners according to their antecedents in the points of which you have spoken. Do you think much of that classification might be provided for by altering the rules as they stand at the present time, or do you think it ought to be left wholly to the medical officer?—I think it would be very difficult to lay down general rules for classification, and that each case stands on its own legs, and each case must be dealt with, to a very large extent, individually. Therefore, general rules always bear harshly upon a certain number of people, and they bear perhaps too leniently on another set of people; so that if you have a good class of men in the service who are actually working the system, you ought to give them as much discretion in these matters as you possibly can.

3346. Now would you extend that to the question of association of prisoners. I observe your criticisms on what I will call the silent system for shortness. Would you make that a matter of rule or a matter of discretion?—I should make it to a considerable extent a matter of discretion.

3347. Would you make it a rule that the present system of non-association should be maintained with a power to relax in some officer?—That is a way in which it could be dealt with.

3348. You say the prison system is practically a silent system?—Yes, it is practically a silent system.

3349. Would any departure from that,—say such a departure as allowing the prisoners under supervision to exercise during part of the time—be a matter which would have to be dealt with?—Yes. I should not allow local prisoners to associate or to talk together at all; only certain cases of convicts in convict prisons.

3350. Then, for instance, take the case of the man from the City, of whom we spoke before, would you make his relief from solitude depend on visits?—I should make it depend on visits to as great an extent as possible.

3351. Your idea is that in the local prisons you do not think association is desirable?—In the local prisons I do not think association with conversation is desirable, and I think a system of what I may call semi-association is very desirable, that is to say, such as we have in the workshops at Wandsworth. You take a prisoner out of his cell and you put him in what you could not actually call association, but still it is away from the cell, it is a sort of a little box by himself where he knows he is near others, and where he has a certain amount of space around him, and where the monotony and depression of prison life is removed to a certain extent.

3352. He is side by side with his fellow convict?—Yes.

3353. But he never says a word to him?—No, he does not.

3354. And that on the whole you think is the better system?—Yes. I do not think as far as local prisons are concerned that that should be altered, because the sentences in local prisons are so short that a man is soon out, and silence does not affect him, but in convict prisons with certain classes of prisoners it is different.

3355. Is the rule of non-association and silence absolute in the convict prisons?—The rule of silence is practically absolute, as far as I can gather.

3356. And that is under the rules of the Prison Board?—That is under the rules of the Prison Board.

3357. And there you think in the convict prisons the system should be different?—I do for certain classes of offenders; for a man, for instance, who is not an habitual criminal. We have sent men to convict prisons who have been charged with murder, and who have had their sentences commuted by the Home Secretary. These are not habitual criminals. We have men charged with manslaughter, and sent for long periods to penal servitude. They are not habitual criminals, and they will not contaminate anyone. Again, there are a number of men who are habitual criminals who are sentenced to a long period when they are 50 or 60 years of age, and then they would be 60 or 70 years old when they go out. Supposing this class of men were allowed, as they used to be, a certain amount of conversation with one another, that could not possibly produce any harm, and it used to be allowed.

3358. It used to be so in the convict prisons?—Yes.

3359. And in the local prisons also?—No, not in the local prisons; in the convict prisons.

3360. You think that should be given back to them?—I think that would be a very good thing to do, because I see a number of these convicts before they go away, and I know them so well. I know they are not habitual criminals; those who are are too old to get into trouble again; a system of

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silencing them for 10 or 15 years, as it may be, is a horrible thing, and there is no necessity for it.

3361. Now about prison labour which that brings us to, I gather you are of opinion that it is extremely desirable that there should be a very much larger latitude of prison labour?—I think so.

3362. Have you gone into the question of whether it is possible to extend the system of prison labour without coming into conflict with the views of the trades unionists?—I think the views of the trades unionists are undergoing somewhat of a modification as far as I can make out with regard to prison labour. They seem to be much more favourably disposed towards it than they used to be, and I think that the prisons, for instance, might produce numbers of things, say for exportation, which would not interfere with industry in this country at all, or at all events which would not materially interfere with it. You allow anybody to send anything at any price to any of your possessions; you allow France, Italy, and Germany, and I do not see why the prisons of England should not be allowed to send anything to these possessions which they can produce, and there must be numbers of things which they could produce if they were allowed to do so.

3363. You are of opinion that it is very desirable for the moral well-being of the prisoners that there should be a greater scope of prison employment than there is now?—I certainly think so.

3364. Is there much less than there was under the old system?—Yes; very much less, indeed.

3365. Does that apply to convict as well as local prisons?—I do not know about convicts. Of course, all convicts' work is done for the State, and I think our local prisons might do a very great deal more for the State in the way of producing materials for the Army and for the Navy, and for the innumerable branches of the Civil Service that require things of one kind and another.

3366. Is there difficulty just now in finding proper occupation for the prisoners?—I should say there is very great difficulty. The only industry we did have or the most important industry we had has been destroyed in recent years.

3367. That is mat-making?—Yes.

3368. Let me ask you a question about the women prisoners. They are, of course, under the charge of women warders, but is there any general provision for their being visited by ladies?—I am not sure that the Prison Commissioners have not made some regulations recently. I am not quite positive about that as I am not working among women now, but if there is not, I think that ladies would have a most beneficial influence upon women prisoners, and I also think that they would be of extreme use to them whenever they go out. When a woman goes out of prison she is the most hopeless creature in the world, and the creature most to be pitied in the world, I think, because everybody looks askance at her.

3369. Then you think, therefore, that the power of extending visits to women by women might be given?—It might be most profitably extended. I have a strong feeling about that.

3370. Have you had an opportunity of studying with any degree of particularity the prison system abroad. I do not mean on the spot, but through documents?—Yes; I have looked a good deal at the prison systems abroad. In fact, there is a very admirable book which was published a few years ago dealing with the whole of the systems of the world. It was published by Baron von Holtzensdorff.

3371. And could you form any opinion as to the merits of the British system as compared with the merits of foreign systems?—Well, it is very difficult to form an absolute opinion upon a point of that kind. There is one system that I think we might imitate in many ways. That is the Belgian system. They have a much better way of getting officials than we have.

3372. Of getting good officials in the prison?—Yes.

3373. How do they do that?—They used to select officials haphazard as we do, but now it is a special service of itself, and when a man enters the Belgian prison service, his career depends upon his capacity, and he can become anything in that service.

3374. In our prison service the persons employed are selected from anywhere outside?—Yes.

3375. Largely from the army?—Entirely, as far as regards the governors of prisons.

3376. And do you think that we should do well to follow the Belgian system?—I think it is a system which this Committee ought to consider very carefully.

3377. Has any other feature struck you in the prisons as compared with ours?—On the spur of the moment I should not like to say. I should not like to commit myself.

3378. (*Sir Algernon West.*) You entered the service, I think, in 1882?—I did as far as I recollect.

3379. You had no knowledge then from your own experience of the system that was in force before the jails were handed over to the Government?—No, except from what I heard the magistrates say, and from reading about it, or from looking at the Blue Books.

3380. You had no personal experience?—No, no personal experience.

3381. Have you ever taken the place of the chaplain?—Many a time. When the chaplain has been away I have always taken his place.

3382. We have had it in evidence from the Rev. G. P. Merrick, that it is the duty of the chaplain to report any abuse or impropriety coming from where it will. Do you consider that to be your duty?—I should.

3383. Have you made any reports?—No, it is not my duty to make reports.

3384. Then you do not agree with Mr. Merrick?—I do not agree that it is my duty to make reports if the chaplain is there.

3385. But I asked you whether you had been in charge when the chaplain was not there?—I have.

3386. And would not you consider it your duty to report "any abuse or impropriety coming from where it will"?—Not unless it arose while I was in charge; if anything arose I should report it.

3387. When you state "there is a smouldering spirit of dissatisfaction," was that during the time of your holding the place of chaplain?—Well, it has been in existence for the last—well, I do not know how many years.

3388. Therefore it was existing at the time you were chaplain?—Of course it would.

3389. But you did not think it your duty to report it?—There was no special duty to do so at that time more than at any other time; it was in existence all through.

3390. Now you say "That except a few magistrates "like Lord Leigh or Lord Norton, the public has no "one to whom it can turn for an independent ex-"perienced opinion." I am not very intimate in my knowledge of these things, but I do know that there have been a good many magistrates in the country who have devoted a great deal of time to it, who are still on visiting committees?—That is perfectly true.

3391. Do none of those know anything about the system?—Not so much as they used to do.

3392. You give that as your opinion not as your knowledge?—I might give it as my knowledge.

3393. But I thought you told me you were not connected with prison establishments before the transfer?—But I can judge whether a man knows or not if he has been in the prisons some years before. Supposing a magistrate comes and talks to me about prisons, and he was a visiting magistrate under the old system, I can tell whether that man knows more than a man who has been appointed under the new system, and who goes and visits prisons.

3394. Well, you can give your opinion about it?—I can tell to a certainty.

3395. I do not see how?—I know the prison system, and I know that the magistrates that come now have no responsibility practically and cannot

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have the same knowledge as the men who had the responsibility.

3396. You think there are very few who know anything about it?—I do not say anything, except that they do not know it as they used to do.

3397. In your opinion?—In my opinion that is so.

3398. They do not know what they used to do?—No, they do not.

3399. I got rather confused (which was, no doubt, my fault) when you were talking the other day about prisoners being put into association, because, I think, you talked in your evidence of prisoners being huddled together in a room of a quarter or half the size of this room?—That is perfectly true.

3400. I do not dispute it, but what I wanted to arrive at is this—I think, in my own mind, I have got into some confusion as to the association of prisoners who are put there because they are not fit to be alone; that is to say, epileptic cases. I do not know whether you meant that simply, because there is no room in the prisons—a great many were huddled together in a small room without any supervision?—That is quite true.

3401. Could you give us a few dates?—There is no necessity for my giving you dates, they are in the blue books.

3402. But can you give us any?—They are in the blue books.

3403. But can you give us any yourself?—I do not have any in memory; they are in the blue books.

3404. I want to know when these things occurred if you can tell me?—They are in the blue books.

3405. You mean prisoners who had no illness?—Yes, prisoners who had nothing the matter with them.

3406. That is what I was rather confused with in my mind. Now, you talked of these officers of societies who visit the prisons. Are you aware how often they visit the prisons?—Which officers?

3407. Officers of societies such as the Prisoners' Aid Societies and that kind of thing?—They would visit at irregular intervals.

3408. About how often in a week?—Well, at Wandsworth, Colonel Ross, who is the secretary of our Surrey Aid Society usually visits about once a week. Sometimes I take his duties when he is away, and do his work, and sometimes the chaplain will do his work.

3409. Does not Mr. Wheatley visit at Wandsworth?—Yes.

3410. How often does he visit?—Not much at all now, he has got a great deal to do and he does not visit very often. Perhaps once a month or so.

3411. Then I think he visits other local prisons?—I think he does, at least he tells me so.

3412. I see you say "we get our opinion from men "whose knowledge of prisons is mostly paper know-"ledge." Do you think that is a fair way of speaking of these men who pass their lives in visiting prisons?—I am not speaking with reference to that. I am not speaking with reference to Mr. Wheatley or Colonel Ross, nor of those gentlemen who come into contact with our prison population.

3413. Then are you only talking of the secretaries because you say, "It is from secretaries of benevolent "associations and other highly placed officials whose "knowledge of criminal offenders is mostly paper "knowledge that the public are just now deriving "their opinions on criminal matters." I ask you whether you think these men—I will give Mr. Wheatley as an instance, Colonel Ross and others—who are working in this way, can be considered as men only having paper knowledge?—I do not say Mr. Wheatley or Colonel Ross have only paper knowledge; I say they have a real knowledge.

3414. What is Mr. Wheatley?—He is the secretary of the Saint Giles' Mission.

3415. But you actually say "secretaries of benevolent associations"? Is not he a secretary of a benevolent association?—I am not referring to Mr. Wheatley.

3416. But you make an accusation against secretaries of benevolent associations?—I am making no allegations against secretaries of benevolent associations as a whole.

3417. Let me read it to you again. "It is from "secretaries of benevolent associations and other "highly placed officials, whose knowledge of criminal "offenders is mostly paper knowledge that the public "are just now deriving their opinions on criminal "matters." What does that mean?—I think it is perfectly plain.

3418. You mean that Mr. Wheatley and others derive their opinion on criminal matters from paper knowledge?—No, I do not mean Mr. Wheatley, and I have already said so.

3419. But you make no exception of Mr. Wheatley?—I do not include him or except him.

3420. He is a secretary of a benevolent association?—He is one, but I do not say "all secretaries." "A secretary" does not mean "all secretaries." You cannot, in writing an article like that, begin to make exceptions.

3421. But you make an exception in the case of Lord Leigh and Lord Norton?—Well, I have mentioned them as they are prominent men in connexion with the philanthropic movement.

3422. Is not Mr. Wheatley a prominent man?—He is.

3423. And he is included amongst these secretaries?—I am not including him.

3424. I only want to show you that you do make these statements?—No, I do not. I do not think that anybody who reads that article will say that I do.

3425. I have read out the words, and the Committee will say for themselves what they think it means.

3426. Now you have given your opinions on several points in the convict system, and you have talked a good deal about "the cruelty of a lifelong silence"?—I have.

3427. You have had no personal experience of the convict prisons, have you?—I have been in convict prisons. I said I had not, but I remember I have.

3428. You told us you had not been the other day?—Yes.

3429. And that there was nothing worth seeing in them?—That was rather a hasty expression. I do not want to bind myself to that. That was said on the spur of the moment. I do not bind myself to that at all.

3430. Are you aware that there are regulations which are issued to Governors of convict prisons?—I ought to be aware of that surely.

3431. Perhaps you will tell us then what those regulations are?—I do not have them in my possession.

3432. I ask you whether you are aware of it, and you say you ought to be aware of it?—Yes.

3433. Then I ask you what are the regulations that are issued to Governors as to silence of convicts?—There are no distinct regulations at all as far as I can recollect.

3434. I think you are in error?—I have not looked just recently. It is difficult to bind a man on a sudden in a vast field like this.

3435. I may take it that you have no experience of the convict system at all?—I have looked at it.

3436. You have looked at it once?—Yes, more than once.

3437. It is a pity you did not write to the Secretary, correcting your statement, that you never visited one because you did not think it was worth going to see, (at least I think so) when you were making a statement of that kind. Now I ask you if you have visited a convict prison at all, and you say more than once?—I had no time to write to the Secretary. I only received the evidence this morning, and have had no time to look at it.

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3438. And you say you are aware of the regulations?—Yes.

3439. Are you aware that there is a regulation that all these orders about silence are distinctly laid down as being able to be relaxed by the Governor?—They may be relaxed by the Governor no doubt. The general order is "silence." That is the order to the best of my recollection. Of course I have not the order book before me.

3440. I did not expect you to know the orders of the convict prisons when I asked you, and you said you ought to. I do not see why you should, but you said you ought to?—It is a small point.

3441. I do not think it is a small point when you are telling us the "terrible hardships of a lifelong silence"?—It requires very small imagination to see that without going to see the man. I should not be in any better position if I went to see the man as to knowing whether a lifelong silence is a hardship on him. I know what it is in the local prison, and I know it must be worse in the convict prison.

3442. The Governor may temper them?—Yes, he may temper them, but the regulation is that silence is the rule.

3443. In your evidence the other day you made some very serious accusations against the authorities of Wormwood Scrubs. You went so far, I think, as to say that the outbreak at Wormwood Scrubs was the outcome of what I think you called inhuman cruelties or inhuman punishments?—I think that was partly the outcome of excessive severity. I think that was the word I used.

3444. I think you said "inhuman"?—That might be the phrase I used at the moment, but I have not seen my evidence.

3445. Recollect that "inhuman" is a severe word. Did you think it your duty to report that to anybody?—I reported it to the doctor of course.

3446. That the punishment had been inhuman?—No.

3447. It was not your duty you thought?—I did not think it was my duty to do that, as the Commissioners of Prisons had already sent down these cases and dealt with them.

3448. You know that it is in absolute contravention of what Mr. Merrick said?—I cannot help what Mr. Merrick said.

3449. That you absolutely saw as chaplain a prisoner who was subjected to inhuman treatment and you did not think it sufficient to report it?—I thought my duty was done when I put it in the hands of the doctor.

3450. You did not tell the doctor?—No; the doctor had him put in the infirmary.

3451. Did you report to the doctor that the punishment previous to his coming to you was inhuman?—The doctor does not want a report of the kind. He sees the prisoner's record as well as I do.

3452. Did you report it?—It is not necessary for me to report it, as the Commissioners had had it through their hands.

3453. I asked a simple question, did you report it to the doctor?—I reported to the doctor that the man was in this condition.

3454. I am not in the habit of cross-examining. When you found from the record of this man that you conceived the punishment was inhuman did not you consider it your duty as a chaplain to report that to anybody?—I reported it to the doctor.

3455. In writing?—No, not in writing. We do not do these things in writing.

3456. You did not think it your duty to make any report at all about it?—I told you I reported it to the doctor.

3457. The doctor not being your superior you reported it to no one then?—It is quite sufficient for me to report it to the doctor after the Commissioners had dealt with it.

3458. And therefore you come to us and make these accusations upon this case, and the only evidence you give us is J. E. I think the Chairman asked you if there were any other prisoners besides J. E.?—I know there were a great many who were sent down from Wormwood Scrubs to other prisons.

3459. "These prisoners told you so themselves?—No. It is on their records. It is not their putting down at all. If you look for the official record of a prisoner called J. E. you will see it."

3459*a*. Therefore, you found it all on that case, that punishment had been inflicted on J. E. which you say led to the outbreak?—Not at all. I founded it also upon what I knew was going on.

3460. At Wormwood Scrubs?—Yes; quite so.

3461. Will you tell us how you knew what was going on?—I knew from the deputy governor and the officers, as I have told you already.

3462. Have you got anything in writing?—No; but the officers have only to be called to find that out.

3463. I suppose the matter was inquired into at the time. I think there was a committee which reported on the Wormwood Scrubs outbreak at the time?—Yes, the Commissioners inquired at the time, and that is another reason why there was no need for me to report.

3463*a*. Mr. Haldane asked you a question about ladies visiting women prisoners. You know that they do visit them?—I do in some cases.

3464. Is there any prison where they do not?—I do not know whether there is. I am not dealing with women now.

3465. Mr. Haldane asked you a question about that, and you gave it as your opinion that ladies should be allowed to visit female prisoners?—Yes; I gave that as my opinion.

3466. But you are aware that they do?—Yes, in some cases.

3467. (*Dr. Bridges.*) I will begin by asking you a question which I have asked another witness. When we speak of overcrowding in prisons, I understand what is meant is such overcrowding as interferes with the administration, and not an actual deficiency of cubic space?—Well, that I could not say. I have not measured or examined the amount of cubic space there is in our rooms so as to be able to say.

3468. If you would speak of overcrowding, you rather refer to the administrative difficulties that are caused by their being too large a number in the prison at any particular time?—That would be so to a large extent.

3469. I think you suggested to the Committee on the last occasion a new form of report?—I did; which would obviate that difficulty for the future. It would let the public see whether there was sufficient cell accommodation according to the Act of Parliament or not, and if that is done it will always be found after this whether there is sufficient cell accommodation or not.

3470. In this return which you have put in, you show, do you not, from 1889 to 1893 inclusive, the number of certified cells for each year, and the maximum number of prisoners for each year?—Yes; I do.

3471. Am I right in saying that in the existing form of return we only see what is called the average maximum?—No; in the Commissioners' Blue Book you do not see the average maximum for five years. You do not see anything dealing with the legal maximum. At the present time you have to look at two Blue Books in order to know whether there is overcrowding or not. You have to look first at the Commissioners' Blue Book and then you have to look at the judicial statistics; but then in the judicial statistics you do not see it, because it only gives one year. The judicial statistics give the maximum for one year; that return I presented gives the maximum for the five years, which shows you whether the law is being complied with or not. These figures are taken from the judicial statistics for the London prisons. *See* Appendix.

3472. But getting merely the average of the maximum for five years would not quite represent the

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fact?—To get the daily average would not represent the facts at all, but to get the maximum for each year would give it, and if you add the maximums together then you get the legal maximum.

3473. You want not merely the maximum for five years, but you want the actual maximum for each year?—Yes; and then if you divide that by five you get the average maximum of the five years, so that if you get that then you get what would be in consonance with the law.

3474. And you want that to be put in one return so that the facts are easily accessible?—Yes, so that the facts can be ascertained easily. At present it is very difficult to do so.

3475. With regard to the question of diet, I think you have already expressed an opinion. Have you noticed any effects resulting from repeated short sentences?—I think that if men are sent in over-and-over again repeatedly within very short intervals that it has an exceedingly bad effect upon them. There is one young fellow who comes to us or did come to us (I suppose he is dead now) for short sentences, and, of course, under the short sentence system, each time he came in he had to be put on the No. 1 diet, and I saw that young fellow get, what seemed to me to be, old very soon. I have not seen him recently. The last time he was in prison I thought he was very ill, and I do not suppose he is alive now; I do not know. He never comes to us now.

3476. I suppose you have a large number of cases that come in very frequently with short sentences?—Yes.

3477. And that the short sentences follow one another very closely?—They do very often.

3478. So that if the strict diet were conformed to, such persons would be kept continuously upon a very low diet?—They would, on a very low diet indeed.

3479. I am right, am I not, in assuming that the doctor has full discretion to modify that?—Yes, he can modify that diet if he chooses to do so.

3480. As a matter of fact is it within your knowledge that he does modify it?—Yes, he does modify it very often, but, of course, a doctor cannot arbitrarily modify a diet. It would be against the rules if he were to modify a diet, unless he thought there was an absolute necessity for it, and when it is on the border line it is very difficult for a doctor to decide sometimes.

3481. That brings me to the question of the medical examination of the patient. I do not wish you to express an opinion on a medical question further than you are disposed to do so, but what time has a medical officer for the examination of a patient. Are you able to answer that question. I do not know whether you are or not. I will put it in another way, what would be the largest number of receptions in one day?—Who would require to be seen by the medical officer?

3482. Yes?—Sometimes we have 80 receptions in one day.

3483. In Wandsworth you have known as many as that?—Yes, and in Holloway I should think there would be sometimes even more, because it is a remand prison.

3484. Would it be your opinion that it is very difficult for a medical officer, however skilful, to form a careful opinion as to the physical and mental condition of these persons?—I think it would be difficult for him to form an opinion as to the mental condition, because there would not be time, I think, to form a very close opinion as to the mental condition, and I think the medical officers themselves will admit that too.

3485. As far as their physical ailments went it would be a much easier matter?—No, I should not think a comparatively easy matter; when they have a very large number they must finish their work, because they have to see the complaining sick and the hospitals, sick officers and their families, and all those things. I am positive the medical officers do their very best, and their opportunities should be enlarged.

3486. You have expressed an opinion, I think, somewhere, that the medical officer should have had before his appointment opportunities of studying lunacy?—Yes, I think they ought all to do so. I think that is being done now more than it was.

3487. Have you formed an opinion that the medical staff of such a prison as Wandsworth should be increased?—Well, the doctors are very hard worked.

3488. There is a point upon which, I suppose, we may say that the duties of the doctor and the chaplain come into contact?—Yes, very close contact.

3489. I mean with regard to mental condition and character?—Yes, because we go and see every prisoner in his cell. The doctor only sees those prisoners who are brought down to him, but we see the whole as far as we possibly can.

3490. Do you say that the majority of prisoners are with regard to their mental condition much like ordinary prisoners?—I think that the majority of prisoners are below the average of the ordinary citizen.

3491. In mental condition?—Mentally, I think so.

3492. I am not speaking of whether they know how to read and write and of their education, but of their power of mind?—That is not a test. Their power of mind is weak, as far as regards the balance of mind especially. They are very fitful. Their power of mind as a class is inferior, I should say, to the average intelligence of the average member of the community.

3493. That is the impression that you have got from your experience?—It is more than an impression. It is a firm conviction.

3494. When a prisoner is being recognised, I do not say as insane, but as being mentally unsound, and partially imbecile perhaps, the rule is, I believe, that he should be placed under medical observation?—Yes.

3495. Can you tell me at the present moment how many of that class there are in Wandsworth?—Well, the doctor at Wandsworth adopts this principle. When he has men who are a little unsound in any way he generally takes them away and puts them in a large room rather bigger than this with infirm people and people of that kind; and there is an officer always over them there, and in that way he is able to make out what sort of men they are.

3496. The rule in Wandsworth then would be to keep such persons as we are talking of in association?—Yes, that is the doctor's method as far as I can understand.

3497. That is left entirely to the discretion of the doctor?—Yes.

3498. I was rather asking you a question as to the numbers of this class that you have in Wandsworth. Are you able to say?—I could not say how large a number it is. Of course some that are in a sort of weak mental condition are all right otherwise, and are not always sent into this association ward.

3499. You mean that there are several with regard to whom the symptoms are not so strongly marked?—That is so.

3500. And it is thought necessary to place them under observation?—That is how I should put it. It is not thought necessary to put them under observation.

3501. I understand you to say that in your opinion more individual attention should be given to the constitution and the character of each prisoner than is given at present?—I think it would be well if it could be done, and I think many doctors are of the same opinion.

3502. With regard, for instance, to the staff of chaplains, you have at Wandsworth two?—Yes.

3503. For 1,000 prisoners?—Yes. Of course 1,000 prisoners does not really represent the facts very clearly, because although our daily average may be, say 1,050, and although that may be the number in a given time, yet the number that come in in the course of a year is very large—about 11,000—and we have so many fresh cases continually coming in and continually going out that we have not the time to know the men as we should know them if they were convicts and under our care for years it may be.

3504. Then in taking a local prison as it stands at present what in your opinion is the number of cells (I put it in that way because of your last answer) which a chaplain can properly supervise?—Well, I think if a man has 300 of these men under his charge he has as much as he can properly do. I think so. When it gets beyond that, the work must to a certain extent be hurried over.

3505. I understand when you speak of having 300 under your charge that would correspond to a very much larger number passing through in a year?—Yes, it would correspond to 3,000 and you have a great deal of work to do in connexion with these men going out, writing to their friends, hearing from them afterwards, and writing to them again, so that really there is quite enough to do.

3506. I think you have paid a good deal of attention, in fact you told Mr. Haldane you had paid a good deal of attention, to the subject of criminal administration in various countries?—Yes, I have, as far as my opportunities would allow of it.

3507. You have formed the opinion that there should be a more systematic study of the constitution and of the previous environment of each prisoner?—I decidedly think so; I most emphatically think so.

3508. Was that the object of your putting in for instance a chart showing the connexion of juvenile crime with the density of the population?—It was. Where you have a dense population you have always a large amount of juvenile crime, and always a large amount of crime in general, because you have then a large amount of degeneracy amongst the population.

3509. You put in also a chart showing the connexion or disconnexion, whichever it may turn out to be, of crime with pauperism?—I did. And by putting in that chart I meant to show that pauperism was only one factor in the production of crime, and a most important one, but that unless it was combined with other factors, as, for example, a dense population, the existence of a large amount of pauperism alone did not, in this country at any rate as far as we can see, produce a large amount of crime.

3510. In these charts you speak of the density of population in each county?—Yes.

3511. Is it not that in the case of some counties somewhat fallacious. For instance, in such a county as Northumberland where you have large tracts of empty country?—Yes, it is fallacious up to that point, just as it is a little fallacious in Surrey again, where you have a dense population but not very much crime because of the character of the population—a villa population.

3512. However, we may take it, speaking generally, that you think there should be a more systematic study of the character of the population in which the criminal was born, of his physical and mental constitution, and may I also add, of his parentage and hereditary influences?—I decidedly think that all these things should be studied, so that we may know the conditions which produce the criminal population. It is no use attempting to grapple with the criminal population unless you know the conditions which are producing them.

3513. The study of the environment of the antecedents and the physical constitution of the prisoner constitute what is known on the Continent, I think, as criminal anthropology?—It does.

3514. And may I take it that you think that these studies are not merely matters of speculative interest, but lead to immediately practical conclusions?—I do. The Belgian Government has appointed a medical specialist to go round all the prisons and to examine the mental condition of the prisoners in the prison. Dr. Jules Morel is his name, and he has been in correspondence with me.

3515. Has he published any work of importance?—Not of importance. He is very busy with practical work.

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3516. With regard to the question referred to us of the classification of first offenders, presuming first of all that we have got to know and distinguish first offenders from other prisoners, would you think it important to deal with them separately?—If we could get to know who the first offenders were, and when they were first offenders, I think in many cases it would be most important if we could deal with them separately.

3517. We have had a great deal of evidence with regard to juvenile crime, how far would you be disposed to carry your classification of first offenders—up to what age?—The first offending juveniles, you mean?

3518. Up to what age would you be prepared to carry that classification, that distinction of first offenders from other prisoners; I mean, would you classify prisoners of the age of 20 as a class apart to be dealt with separately. May I put it in this way, would you classify first offenders of whatever age, as a class apart?—Yes, so far as it is possible to do so.

3519. I mean, supposing you had the power of doing so, would you think it a good thing to do so, or not?—I should leave a good deal of discretion to the authorities in the prison, because a man might only have committed a first offence—but it might be a very bad one, and it might show greater depravity than the man who had committed two or three more.

3520. You have studied, to some extent, the Elmira Reformatory?—I have.

3521. Have you ever visited it?—I have not had time. Our holidays are too short for that.

3522. We shall probably have the report of that before the Committee, but I will ask you only one general question. First of all, at the Elmira Reformatory they receive people up to the age of 30, do they not?—They do; but I think that is too old. I think that to receive men of 30 with boys of 16 or 17 is a mistake, and that is one, I think, of the mistakes of the Elmira system.

3523. Are there any points in the Elmira system that have struck you as particularly valuable?—I think that the system of dealing with young offenders in the way of physically fitting them for the battle of life is a most admirable one.

3524. The educational system?—Yes, I think it is most admirable.

3525. In what way in your opinion is it superior to the plan adopted in our own reformatories?—In our own reformatories we do not deal with them in the same systematic way at all as they deal with them over there, and I do not know that we have as a whole the the same class of officials who could deal with them in the way they are dealt with at Elmira.

3526. Do you happen to be aware of anybody connected with Elmira who would be likely in the course of the year to be in England?—I could not say for certain. Perhaps Mr. Brockway might be. I think it is possible he would, because he might be at the Paris International Prison Congress which will be held next year. I do not know whether that will be time enough or not.

3527. Mr. Brockway is the Governor?—Yes.

3528. The Elmira system has been commonly spoken of in this country as an utter and complete failure. Do you agree with that?—No. I certainly totally disagree with that.

3529. You think there are points in it which might be studied?—I think there are many admirable points in it. I think there are some points in it which ought not to be copied, but there are points in it which would be of great use to ourselves.

3530. I come to the question now of prison labour, on which you have been asked several questions. Are you acquainted with the experience of Dr. Mouat who was for many years inspector of the Bengal gaol?—Yes, and Dr. Mouat is strongly of opinion that industrial labour is the proper form of labour. In fact, his Report to the Prison Congress at St. Petersburg is very strong on that point.

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3531. Do you know Dr. Mouat's Report before the Statistical Society of 1891. Do you happen to be acquainted with it?—Yes, but I think he has dealt with it more exhaustively in his report to the Congress of St. Petersburg. He was called upon to give a report, and he gave a very good one then. Dr. Mouat is by a long way the ablest prison expert in England at this present moment.

The proceedings were adjourned for a short time.

3532. (*Mr. O'Connor.*) I want to ask you about the prisoner J. E. His record, I suppose, was open to the doctor as well as to yourself?—It was.

3533. Then his experience in the prison from which he had been moved was common knowledge between you?—Precisely so.

3534. There was no room or ground for a formal report by you to him?—Not in the least necessary. He saw his record just as well as I did. He had to mark it.

3535. On the point of punishment, I should like to ask you about flogging in prison. I believe the Visiting Committee can give floggings?—They can.

3536. Can the Commissioners?—No; the Commissioners cannot. In local prisons they cannot, but as directors of convict prisons they can.

3537. In cases where prisoners are reported for misconduct either to the Visiting Committee or to the Directors or Commissioners of convict prisons, is there any publicity given to the proceedings?—None at all.

3538. Is the flogging prescribed without their being present, either where the Directors give it in convict prisons or the Visiting Committee?—There is no Visiting Committee of convict prisons.

3539. Are there no visitors?—There is an honorary visitor, I believe, Sir Algernon West.

3540. Is he required to be present?—He is not.

3541. Where the Visiting Committee prescribe flogging in a local prison, is no outsider present to watch the proceedings?—No outsider; merely the officials.

3542. None but officials. Neither inmates nor those who live outside have anything to do with it or are witnesses in any way of the sentence?—No.

3543. How often did the magistrates who used to be visiting magistrates, before the taking over of the prisons, visit the prisons?—Before they were taken over?

3544. Yes?—I really could not say that. I am not sufficiently acquainted with the facts.

3545. How often does the Government Inspector visit a prison now?—Once a month.

3546. Suppose there was overcrowding in a prison, would that necessarily come under the observation of the inspector at his fortnightly visit, or is it the sort of thing that he would take cognizance of?—It is the sort of thing that he would take cognizance of, if he observed it.

3547. And if he reported it, to whom would he report it?—I am not absolutely certain how the inspectors report, but I think they ought to report to the Home Secretary direct.

3548. With regard to reports of the local officials, the Governor, the doctor, and the chaplain, to whom do they go?—They go to the Commissioners.

3549. I notice that in the Blue Books which are published there are extracts given here and there from reports. The chaplain reports, for instance, I see?—That is Part 2, which I think you are looking at. Those are really inspectors' reports.

3550. After a number of sentences on different matters the report goes on, "The chaplain reports "that, 'so-and-so.'" The exact words of the chaplain are not given?—I really could not tell you.

3551. Do you know who it is that has edited this Sixteenth Report?—It is the Prison Commissioners.

3552. But are the chaplains or the doctors or the Governor's reports published in any way?—No, that is the only publication of them.

3553. And these reports of the Governor, the doctor, and the chaplain go to the Commissioners?—They do, but they do not necessarily appear.

3554. No. That is what I was trying to elicit. Who is the inspector of your prison?—I think it is Major Lennox or Captain Lennox. I am not sure which.

3555. An ex-military officer?—Yes.

3556. I think you were at Wakefield before?—Yes.

3557. Who was inspector there?—Major Griffiths.

3558. Another military officer?—Yes.

3559. I was looking to-day at the report of a commission of which I was a member some time ago, the Ridley Commission on the Civil Service, and I notice that Sir Edmund Du Cane gave this evidence, that "the inspectors are appointed by the Secretary of "State, as a matter of fact; but when these inspectors were all appointed Sir Richard Cross referred "to me. They were appointed under my recommendation. There has been a vacancy since, and it "has been filled up." Can you tell us if the existing inspectors were all inspectors appointed under the circumstances referred to here? Are they all original appointments?—I think all of them, except the last one.

3560. Then this vacancy has been filled up, or perhaps there was another vacancy?—I do not know whether there was a vacancy or not, but there was a fresh inspector appointed recently, I believe.

3561. Who was that?—Colonel Garsia, I think.

3562. In your book at page 216 I see you speak of the Belgian prisons and I gather from what you said this morning that you are more or less conversant with the system adopted there. Can you tell us anything about the inspection of Belgian prisons?—The inspector of Belgian prisons is a barrister, Professor Prins. The head of the Belgian prisons is Monsieur Gautier.

3563. Who appoints the inspectors?—I do not know who appoints them there, but there they work on the civilian principle.

3564. What would you say to the suggestion that if the prisons are in the hands of the central authority there should be independent inspection by the local authority, and conversely if the prisons are in the hands of the local authority the inspection should be by the Imperial authority?—The inspection was in the hands of the central authority when the prisons were in the hands of the local authority.

3565. Now the prisons have been taken over by the central authority, and the inspection is by them?—The inspection is by the central authority, although of course, the magistrates have admission to the prison.

3566. But the official inspection is by officers responsible to the central authority, and appointed apparently on the nomination of the Director-General?—That is so.

3567. By whom are the visiting justices appointed?—By the bench of magistrates themselves, or by the body of the magistrates at quarter sessions.

3568. Subject to the approval of the Home Secretary?—I do not know whether his approval is absolutely necessary or not, but I think it would be.

3569. There are one or two points I should like to ask about. There have been certain publications made with reference to prison administration, and among other allegations I find this, "Magistrates "used to visit prisons regularly once a week. Now "the inspectors who replace them pay a visit once "a month." As far as you know is that correct?—I really do not know. I know that inspectors visit once a month, and with regard to magistrates I should say the practice would vary. In some prisons they might visit once a week, in some perhaps more often.

3570. Another allegation is, "Sir Edmund Du Cane "has an almost indisputable office in the selection of "the inspectors." However, I need not press that. Is this allegation true, "That a prisoner, as a rule, "learns nothing in prison that is useful to him."

That is, as a rule, having regard to the general stream of prisoners?—As a rule, they do not learn anything that would be of much use to them.

3571. Can you say anything with regard to punishment diet. What is the longest time that you have known it, as far as you can recollect? Perhaps you have not had occasion to notice it, but what is the longest time, as far as you have known, that the punishment diet was inflicted?—That is laid down in the regulations I think.

3572. Punishment diet can be inflicted for as long as 14 days, by whom?—I do not think the governor can inflict for so long as that. It must be the magistrate.

3573. And can that sentence be repeated within a limited time?—If the doctor consents to it, it can be.

3574. But with regard to the doctor's consent in these cases, I suppose the doctor starts from a normal arrangement, from which arrangement he cannot depart without cause. I mean whether the normal standard is high or low, that is the doctor's datum line?—That is how he would begin, I should fancy; that is what he would start from.

3575. Therefore if the datum line is lower than it ought to be the doctor will not depart from it unless in a specific case he could allege a specific reason?—I suppose he would have a specific reason before he could depart from it.

3576. You think he would not have authority to depart from the established regulations even if he thought they were too stringent?—Well, of course, he must obey the regulations.

3577. With regard to schoolmasters, who are also warders, Captain Schuyler told us to-day that he thought the warder who is acting-schoolmaster at Wandsworth Prison—that is the same prison as you are at?—Yes, it is.

3578. He told us he thought he was worked excessively. I asked him whether he could say if there were any difference in the hours of leaves between convict prisons and local prisons for prison schoolmasters. He said he could not say. Do you happen to know anything about that point?—I could not say, but I should imagine the convict schoolmasters would have more leave, because they are taken from a different class. The convict schoolmaster is not a warder.

3579. I want to get this from you, is the following allegation true:—"Prison treatment has become so "severe that the prisoner when liberated is in many "cases so reduced physically, and so disorganised "mentally, that he is quite unable to re-enter the ranks "of labour"?—I think he is often unfit for labour when he comes out.

3580. I remember that in your evidence last time you gave some information with regard to suicide, I do not remember the detail, but you are not altogether in accord with some other authorities in connexion with suicide. I should be glad if you could make it clear?—I think Mr. Gladstone said, Did I think there was more suicide in the local prisons than in the general population; he said did I think that, considering the class, there was more? Well, all I can say is, that the amount of suicide during the last five years in the local prisons is five times higher than the amount of suicide in the general population over the age of 10 per 100,000.

3581. The suicides in local prisons of persons over the age of 10 is five times as high?—It is five times as high as in the general population over 10.

3582. Will you kindly say how you came to that conclusion?—By looking at the Registrar-General's return and also by looking at the local prison reports. The local prison reports for the last five years gives a certain average of suicides. The Registrar-General gives you the average of suicides in the general population and all you have got to do is to strike off the population below 10 and then see the ratio of suicides to the population and you will find that there is five times as much suicide even now in our local prisons as there is in our general population.

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3583. Is there anything else by which you wish to supplement any other point?—I forget at the present moment.

3584. Either with regard to labour, diet, prison labour, or juveniles?—No.

3585. There was one point. I think you told us that juveniles had a larger proportion of solitude in cells than adult prisoners?—Yes, because they are not suited for work outside the cells to the same extent as grown up prisoners; therefore they have longer solitude.

3586. I remember now a very important point I want to ask you about. You have at Wandsworth some convict prisoners?—Yes.

3587. They remain with you for nine months?—No they do not. When I was at Wakefield they remained for nine months, I think.

3588. How long do they remain. The bulk of them do not remain very long?—The convicts go to Wormwood Scrubs to begin with, so that we do not have so many convicts as we used to have.

3589. How many have you at present?—I could not say. Sometimes we may not have any, and sometimes we have a certain number. It depends on the circumstances and the courts. If the assizes and sessions were sitting we might have a few convicts.

3590. When you were at Wakefield did the system obtain of causing convicts to serve their probationary nine months in the local prisons?—Yes, it did.

3591. Then you had convicts at Wakefield?—Yes, and we had to deal with them.

3592. For the nine months?—Yes, as far as I can recollect.

3593. What was the number of prisoners you had there?—I should think the number when I entered there would be a daily average of about 800 or so.

3594. How many convicts would you have there?—I could not remember, but it might be 30 or 40.

3595. Some of them, perhaps the great majority of them would receive your ministrations?—Yes, the great bulk of them would.

3596. Were there any that did not belong to the Church of England?—Yes.

3597. There were some Roman Catholics?—Yes, of course they did not. There was a Roman Catholic priest and he attended to them.

3598. At Wakefield they have a daily church service?—Yes.

3599. When the prisoners were at church service in the morning what did the Roman Catholics do?—There were two chapels at Wakefield for men and women, and the Catholic prisoners went to the women's chapel.

3600. Daily?—Daily.

3601. Did the Roman Catholic chaplain attend daily?—He did; he was a regularly appointed official there.

3602. Oh, there was a chaplain there?—There was a regularly appointed chaplain there.

3603. You have not a regularly appointed Roman Catholic chaplain at Wandsworth, have you?—His duties are not entirely connected with the prison; he is a visiting chaplain who comes in.

3604. Does he have a daily service?—I am not sure whether he does or not, I could not be sure about that.

3605. (*Mr. De Rutzen.*) You were saying just now something about the visiting justices?—Yes.

3606. Now, as a matter of fact, do you know that the visiting justices are appointed by the quarter sessions?—I think that is so.

3607. And their names after they have been nominated are sent up to the Home Secretary?—That is so.

3608. And then the appointment virtually comes from the Home Office, but upon the nomination alone of the quarter sessions?—Those are the facts.

3609. And the visiting justices have, since the last Act was passed, very considerable powers to inquire into any grievance which may take place in the prison?—Yes, they have certain powers.

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3610. And power to hear if they consider it desirable any complaints which may be made and they can hear them in private?—That is quite correct.

3611. Then their duty if they can find any grievance is to report it at once to the Home Secretary?—That is perfectly true.

3612. And I suppose you have every reason to believe, or have you any reason to doubt, but what they fulfil those duties perfectly?—I think that they fulfil those duties.

3613. Do you think that it is true that criminals taken as a whole exhibit a higher per-centage of physical degeneracy than the rest of the community?—I am positive of it.

3614. Do you also say and think that the bulk of the criminal classes are of a humbly developed mental development?—Yes, I do.

3615. And therefore you are of opinion that the great majority of the people who go to gaol are physically and mentally considerably below the level of the general population?—Yes, I believe a very considerable proportion of them are physically and mentally below the level of the general population.

3616. Would that lead you to believe that the effect of having such a population in the prisons would be that it should have a very serious effect upon the health as well as the mental stability of those who are in it as compared with the outside community?—I certainly think if a prisoner comes in more feeble physically and mentally that imprisonment would have a worse effect upon him than on the average portion of the community.

3617. But would it in the ordinary course of things produce a greater amount of disease or death?—Yes, it would.

3618. And a greater proportion we will say of insanity?—It would; it would be likely to do so.

3619. And therefore you would expect to find those two things in excess in the prison population to what you would find outside?—I certainly should.

3620. I suppose really the great difficulty which you, as a chaplain, or anybody else taking part in the administration of a prison, have, is short sentences?—Yes, that is one difficulty.

3621. Is not it a very great one?—It is a great one.

3622. Is there any greater?—Well, it is a serious difficulty. I should not like to say there is not a greater, but it is a serious difficulty.

3623. Can you do anything that is of a reformatory character up to, we will say, three months?—Very little with adults.

3624. May I take it that all you can do really amounts to next to nothing?—It amounts to very little. All we can do is to help them as much as we can when they go out.

3625. Up to three months may I take it that solitary confinement is a thing that you recommend?—Yes, it is a thing I should leave as it is up to one month.

3626. The solitary confinement you would recommend?—I think it would be difficult to propose anything different.

3627. Then up to that time you must rely entirely so far as your opinion is concerned upon the punishment as being of a deterrent character to prevent a person returning?—I say it does not deter. It cannot deter.

3628. And up to that time, I take it, as you have already said, nothing of a reformatory character could be carried out worth talking about?—Not easily; and the punitive system is just as inefficient, because it is during the first three months that they have the severe system of feeding, so that that is a great difficulty.

3629. But it is only the punitive side we can rely on, and not on the reformatory side of it for, say, three months. Now is it true that up to three months the punishment which very often is given is to people who are perpetually in and out of prison as habitual criminals?—Is it suitable for them?

3630. No; is it true that up to three months represents the lot of a great many whom you call habitual criminals who keep coming in and out?—Yes, it does; a very considerable number.

3631. And they represent a large bulk of the prison population?—They do; a very considerable number.

3632. And up to that time you say that nothing reformatory could be done for them?—I do not say that nothing could.

3633. But not much worth talking about?—I do not say nothing, but not much can be done in three months for the habitual offender.

3634. I will just quote from the book of yours which we have read with satisfaction. You say: "Now this is exactly the position of many habitual "criminals that where he is below the mark, physically "and mentally, should it be the case that such a "person as I have described is below the average in "body and mind to earn a livelihood becomes almost "an impossibility?—It does.

3635. Then you go on saying: "Now this is "exactly the position of many habitual criminals"?—It is.

3636. "And more especially of that large class of "them which is being continually convicted and "re-convicted for petty offences"?—That is quite true.

3637. Now what would you recommend, if you can recommend anything for that class?—I would recommend that a certain proportion of that class should be detained indefinitely, not in prisons, but just detained as you would detain a lunatic, and in that way a very considerable proportion of the prison population would disappear.

3638. Would you lock them up altogether?—I would not call it locking up. I would call it mere detention.

3639. I will quote this now with reference to that: "What can be said of them, except to repeat that "they are unfit to take a part in working the modern "industrial machine. What can be done, except "exclude them in such a way that they will be no "longer able to injure themselves or the world"?—That is just my opinion.

3640. What does that amount to?—It amounts to this; that a certain proportion of the class of offenders who are continually coming before magistrates are at the present moment utterly incorrigible as far as the prison is concerned, and that they are a burden to society, whether they are in prison or whether they are out of prison, and it would be just as cheap for society to detain them indeterminately without anything in the shape of punishment; because you cannot punish people who are not responsible for their physical condition or mental condition; but you can detain them for an indefinite period it may be.

3641. Lock them up altogether?—Yes, for an indeterminate period. That is not a complete solution.

3642. That would be a rigid means of cutting off and reducing the prison population?—It would. A considerable number of them would disappear then, and the magistrates would be relieved from what I consider must be a most trying thing, having to sentence men over and over again, and feeling at the same time that the sentences are useless.

3643. Just one word with regard to contamination in prisons. I take it contamination can only arise by means of talking, or signs, or something of that sort?—Yes, that is so. It is by means of talking, and by means of leaving men together without supervision that you have that. Of course they are the same thing.

3644. It does take place in association?—Yes, talking certainly does take place in association.

3645. And that it is impossible to avoid?—It is impossible whether you have association or whether you have not.

3646. Then we understand that the contamination which alone can arise through talking can be indulged in up to a certain extent, even in labour in association?—It can.

Rev. W. D. Morrison.

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3647. With supervision?—With supervision a little, but not much, because if the officer is there the prisoner feels that if he is caught talking he would lose his privilege of association, and he is very careful, as a rule, not to talk in association.

3648. But talking goes on to a certain extent, as you told us the other day, in chapel?—Yes it does, very considerably.

3649. And I think I heard you say that it was continued to a certain extent in chapel; and then you said unless a man is charged with it. Is that looked upon as a prison offence?—Yes.

3650. And he is reported for it?—He is reported for it and punished for it.

3651. And that could be minimised, I think you said, by having fewer prisoners in chapel at a time?—Yes.

3652. But that would not apply to labour in association?—No, it would not apply to labour in association, but I think the labour we have in association should be only limited association, and that it is possible to have labour in association without having prisoners too closely associated with one another.

3653. Take Wandsworth, where, we will say, two smiths are working at a smithy?—Yes.

3654. There it would be perfectly impossible for them in that particular trade to be isolated where they are working in conjunction?—Yes, in that instance, but in most occupations prisoners can be isolated.

3655. And the talking in chapel which might be obviated is not capable of being carried out in the same way in labour in association?—No, it is not; not in the same way.

3656. Do you think that there is anything which militates against the success of prison discipline so much as the contamination of an older prisoner?—Yes, the contamination of the younger prisoner by the older is a very bad thing when it does take place.

3657. You know as a matter of fact, I suppose, that the conditions of labour in the prisons subsequent to the Act of 1877 were very considerably limited?—Yes.

3658. And a great many of the hardships which prisoners had to undergo before the passing of the Act of 1877 were very serious, three times as hard in many instances as they are now?—The sentences were longer, no doubt. I am not wholly blaming the existing system. I am not running it down *in toto*. What I say is, it is capable of very important improvement.

3659. But you are of opinion, so far as you have been able to learn, that the improvements by the Act of 1877, and the state of things which existed before and after the Act of 1865, were very considerable?—There were considerable improvements in some ways, and as great disadvantages in others.

The proceedings then adjourned until Tuesday, the 7th of August, at 12 p.m.

EIGHTH DAY.

Home Office, Whitehall.

Tuesday, 7th August 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
RICHARD BURDON HALDANE, Esq., Q.C., M.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, *Secretary*.

Dr. WALKER called and examined.

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3660. (*Dr. Bridges.*) I think you are now the medical officer of Holloway Prison?—I am.

3661. How long have you held that office?—Only since the commencement of January last.

3662. You have been connected wtth the prison service for a long period, I think?—For over 21 years. I believe I entered the service in February 1873.

3663. You have, if I understand rightly, been principally connected with convict prisons?—Yes.

3664. Will you kindly mention your first appointment?—My first appointment was assistant surgeon at Parkhurst Prison, where I remained I think for three years and a half. I was afterwards assistant surgeon at Portland Prison, where I remained I think for nearly four years. I was afterwards transferred to the medical officership of Parkhurst Prison, to which I was originally appointed, and I remained there until May 1884 as medical officer. I was afterwards appointed as medical officer to Chatham Prison, where I remained as medical officer until it was closed at Christmas, 1892. I was then appointed to the medical officership of Dover Prison, where I remained a year, and I was then transferred to the local prison service last January.

3665. I will ask you a few questions first with regard to Holloway Prison. On page 9 of the 16th report of the Commissioners there is a statement of the maximum and minimum numbers in each prison, is not that so?—Yes.

3666. Will you kindly read from that what the maximum and minimum numbers of Holloway had been according to that report. First tell me the men and then the women?—I see it is stated from month to month on pages 10 and 11.

3667. It is page 9 I am referring to?—The daily average is 366 males and 341 females, total 707.

3668. What is the greatest number?—The greatest number of prisoners in custody at one time was 433 males and 393 females, total 826.

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3669. And the lowest number?—The lowest number is 285 males and 269 females, total 554.

3670. What is the number of certified cells in Holloway prison?—That I could not tell you just at the present minute.

3671. The Committee are informed that the male side in Holloway is entirely for remand prisoners?—That is so; at least not entirely, because they are a few ordinary prisoners kept for cleaning up and general purposes; but otherwise it is entirely for remand prisoners.

3672. And the female side is for convicted prisoners?—No, it is for convicted prisoners and remand female prisoners.

3673. It is both for convicted and remand as regards the females?—Yes.

3674. Please refer to the 13th Appendix of that report on page 25. That is a report of the total number that have passed through in the course of the year?—Yes.

3675. Can you mention that, first taking the number of men who passed through?—There were 12,467 men and 9,701 females, total 22,168.

3676. With regard to the general sanitary condition of Holloway since you have been there I want to ask you some questions. I will take it first with regard to its ventilation. What do you say about that?—I think the ventilation is very good. As far as prisons are concerned I think it is as well ventilated as any prison.

3677. Comparing it with the prisons that you have seen?—Yes, I think it is as good as any other prison. The system of ventilation is very good and the warming is good.

3678. The air is warmed by means of a central tower?—Yes, the air is admitted up this tower. It comes into the top of the cell warmed, and it is extracted on the lower side.

3679. On visiting the prison in June I noticed that the fire was extinguished, and I suppose that would acount for the fact of the ventilation not being quite as good as usual?—Was it quite extinguished?

3680. Yes, the officer told me so. However, that really happens sometimes?—It rarely happens I think. There is no smell in the cells and they seem to be very well ventilated.

3681. With regard to the rate of sickness in Holloway will you please refer to the 17th appendix, at page 45, the number of infirmary cases in Holloway?—Sickness treated in hospital?

3682. Yes, the total number of cases of sickness treated in hospital?—It is 443 males and 440 females.

3683. Then I wanted to clear up a point. In the second part of the Commissioners' report, which I think you have before you, you will find a special reference to Holloway on page 35?—Yes.

3684. In that report the average daily number of sick is stated as being for males a fraction, of which the numerator is 64 and the denominator is 311. If you look at the non-effectives in the statement as to the sick, as to the male sick the daily average is a fraction of a unit, namely $\frac{64}{311}$ths and the female sick is 30 plus a small fraction?—That is so.

3685. I do not quite understand how that is made up or how that quite squares with the other statement that the infirmary cases of men appear to be quite as numerous as those of women?—It depends upon the time they are in the hospital. It varies. The daily average for each day is added up for the whole month and divided by the number of days in the month. That gives the daily average for that month. Then all these daily averages for each month are added up and divided by 12, which gives the average for the whole year.

3686. Why is the denominator of the fraction 311 instead of 365. Do you know that?—I cannot say how that is.

3687. Would one reason be that they leave the Sundays out?—I do not know.

3688. However, that is a point you have not considered?—No, I have not seen this report before, I think.

3689. You probably will in due course send in a report of a similar kind on the same form?—Yes, I shall, certainly.

3690. In what shape do you make the report that is mentioned at the top part of the page, where it says, "The medical officer reports that the sanitary "condition of the prison has been satisfactory, and "that the health of the prisoners has been good." Is that part of the general report that you send in?—No, it is not. No general report is sent in from Holloway prison. It has not been the custom to send in a general report from the prison. In convict prisons we always sent in a long report, but in the local prisons it appears that that is not the custom.

3691. Well, of course this refers to your predecessor's report, and therefore I will not ask you any more questions upon that. The duties of a medical officer of a local prison are, I suppose, pretty much what is stated in the standing order?—Certainly.

3692. There is a paragraph at the end of the standing order saying that all the duties are not included in that, but practically for all purposes we may take it that the standing order represents your own duties?—Yes, certainly, but of course I have other duties besides.

3693. One of your duties is to inspect all prisoners upon admission, whether remand prisoners or convicted prisoners?—Yes, whether remand prisoners or convicted prisoners.

3694. Are you able to say roughly what the ordinary number of prisoners who come daily into Holloway is?—I should say the daily average was about 70.

3695. And without committing you to exact precision what would be the largest number?—150 or 160 have come in in the afternoon and evening; quite that.

3696. Do they come in mostly in the morning or the evening?—They principally come in in the afternoon and evening.

3697. May they come in at any time?—Yes, they may come in as early as 10 o'clock in the morning. They are brought in as stragglers and stragglers come in sometimes as late as 9 or 10 o'clock at night.

3698. Could you give the Committee a general idea of your day's work. When does it begin?—It is laid down, I think, to begin at half-past 9, but as a matter of fact, I begin between half-past 9 and 10. Then on certain days I am on duty the whole day. On Mondays, Wednesdays, and Fridays I am on duty for the whole day. On Tuesdays, Thursdays, and Saturdays the assistant surgeon is on duty for the whole day. On the day that I am on duty for the whole day I visit the male and female hospitals.

3699. That would be the first thing?—No, I first begin by signing books, and doing anything that may be required in that way.

3700. Would that take you a considerable time?—It varies; sometimes there is a good deal to do in that way, and sometimes very little. Sometimes it may perhaps take me half an hour, and sometimes it may take me an hour. Then there is the male hospital and the female hospital to be visited. After that I examine prisoners who are remanded for medical observation by the magistrates or who otherwise require examination. This generally takes me until about half-past 1 or half-past 2 in the afternoon. Then I go home and I may be called into the prison again shortly afterwards by what we call "specials" coming in; that is prisoners who require to be seen immediately, such as prisoners who have attempted to commit suicide, or have commited murder, or some other serious offence. At half-past 4 I come in again to see the receptions, and my time is occupied according to the numbers who come in. There may be only 20 or 30 to examine, or there may be 80 or 90, and it would take me from half-past 4, say, to half-past 6; then at half past 7 I come in again to see the evening reception prisoners who have come in since the afternoon. This will take me, perhaps, from half-past 7 till 9 or 10. I am sometimes out of the prison at 9 o'clock, and occasionally I am not out till 10. That would be a day's work. Then in addition to that there may be sick officers to see outside. Of course, this does not include a good deal of official writing which I do at my own house. I have also a good deal of outside work. (This remark refers more especially to attendance at Sessions and visits to Newgate Prison, of which I am also the medical officer.)

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3701. With regard to the examination of the afternoon prisoners whom I understand from you are the most numerous——?—No, I think the evening prisoners are the most numerous.

3702. The evening group is the most numerous?—Yes.

3703. You might possibly have 100 to examine?—I might have 100 to examine in the evening, certainly.

3704. And you would have about a couple of hours to give to them?—Yes, the males are only remands and they are not examined with the same care that the females are who are prisoners and have to do work. A male prisoner who is a remand case is not examined at all unless he complains of anything. If a man says he is quite well he is not examined. There is no time to do it. Besides it is not necessary.

3705. With regard to visiting the cells that is what you have mentioned as included in your visit to the infirmary?—What cells?

3706. I meant with regard to your visits to any kind of cells. Are your visits confined to the hospital cells?—My visits are confined to the hospitals, and it is the assistant surgeon's duty to see the complaining sick who are visited in their cells. There are the male and female sick to be seen every morning by me.

3707. Then I understand it is one of the rules to record the result of your examination in writing when a prisoner first comes in?—Yes, we have a book supplied for the purpose.

3708. Have you that book with you?—No; I did not bring it with me, I did not know you would require it. It records the state of health bodily and physically. Then there are any restrictions—any peculiarities about the prisoner, and any restrictions as to the diet and any recommendations we have to make.

3709. Is the height and weight of the prisoner taken?—Yes, it is.

3710. That would be taken by some warder, perhaps?—Yes, that is taken by the warder at receptions.

3711. Are you supposed to make an examination of the principal organs of the body?—Of the females?

3712. Yes?—Of course one examines the chief organs of every convicted prisoner—the heart, the lungs, for instance; but one cannot make an examination beyond that. There is a certain delicacy with regard to examining women which there is not with regard to men.

3713. You have not much time to give to each prisoner?—No, certainly not. One has to go through them very quickly.

3714. With regard to the remand prisoners I think you said that there was not the same need for examination as for the females; but are not a considerable number of the remand prisoners what may be called, roughly, mental cases?—Oh, no, certainly not. The majority are not.

3715. I said a considerable number?—They vary. Perhaps we may get from two to ten a day. I should say from three to four would be a daily average of mental cases.

3716. On the average?—Yes, that would be about a daily average.

3717. It might sometimes exceed that of course?—Certainly.

3718. When you have that very large number of which you spoke—150 or 160—there might be, I suppose, seven or eight such cases?—The greatest number of those cases I have ever known in one day was 13. That has been the maximum since I have been there.

3719. I suppose that with regard to those cases that are referred to you for examination of their mental condition, you find a certain number of malingerers, do you not?—Very few indeed. There are very few malingerers in the local prisons—nothing like the amount there are in the convict prisons. As far as my experience goes the number of malingerers is very few.

3720. You do not think then that as far as your comparatively short experience goes of a local prison that it is much of an object for a prisoner to get put into a hospital cell?—You see my experience with prisoners extends only to females. I have had no experience whatever with regard to male prisoners in the local prisons, but with regard to the female prisoners they do not malinger.

3721. In the case of the remand male prisoners are not some forwarded from the police courts?—A large number.

3722. And of those forwarded from the police courts, are not some forwarded with a view to their mental condition being examined?—A large number.

3723. That part of the work, I suppose, would require a good deal of care?—Yes, very great care indeed.

3724. And also a certain amount of time?—A considerable amount of time. In fact it is one of the most important duties I have in the prison.

3725. To examine the mental state of the remand cases?—Yes, it is by far the most important duty of the medical officer in the prison.

3726. Would that be sometimes done by yourself and sometimes by your assistant?—I do that as nearly as possible myself.

3727. You look upon that as highly responsible?—As the most responsible work, certainly.

3728. Does not the necessary examination of that take sometimes a very long time?—It varies of course. Sometimes it takes a very short time to examine a man. At another time it will take an hour to examine a prisoner, and then one may have to examine him again before one is satisfied. In fact two or three examinations are occasionally necessary.

3729. I come now to the convicted side—the women's side of the prison. I will refer you first, if you please, to the 13th Appendix of the 16th Report which states the punishments. Will you look at the Holloway table. I think you will see that the total number of prisoners punished in the year ending March 1893 is 653 males and 734 females?—Yes, it is 653 males and 734 females.

3730. You have then nearly as many punishments on the remand side of the prison as on the female side?—Yes, I suppose so.

3731. At least that would be the case in that year; for which I know you were not responsible?—Yes, I should think that would be so too.

3732. And, as far as you know, that would be the case now?—Yes, I think so.

3733. Now I observe with regard to those punishments five males and 78 females were punished by the punishment cell; 276 males and 208 females by dietary punishment, and 369 males and 465 females with punishment by the loss of stage. As far as your present experience goes in Holloway would that fairly represent the kind of proportions?—Yes, it seems to be about that.

3734. With regard to the remand prisoners for what sort of offences are these punishments inflicted?—Some of them are for violence or using threatening language. Some of them are for petty breaches of discipline. They bring in tobacco, or they deface their cell walls by writing on them, and doing things which they have been told not to do.

3735. Have you formed any opinion with regard to dietary punishments as to their expediency or otherwise?—Well, for my own part I must say that I am

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opposed to dietary punishments as far as possible for prolonged periods.

3736. What would you define as a prolonged period?—The maximum amount that is allowed. You can give in convict prisons 42 days which I should call a long period.

3737. I was not at present on the convict prisons, but on the local prisons, where the maximum is 14 days, is it not?—It is 14 days, I believe.

3738. There are a considerable number of punishments here both for the remand and for the convicted prisoners of dietary punishments. As far as your experience of this year has gone, would they be for long periods?—No, I think the majority of them are for short periods.

3739. Do you mean for two days or what?—Yes, for two or three days the majority of them are. There are very few for long periods since I have been there.

3740. With regard to the punishment cell, I see you have only five amongst the remand prisoners, but you have 78 amongst the women. Have you had anything like that sort of proportion this year?—In numbers?

3741. Yes. Have you had several cases of punishment cells for women?—Do you mean in using them?

3742. Yes. Have you had several cases of women who have been placed in punishment cells?—Yes, they have been placed in punishment cells, certainly.

3743. What in your experience has been the longest time?—Well, you see it is rather hard for me to say this, because this duty is really performed by the assistant surgeon, so that I can hardly tell you from my own experience. The assistant surgeon sees nearly all the punishments, and I scarcely see any.

3744. The assistant surgeon is Dr. Pitcairn?—Yes.

3745. He has been there for how long?—He has been there for six years. You see my duties are so extensive that I cannot do everything.

3746. Now with regard to the labour done, what do you regard as hard labour of the first class for women?—There is very little labour at Holloway at all. The first class is working in the laundry and in the cookhouse. That is the only hard labour there is.

3747. Associated labour in fact?—Yes, associated labour. The other labour consists in needle work, picking oakum, and generally cleaning inside the prison.

3748. What class of female prisoners pick oakum?—All sorts.

3749. I mean is that recorded as hard labour of the first class?—They are all short term women, up to a month. The majority of them have seven days.

3750. A woman sent to prison for seven days?—Yes, a woman sent to prison for seven days would pick oakum.

3751. What amount?—One pound.

3752. Without the assistance of any instrument?—Yes.

3753. That is called "unbeaten oakum"?—Yes.

3754. Have you been able to measure at all the time that is required by an average woman for picking that quantity?—No, I have not. That has not come under my notice at all.

3755. You have it in your power to modify or to suggest to your Governor that he is to modify any punishment that you think is unsuited to the prisoner?—Certainly; if I thought she was not fit for dietary punishment I should say so.

3756. Have there been many cases in which you have thought it expedient to do that this year?—No; very few indeed.

3757. With regard to the first class diet of which a great ingredient is stirabout, some of us noticed when we visited the prisons that a great deal appeared to be thrown away. I do not know whether that is a usual experience or not?—Yes. Since I have been there I have called attention to the fact that three-fourths of it is thrown away.

3758. Do you attribute that to the Indian corn or to the oatmeal or what?—I attribute it to the Indian corn which is very unpalatable.

3759. You have found great objection to it?—Yes, I have found great objection to it. Women will beg to be given gruel in place of it; large numbers of old prisoners will.

3760. You have a large proportion of prisoners who are sent to Holloway for very short terms?—The majority of them are for very short terms.

3761. You have comparatively few whose term is for six months?—Very few indeed.

3762. And most of them would be for a month or a week, or something of that sort?—The majority of them are from 7 to 14 days.

3763. Then would all of them, unless there were some reason to the contrary, be placed upon No. 1 diet?—They would for the first seven days.

3764. Some of those prisoners would go out again and come again, and so on very frequently, will not they?—Yes, they very often go out on Saturday and come in again on the following Monday.

3765. You have already had experience of many such cases?—Yes, I have of an immense number.

3766. Then in those cases this No. 1 diet would be practically continuous?—Yes, it would.

3767. And for a considerable period?—Yes, it might be.

3768. Have you made any suggestion with regard to that No. 1 dietary?—I have.

3769. Would you mention to the Committee what it is?—Well, I suggested that the No. 1 diet should be revised altogether, and what I suggested was that if half a pint of milk were given night and morning with the same allowance of bread, namely, 5 ounces, and gruel in the middle of the day instead of stir-about, that it would be a much better diet, and it would be more suited as a diet to the class of women who take it, the majority of whom are habitual drunkards.

3770. The total amount of nutriment would be somewhat increased?—Yes, the amount of fats would be greatly increased.

3771. With this particular class of prisoners, these in-and-out cases, you do not find, in fact, that this low diet acts as a deterrent. Is that so?—No, I do not think so—not with the woman who is an habitual drunkard. Nothing acts as a deterrent to her.

3772. And, therefore, in your opinion, you would not think it necessary to keep this distasteful dietary from the point of view of prison discipline?—I think the diet ought to be made to a certain extent distasteful. You do not want to make it an attractive diet. I certainly object to making it attractive. I think it ought to be a diet that they can eat, and not a diet that they will return. It is only a suggestion of mine with regard to milk as, of course, there may be other better suggestions than that.

3773. Comparing your own long experience of convict prisons with your short experience of a local prison, would you say that your work at Holloway was more or less onerous than the work you have had before, generally speaking?—It is so entirely different, I think the work at Chatham was very responsible work indeed, but I think the work at Holloway is more responsible.

3774. Would that be from the very large number of cases that come before you?—The large number who pass through and the mental work. I am more especially referring to the mental work.

3775. I am now coming to that part of the subject; and I think we have had on official authority that some 600 cases pass through Holloway commonly in the course of a year, with a special instruction that they shall be examined with regard to their mental condition?—Yes, that is so. I have the exact numbers with me. I have here the number which was remanded for observation from year to year since 1886 and 1887. Perhaps you would like to have the last year's figures.

3776. Yes?—Last year there were 537 remanded by the magistrate for observation.

3777. For medical observation?—For observation as to their mental condition. That does not include all the cases that we examine mentally.

3778. What other cases would there be besides that?—Every prisoner who comes in, for instance, charged with a serious crime such as murder or attempted suicide. Attempted suicides are not always sent by the magistrates for examination into their mental condition, but they are always regarded by us as requiring mental observation, and all those special cases are considered as requiring special examination. The total number so examined last year was 1,056.

3779. Can you separate them into sexes?—No, I have not got them separated into sexes here.

3780. We see from the yearly report of the Commissioners, details as to the cases of insanity that come under the observation of the Holloway authorities. This paper I see appears to be in your writing and it would refer to a prisoner. Will you kindly read that, which is a report which you sent to the magistrate?—This is a report I sent to the magistrate of a prisoner after he had been under my observation, and I had determined on his mental state. "Register 6971", then comes the name: "appears to be of low mental type but has shown no indication of insanity whilst here."

3781. I see in the report of the Commissioners that the year ending March 1893 that 88 cases of insanity are recorded in connexion with Holloway prison. Now speaking from your own experience an enormous number of those were remand cases?—The great majority of them are cases remanded by the magistrate.

3782. In this 16th report out of 88 cases it would appear that 72 of them were remand cases?—Yes.

3783. And that would accord with your experience?—Yes. Certainly it would accord with my experience.

3784. So that by no possibility could the insanity of these 72 cases have had anything to do with their life in Holloway prison?—Absolutely nothing.

3785. They may be put entirely out of reckoning so far as prison life is concerned?—They were insane before they came in.

3786. I was going to ask you with regard to certain of those cases; but you are not able, of course, to supply the evidence?—Because the cases have not been under my immediate observation.

3787. No. Would they have come under Dr. Pitcairn's observation do you think, or would it be your predecessor?—It would be my predecessor, Dr. Gilbert, but they have also come under Dr. Pitcairn's observation. All those cases come more or less under the observation of the assistant-surgeon.

3788. But they would be specially examined by Dr. Gilbert?—Yes.

3789. Is Dr. Gilbert still in the service?—Yes, he is medical officer at Dover prison.

3790. A very large number of those 88 cases had been very frequently in asylums before, and some of them had been frequently in prisons before. Is not that so?—Yes that is so, I believe.

3791. Some of those that you have seen, perhaps, are of that class?—A few have been in asylums and a few have been in prisons certainly.

3792. I will read you out a passage from the third report of the Commissioner of Prisons in 1880. Speaking of those prisoners who come frequently in and out of the prison the remark is made:—"A study "of facts such as these, cannot but suggest whether "means should not be devised which should insure "proper care being taken of persons whose imbecility or low mental power has conduced to their "their becoming criminals and who for the same "reason cannot be deterred by remembrance of past "punishment from repeating the crimes and suffering "the penalties." Would you agree with that remark?—Yes, I certainly should.

3793. That is not a class of case which has probably come very much before you in your convict prison experience. They were all convicted, of course, of serious crime, and, of course, were all sentenced to long periods?—Yes, they were all for long periods. When I was in the convict service there were none for less than five years until within the last year. At all events I had none under my care for less than five years.

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3794. With regard to these persons of low mental type such as you have spoken of your practice is, I suppose, to keep them under observation in connexion with the hospital, is it not?—There are special cells in the prison for the purpose, which are specially set apart and which are convenient for observation. There is a light kept in the cell all night, and they are visited every hour.

3795. They are separate, and they are kept in separation?—Certainly they are kept in separation.

3796. I am speaking of local prisons?—The remand cases?

3797. Yes?—They are kept separate, unless they are so very imbecile that they require special attention. Then they are put into a ward of the hospital.

3798. But if not very bad, what then?—If they are not very bad they are kept in the ordinary observation cell.

3799. And they might be there, I suppose, for periods varying from a week to a fortnight?—Yes; that depends on the number of remands; they are generally remanded for a week.

3800. How would they be employed during that time?—I do not think they have any employment. They simply have books to read, and they have their ordinary hour's exercise in the morning. I believe sometimes they are employed in cleaning outside their cells. Some of them are employed as cleaners.

3801. With regard to the convicted women, I suppose some of them are also of a very low type of intelligence, are they not?—Some of them certainly are.

3802. Would they be in associated labour, or would they be in cells?—They are generally in for a very short period, only for a week, and consequently they are employed in the same way as the others, in picking oakum.

3803. No special pains could be taken of them during the very short period that they are there?—No special pains, considering the very short period that they are there.

3804. I think you have paid special attention to the vital statistics of convict prisons?—I have.

3805. Dr. Gore put before the Committee a very interesting report of yours in some scientific journal?—In the "Sanitary Record."

3806. That, I think, deals with the vital statistics of convict prisons for 1890?—Yes, I believe it does.

3807. In that report which the Committee have before them, you point out very properly the importance of dividing the prison population first of all into sex groups and secondly into age groups?—Certainly you cannot arrive at any conclusion without doing that. That is impossible.

3808. Each age group has its average rate of mortality?—Yes.

3809. You found, I think, some difficulty in that owing to the different mode of the Registrar-General's tables as contrasted with the records kept in prison?—Yes, I did. It was one of the most laborious tasks in the whole of my statistics. It was laborious, but not difficult.

3810. The groups of age are divided in prison from 20 to 30, from 30 to 40, and from 40 to 50; whereas by the Registrar-General's report you have them 25 to 35, from 35 to 45, and from 45 to 55?—Yes.

3811. And your method was to alter the English table in conformity with the prison table?—Yes.

3812. I suppose you say it would be desirable if possible that the two standards should in future conform?—I think so. Certainly it would be much more convenient.

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3813. Coming to your age groups, some of your groups showed this, that those relating to women which are recorded in Table 2 of the paper before us are very small?—Yes, I think there was only one death amongst the women.

3814. But I mean the prison population from 20 to 30 in a convict prison is only 40 women; from 30 to 40 they are 91, and from 40 to 50 they are 88. Those are very small groups to found any statistical foundation upon?—You cannot do it. I think the statistics are really worthless as regards the women.

3815. Then we will confine our attention to the male prisoners. Between 20 and 30 the number is 1,391, in the group from 30 to 40 the number is 1,519, and in the group from 40 to 50 the number is 952. With regard to them I understand you make out that in the prison population of the males from 20 to 30 the death-rate per thousand is 7·9; from 30 to 40 the death-rate is 6·5; and from 40 to 50 the death-rate is 15·7. Will you kindly refer to Table 2 and see if I accurately interpret you. I am confining myself at present to those three groups, and I have accurately read your figures, have I not?—Yes.

3816. Then you contrast that with the English death-rate which for the population between 20 and 30 is 8·31; which between 30 and 40 is 11·52; and which from 40 to 50 is 16·9?—Yes.

The proceedings were adjourned for a short time.

Mr. De Rutzen took the Chair.

3817. (*Dr. Bridges.*) Are you aware whether any similar statistics have been drawn up with regard to the local prison population?—I am not aware of any. I think not.

3818. Would it be possible, do you think, from what you have seen of local prisons to do so?—It is a much bigger question. The numbers to deal with would be very much bigger, but such statistics, of course, could undoubtedly be drawn up.

3819. It would be a matter of considerable difficulty?—Of great difficulty.

3820. Would the difficulty be increased by the fact of the prisoners in local prisons being for the most part short sentence prisoners. Would that complicate the matter?—Yes, it would very much; in fact, I doubt whether statistics worth anything could be drawn up for that very reason that the sentences are so short.

3821. I will only ask you one or two more questions upon your experience in convict prisons. What do you say with regard to the effect of imprisonment on prisoners in convict prisons; I mean upon their minds. Have you noticed any of the effects, good or bad?—I should say that as a rule a prisoner's mental condition is improved rather than deteriorated. Taking the average prisoner his mental condition certainly is not deteriorated. I do not think so.

3822. You have not noticed any cases of a prisoner coming in in a somewhat unstable condition of mind where the effect of life in a convict prison has been to deteriorate his mind?—No, I think not, certainly not. They work in association; they are not isolated as they are in the local prisons.

3823. What do you say generally about the effect of association, or on the other hand, of separation upon the mental condition of the prisoner?—I think that for long sentences you cannot separate them entirely like you do for short sentences, but I should say that for short sentences separation can be borne without any injurious effect upon the mind.

3824. Then I take it that in the case of long sentence prisoners in convict prisons you would not be in favour of keeping prisoners in separate confinement if such a thing had been proposed for five years?—Certainly I should not.

3825. You think that would have a bad effect upon them?—I think it would.

3826. In what way do you think?—I think their mental condition would deteriorate.

3827. As a matter of fact, however, nothing of the kind is done?—No.

3828. The labour in the convict prison is all associated labour?—Yes.

3829. What do you say about the present communications between prisoners, for instance, about the rule of silence. Is the rule of silence a very rigorous one?—No, it is not very rigorous. It is not so rigorously enforced as perhaps would be imagined. I mean prisoners undoubtedly do talk to each other when they are at work. A man will talk to the man who is nearest to him, not out loud but in a whisper, but they do talk to each other.

3830. You mean the warders do not interpret that with absolute rigour?—No, I do not believe they do, but of course they are supposed to.

3831. Are there any cases in which the rule of silence is entirely abrogated by the wish of the Governor or at the suggestion of the medical officer?—At labour?

3832. The rule of silence on medical grounds, I mean?—No, I have never known a case.

3833. (*Mr. O'Connor.*) Then do I understand you to mean with regard to the talking at work that the warders are better than the rules?—I mean to say that I think a warder might wink at such an irregularity. Of course, if a prisoner persisted in talking after being cautioned he would be reported.

3834. You have been at Parkhurst, Portland, Chatham, and Dover, and then at Holloway?—Yes.

3835. Your predecessor at Holloway or at Newgate has gone to Dover?—Yes.

3836. What is his name?—Dr. Gilbert.

3837. Was he in the convict service?—No, he was never in the convict service.

3838. But he has now gone into the convict service?—Yes, to a small convict prison.

3839. And you who have been in the convict service altogether have now come into the local service?—Yes, I have.

3840. Does that make any difference with regard to your position or his?—In what way, may I ask?

3841. Well, I do not understand the figures I have before me, but I am looking at certain estimates which were before the House of Commons as to the condition of medical officers of local prisons and convict prisons respectively, and I see that in certain respects they are not on the same footing?—I think they are. I am not aware of any different footing. They are divided into classes: 1st class medical officer, 2nd class medical officer, and so on.

3842. Yes, there are 8 altogether?—Yes, Holloway has been made into a 1st class prison.

3843. Yes, that is the next question I want to ask you about. It appears to be 1st class in so far as it has a 1st class governor, and it has a chaplain and an assistant chaplain, and it has a medical officer, and an assistant medical officer. Has it been made a 1st class prison in any other respects?—Well, the number is not up to 1,000 prisoners, which is one of the considerations.

3844. I mean with regard to any other officers?—That I could not tell you. The only other superior officer who I believe is not a 1st class officer is the Deputy-Governor.

3845. Yes, he is 1st class?—I did not know that.

3846. I notice you have not a 1st class chief warder, but only a 2nd class chief officer?—They are discipline matters which would not come under my notice.

3847. Do you know how many principal warders there are there?—I fancy there are 4, but I could not tell you.

3848. I believe as a matter of fact there are 5?—I would not be quite sure about that.

3849. Although pay is taken for six, I think there are only five. Do you happen to know how many warders there are?—I could not tell you the exact number.

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3850. Tell me the approximate number?—I fancy there are about 40.

3851. 30 I have got it?—30 is it, sir?

3852. Then pay is drawn for 20 only. So that you are one principal warder, and 7 warders short on your establishment. Now with regard to your own work. I understand you that normally it begins at half-past 9, and after signing the books and other clerical work, you have to visit the male and female hospitals?—Yes.

3853. Now with regard to the male hospital you have two wards, have not you?—Two wards and some cells.

3854. Am I right in saying that on the occasion of a visit sometime ago to Holloway there was an officer in charge of one ward, but there was not an officer in charge of the other?—That is so.

3855. Now we have to inquire into the association of prisoners, and a great many questions have been put to different witnesses about the advisability or inadvisability of prisoners being allowed to associate three in a cell, but in this hospital ward, if I remember rightly, there were none but prisoners?—There were none but prisoners.

3856. And I think there were six or seven of them?—The ward holds 10.

3857. But, at any rate, they were prisoners in association?—Yes.

3858. Were any officers in constant attendance?—No; there were no officers in constant attendance.

3859. Will you kindly tell me why that was. Had you an officer available?—I cannot tell you. You see, having been only at the prison for six months I could not tell you for certain why he was taken away. I only know by rumour.

3860. I suppose your being short of one principal warder and seven warders would furnish a reasonable ground for you not understanding why that was?—Probably the staff is not sufficient to supply a warder. I believe it is under consideration to supply another warder for that purpose.

3861. Well, after having visited the male and female hospitals you then have to observe those who are under remand for observation. Have you a large number of attempted suicides?—An immense number amongst those who are sent specially to us.

3862. Take this morning, for instance. How many attempted suicides do you think you have under your observation to-day?—I have not counted them up.

3863. Tell me approximately?—I daresay there are 18 or 20.

3864. And I suppose sometimes you may have even more than that?—Yes; that is on the male and female sides together.

3865. I suppose most of the attempted suicides are females, are they not?—No, I think they are equally divided amongst the men and the women.

3866. That takes you until half-past 2. Then you have special cases and an afternoon reception, and then again a reception of prisoners in the evening?—Yes. With regard to these receptions of course in the afternoon and evening the assistant surgeon and myself would take it in turn to do the work.

3867. Yes, but I am asking you as to a normal full day?—Yes.

3868. You told us the number would sometimes go up to 160?—Yes.

3869. You might have as many as 80 or 90 in the evening?—Yes, we might have as many as that.

3870. From those you would have to distinguish the insane or mentally doubtful?—No, those insane are what are called "specials," and our attention would have already been called to those cases.

3871. Supposing that in the 60 or 70 brought in in the evening there should be insane patients?—Yes.

3872. Would not you be responsible for not detecting their insanity?—Yes, certainly.

3873. Then you have to discriminate and distinguish and separate those?—Yes.

3874. You have to make a diagnosis sufficiently carefully?—We have to make the most perfect diagnosis we possibly can in the time.

3875. I suppose these people are, many of them, very dirty when they come in?—Filthy. They are all bathed.

3876. Of course they are bathed before you see see them?—Yes, in nearly every instance.

3877. But still you have to see them?—Yes.

3878. That takes you up to 9.30?—That varies.

3879. But to about that?—Well it varies. Sometimes we might get away by 9.

3880. And sometimes by 10?—Yes, sometimes by 10. I should say it would be more often 9 than 10. 10 would be very exceptional.

3881. Is there any prison in England where there is so large a stream of prisoners as there is in Holloway in the year?—No. I believe Liverpool is the nearest approach, where they have about 18,000 a year.

3882. And you have 22,000?—Yes, we have over 22,000.

3883. You have from 3 to 13 mental cases admitted every day?—Yes.

3884. Under constant observation day and night?—Yes.

3885. Now the point I want to put to you is this: do you believe or do you feel that you and your assistant surgeon are, without further assistance, equal to the work that you have to do; or that any two ordinary men would be equal to doing year in and year out the work you have to do?—It can be done by two men, but it cannot be done properly. That is my opinion.

3886. I see that in Parkhurst there are two assistant surgeons. At least there are two assistant surgeons charged for?—I was not aware of the fact.

3887. There is one medical officer of the first class and two assistant surgeons?—Then he has been recently appointed.

3888. Well it is in the estimates of the year from the 1st of April 1894 to March 1895. It is the current year. In Parkhurst the daily average number of prisoners is 700, but then those are convicts?—Yes, and invalids. It is now the invalid prison for the whole of the convict prisons.

3889. The convict service has a more steady population?—Certainly.

3890. It is more easy from the medical point of view to administer a convict prison than such a prison as Holloway?—Yes, much more easy.

3891. You told us I think that some three quarters of the stir-about is thrown away by the women?—That is so; I have had it measured.

3892. Did you notice that, when you came to the prison first?—Yes, I did or soon afterwards.

3893. That was in January 1894?—Yes.

3894. You made a representation about it?—Yes, I spoke to the medical inspector.

3895. When was that?—I could not tell you. I do not think I have any record of the particular time.

3896. Was it January, February, March, April, or May?—I could not tell you whether I wrote about it, or spoke to him when I saw him. It might have been as late as March last.

3897. Has anything been done yet?—I believe the subject is still under consideration.

3898. Nothing has been done yet?—No; nothing has been decided. It is still being issued out.

3899. Stir-about is still being issued out?—Yes.

3900. And it is still being thrown away?—It is still being thrown away.

3901. Is there sufficient work at Holloway, according to your estimate of the proper way in which work ought to be done, for a second assistant medical officer?—Certainly there is.

3902. You say there is?—Yes, there is plenty of work.

3903. The assistant surgeon is fully employed now?—He is very hard worked indeed; as hard worked as I am.

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3904. And you have as much work to do as you can manage?—Quite as much—rather more.

3905. (*Sir Algernon West.*) Mr. Gladstone asked me to ask you one or two questions. The first one you have already answered in reply to Dr. Bridges which is, what is your general experience of prison discipline and life on the mental condition of the prisoners. You have answered that already?—Yes.

3906. The next question is, have you ever known of any serious physical mischief resulting from punishment?—In local prisons or in convict prisons?

3907. I do not know which he means, but that is his question, and I think you might reply to it as to both?—From what kind of punishment?

3908. From punishment of any sort. Mr. Gladstone's question is, "Have you ever known of any "serious physical mischief resulting from punish- "ment." That is what he has written down?—No, I have not that I can remember.

3909. Now I want to ask you one or two questions on my own account. When I was at Holloway I think I was there at the time the reception was beginning for the day of remanded prisoners, and I think they were all put into cells; but I want to know whether your inspection of them was after they had had their baths?—That would be so.

3910. I wanted to ask, what is the extreme length of time a prisoner could be kept in a cell before you are asked to inspect him?—The time is rarely very long. He might be brought in in the morning and not be seen till the afternoon receptions.

3911. Is it possible that three remanded prisoners could be in a cell together?—Not all that time, certainly not; because those that come in in the morning are very few indeed; perhaps not more than a dozen or so, and they would always be put into separate cells by themselves. They are only put in two or three together when there is a rush.

3912. That does not happen very often, does it?—I suppose it would in the afternoon and evening when the vans are coming in.

3913. I asked you the extreme period a man can be kept there. Now I ask you what would be the ordinary time when the vans are coming in, in the afternoon that three men could be kept in a cell together?—They would not be there more than perhaps an hour or so. It might perhaps be two hours.

3914. As to those poor fellows that come in in the morning and are not inspected till the evening, we saw the cells they were put into. Are they put there without any book or anything of the sort during the whole day?—I could not tell you that. It has not come under my observation.

3915. But you have not come across a man with a book?—I do not see them in the cell; they are brought from the cell to my office.

3916. I have one other question to ask you; have you formed any opinion from your experience in both the prisons, convict and local, as to useful and useless labour with regard to the effect it has on the prisoners. You have no useless labour in convict prisons, have you?—Except as a punishment.

3917. But the ordinary convict is always put on work which is of a useful nature?—Yes.

3918. In local prisons you know there are people—at Holloway for instance—who are put on a wheel. At Holloway have you a wheel?—No, we have not.

3919. At Pentonville there is a wheel?—Yes.

3920. I do not call pumping useful labour?—It is considered as useful labour.

3921. Let us take only then the wheel and the crank. Have you any opinion about them?—I have never had any experience of a wheel in a prison. It is not used in the convict prisons at all.

3922. Nor at Holloway?—No.

3923. (*Miss Orme.*) You have the care of the health of the staff of officers besides the prisoners?—Yes, we hav

3924. With regard to female warders, have they generally good health?—Yes; as a rule, they have very good health, I think.

3925. You do not notice any effects from overwork?—I cannot say that I have done so.

3926. Are you acquainted with the hours during which they work?—No, that does not actually come under my notice.

3927. Then you have not noticed any effects of over-work?—No, I have not.

3928. With regard to those women who come in for short sentences, you say the greater number of them are habitual drunkards?—A large number of them are.

3929. I suppose some of them have habits of drinking, but would not be actually called "habitual drunkards?"—Yes.

3930. With regard to that class, should you think the low diet during some days makes it more likely than it would otherwise be that they should fall back into drink when they go out?—Well, it depends on whether they eat the food that is given to them. We have no record as to prisoners who reject their stirabout, and those that eat it. If a woman ate her stirabout (which is certainly a nutritious diet as far as it goes), I do not think she would be more likely to turn to drink when she went out, because she would not be starved. The stirabout is a subsistence diet, but if she did not eat the stirabout, but simply took the bread and water, she certainly would be so.

3931. I suppose a number of them are brought into the prison who are suffering from the effects of drink?—Yes.

3932. Their stomachs would be suffering from nausea?—Yes.

3933. And in that case they could not eat it?—No.

3934. Then if they go out for a few days and anybody offered them drink, it would have a much greater effect than if they had had nourishment?—Yes.

3935. Have you had many children born since you have been there?—Several.

3936. Have you any rules for a mother leaving the ward, or does she go into the cell as soon as she is fit for it?—We have no absolute rule on that point. We keep her in hospital until she is quite recovered.

3937. Do you know much about the women or the infants who are in the cells? Does that come under your observation itself?—That comes more under the assistant surgeon.

3938. Have you had many cases of mothers with young infants getting into bad health through living in the cell with the infant?—No, I have not had a single case. As a matter of fact I think there have been only four since I have been here, and in nearly every instance the sentence was a very short one; perhaps a fortnight or so.

3939. Is the staff at your command sufficient to give comfortable attendance to those women who are confined in the prison infirmary. Have you got sufficient for that?—I think our infirmary staff is too small.

3940. Are prisoners ever employed as nurses in cases of that sort?—No, the female infirmary warder attends to them.

3941. And she is a skilled nurse for that special purpose?—Yes, she used to attend at the London Hospital, I believe.

3942. (*Mr. De Rutzen.*) Taking the bulk of the prison population, do you think that the bulk of them show physical degeneracy to any extent?—I think they do so, certainly the confirmed criminal class does.

3943. And do you think that the bulk of them, apart from these cases to which your special attention is called, are mentally weak?—Well, that is a very difficult question to answer.

3944. I am putting the question from a book that is before me; but would you say that the bulk of the

criminal classes are of a humbly developed mental organisation?—I should hardly think so.

3945. Any large proportion of them?—No, I should hardly think so. Of course their mental condition depends very much upon the circumstances. The class of crime they commit seems to have some bearing upon their mental condition. There are some crimes which seem to me to be committed by people of weak intellect, but that is a very difficult question.

3946. Perhaps that is too general a question for you to answer, but may we take it that they are a class of people as a rule from which you might expect possible cases of insanity to arise?—Certainly the criminal class is the very class from which the lunatics are derived.

3947. Very much more than in the community out of doors?—Yes.

3948. And may I take it that from the general physical degeneracy of some of them you might expect early deaths?—Yes, certainly.

3949. So that early deaths and insanity might arise in considerable proportion in prisons over and above what you would expect out of doors?—Yes, certainly I should say so.

3950. (*Sir Algernon West.*) I should like to take the advantage of asking you a very general question. Have you anything you would in any way like to suggest to the Committee as an improvement in the treatment either in a convict or a local prison of the prisoners. Perhaps I had better confine my attention to convict prisoners?—The only subject that ever struck me was the question of diet.

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3951. That you have, I think, already mentioned?—Yes, I think the system that is carried out is excellent, and is capable of very little improvement.

3952. (*Mr. De Rutzen.*) I will only ask you one more question. That is with reference to the exercise the prisoners get. Do you think the hour a day exercise which they get is adequate?—It is adequate, but I think it would be advisable if they could get a longer exercise. I think if they could have it in the afternoon as well as in the morning it would be more advantageous for their health.

3953. And the reason, I suppose, practically, why they do not get longer exercise is the fact of the insufficiency of the staff?—I believe that has a good deal to do with it.

3954. And no exercise on a Sunday?—No.

3955. Do you think that would be possible?—I think it would be very difficult to give them exercise on a Sunday, because the warder wants to be off duty on a Sunday. They require a holiday.

3956. Yes, for the same reason?—Yes.

The witness withdrew.

Mr. E. Witheford.

Mr. Edwin Witheford called and examined.

3957. (*Mr. De Rutzen.*) Are you the Governor in charge at Dorchester?—Yes.

3958. How long have you been in the service to begin with?—For 18 years and upwards.

3959. And how long have you been in Dorchester?—Two years.

3960. Where were you before?—At Wormwood Scrubs.

3961. You went straight to Dorchester from there?—Yes.

3962. What were you at Wormwood Scrubs?—Chief warder.

3963. And then you were appointed chief warder in charge at Dorchester?—Yes.

3964. What number of prisoners have you on an average at Dorchester?—About 70, but that is above the criminal population of Dorchester. I have a lot of military and naval prisoners there; and some convicts.

3965. Then on the average how many would you have, including the military and naval prisoners?—That would be about the average.

3966. About 70?—All told.

3967. What cell accommodation have you?—I have accommodation for 160.

3968. You are never quite full then?—No.

3969. Does that take in the prisoners for more than Dorsetshire. Where do you get your military prisoners from?—Well the last party I got from the troopships on arriving from India, and the sailors from the Mediterranean Fleet.

3970. Have you any large proportion of long sentences?—Not local prisoners; that is to say not of Dorset prisoners. Some of the military and naval prisoners are on two years' sentences.

3971. What labour do you employ?—At present oakum picking.

3972. Nothing else?—Nothing else. The treadwheel is used for first-class labour.

3973. What includes first class labour?—Able-bodied prisoners for the first 28 days.

3974. It is simply the treadmill?—The treadmill; that is all.

3975. Have you cranks?—No, we have no cranks in the cells.

3976. Nothing but the treadmill?—Nothing but the treadwheel and oakum picking.

3977. The first class hard labour lasts for 28 days?—Yes, for 28 days.

3978. How do you employ them in the second class?—At oakum picking and the ordinary work about the prison.

3979. Do you keep your prisoners entirely separate?—Entirely.

3980. With no association?—None whatever, unless there are men in hospital; and that is very seldom.

3981. Do you give them any kind of profitable employment in their cells?—No, we cannot get it there. You see we are in an agricultural district, and there is difficulty in obtaining any profitable work for prisoners.

3982. I suppose if you could get profitable employment for them it would be of advantage, would it not?—Oh yes, it would be much better for the prison.

3983. You have never had, since you have been there, any matmaking or anything of that sort?—Yes, Post Office bags; mail bags.

3984. You have had some?—Yes, but that has been stopped for the last eight or nine months.

3985. Why was that stopped?—They did not require any more at the General Post Office, I believe.

3986. It was simply by orders?—Yes, by orders from the Commissioners, but we are about to start it again.

3987. You are?—Yes, I have got the invoice for the material now. I have got an order for a few thousand bags to make.

3988. And there is no labour, excepting that in the early part of the time there is the treadmill and oakum picking; and there is also this employment of bag-making?—This bag-making.

3989. What is your staff?—Eleven officers.

3990. Have you men and women?—Yes.

3991. What is the relative proportion of your male prisoners to your female?—Well, at the present moment we have 71 males and two females. The average number of females is generally two or three. We may go up to five, but they are short sentences, and we seldom exceed five.

3992. Have you any ground round the prison?—Yes.

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3993. On which the people can be employed?—Yes; it is divided into allotments for the officers. The ground outside the prison is used for that purpose.

3994. Is the prison labour used for that?—No.

3995. Then there is no part round the prison which is used for prison labour for cultivation?—Not for cultivation, for the use of the prison. It is simply to keep the grass in order, but they are not allowed to work on the gardens.

3996. You say you have some convicts?—Yes.

3997. Do they simply pass through your prison, or are they people who are simply undergoing the nine months' probation?—It is the separate confinement; that is it.

3998. So that they are doing their nine months?—Yes, and then they are passed on to the convict establishment.

3999. You have a visiting committee, of course?—Yes.

4000. How often do they attend?—Their general meeting is once a quarter, but they appoint monthly visitors.

4001. Monthly visitors of the committee?—Yes, but they visit more frequently than that.

4002. How often do you say, every week?—No. I should say about every third week.

4003. But they do attend regularly?—Yes, and see every prisoner and take considerable interest in them.

4004. And when they come under the prison rules they inquire into everything which is brought to their notice?—They see every prisoner and speak to every prisoner.

4005. And does every prisoner apparently open his mind to the visiting committee?—Yes, he can do it freely. There is no obstacle in the way.

4006. And do you find that prisoners, as a rule, treat the visiting committee a little more like their friends (of course I only mean in a particular sense) than those who are immediately in command of them? Oh, yes; they are pleased to see the committee at any time, and the committee know most of the prisoners. The committee are the owners of the property all round about the county and have most of these men as their tenants.

4007. And they speak freely to them about any little grievance which they may have?—Anything they choose to speak about.

4008. Do you ever have any visitors from outside?—Who come to visit the prisoners, do you mean?

4009. Yes?—Oh, yes.

4010. And all the work that they have to do is done in cells?—Yes, with the exception of the ordinary work of the prison, such as cleaning, cooking, and washing, and all that.

4011. May I assume that they are not put on to do that kind of work in the prison until they have shown themselves fitted for it?—Fit for such employment, and trustworthy, so as to be trusted out of their cells.

4012. And they look upon that, I suppose, as a privilege?—Yes, as a great privilege to be out of their cells.

4013. Have you anything to suggest as to anything that could be done for the improvement of the system as it at present exists?—No, I do not know that I have; especially where I am, at Dorchester, in one of those small prisons. The crime that is committed in that part of the country is such a mild type of crime that the men give very little trouble indeed when they come to prison. There is hardly any crime there at all.

4014. I forget what number of officials you just now said there were?—Eleven.

4015. And their hours are reasonable hours?—Very reasonable hours indeed.

4016. What kind of exercise do your prisoners get of a day?—One hour.

4017. (*Miss Orme.*) Have you any Prisoners' Aid Society?—Yes.

4018. Does it work well?—Very well indeed.

4019. How is it conducted? Are there meetings at the prison?—Yes, the honorary secretary is one of the members of the visiting committee himself. Captain Mansel attends every Monday, and he sees all prisoners three weeks in advance of their time, and asks what he can do for them and what they propose to do. He writes to their former employer to see if he can get the prisoners back again, and several of them he has found employment for at sea. He sends them to Cardiff. Inexperienced men get on as stokers, or something of that sort, and the females are very well cared for.

4020. How is that conducted?—Well, the matron there is an elderly person and she enters into everything with her prisoners. She understands them thoroughly, and she represents what she thinks is the best thing to do to the committee, and they invariably carry it out.

4021. There are no ladies on the committee, I suppose?—No.

4022. Are there any ladies who visit your prison in a philanthropic sort of way?—General Henning's lady has been there and has interested herself in the work.

4023. But not as a regular thing?—No.

4024. You have no periodical visits from the ladies?—No.

4025. In the same way as the visiting committee of justices visit?—No.

4026. With regard to prison offences do you consider you have many in your prison?—No, they are a different type of prisoner from the London prisoner.

4027. They are much easier to manage?—Oh, yes, much easier. There is very little vice in them.

4028. You do not get many offences with regard to picking oakum?—Well, I make every allowance for that. I find the agricultural labourer is not so sharp as the London prisoner at that kind of labour. He is slow, and I make every allowance for him.

4029. And you do not have very many punishments with regard to that?—No.

4030. I want to ask you one other question. About how many of your prisoners do you generally occupy with these prison duties such as cooking, and so forth?—There are two cooks and six cleaners. There are five in the laundry. We have frequently to do the washing of the clothes on account of the low number of female prisoners. It would be 12 or 13.

4031. You have about 12 or 13 on associated work?—Yes.

4032. Then you do not bake your own bread?—Yes, we do.

4033. How many cooks have you?—One officer. The cook does that with the assistance of a prisoner.

4034. (*Mr. De Rutzen.*) I forgot to ask you one question. Do you have many juveniles at your prison?—Well, I cannot say that we have many, but we do get them. I had one little boy last week under 12 years of age.

4035. Sentenced?—Yes, to seven days; and he was not 12 years of age. He was named in his warrant as a child. There was his name, and then "child." He was described as a child.

4036. Of course that is one case; but you have occasionally, some who are under 16?—Yes.

4037. What is your view with reference to juvenile offenders? Do you approve of their being sent to prison?—No, not if they are of tender years; certainly not. That boy we sent out of prison last week was perfectly delighted with the treatment he got in prison. There is nothing to deter that boy from coming again. He was treated with the utmost kindness; the boy was quite pleased. He was treated kinder in prison than he would be in his own home.

4038. You know the reformatory system, of course?—Yes.

4039. Are you of opinion that the age at which they may be sent to a reformatory could be extended with advantage?—I can hardly speak very favourably about the reformatory schools. My general experience is that those boys come back again to prison. I do not know whether it is that they are released from school when they are of an age at which they are neither boys nor men. I do not know whether it is the age that does it; but it is not so much so with boys sent to industrial schools. There is the difference.

4040. But they would be sent to industrial schools at an earlier age than they would be sent to a reformatory?—And they would be discharged from the school at an earlier age; so that their employer would have more influence over them.

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4041. I am assuming a boy, say of between 16 and 18 committing an offence which rendered him liable to be apprehended and tried. Would you consider it would be better to send him to prison than to a reformatory?—It is a very difficult age to manage.

4042. You would not like to express an opinion upon that?—I would not.

The proceedings were adjourned until Thursday, August 9th, 1894, at 2.30 p.m.

NINTH DAY.

Home Office, Whitehall.

Monday, 5th November 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
SIR JOHN EDWARD DORINGTON, Bart., M.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.
JAMES GRANVILLE LEGGE, Esq., *Secretary*.

CAPTAIN HELBY, R.N., called and examined.

Capt. Helby, R.N.

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4043. (*Chairman.*) You are Governor of Wandsworth Prison?—Yes.

4044. How long have you been in the prison service?—29 years on the 1st of January next.

4045. Will you state to the Committee the different posts which you have held during that time?—I was first of all Governor of the Sussex county prison at Lewes, and on the transfer of the prisons to the Crown I became Governor of Coldbath Fields. After being seven years there, I was transferred to Pentonville, on the closing of Coldbath Fields. I was there for three years.

4046. As Deputy-Governor?—No, as Governor; and then I have been rather more than six years at Wandsworth.

4047. I must first put to you a general question on the transfer of the prisons. Does your experience lead you to think that the transfer has been a success?—Yes, undoubtedly it has been beneficial to the management of prisons.

4048. Do you think it has brought about a large and considerable improvement in the treatment of prisoners?—Certainly, almost all round.

4049. With regard to the points referred to this Committee, I will ask you first a question about association. On some occasions there has been a difficulty in accommodating the prisoners at Wandsworth?—There has been a difficulty. Perhaps you will allow me to go a little into detail on that matter, in the first place, as to the extent to which it has prevailed. I have taken out some figures for the last five years. The amount of association during the last five years has been 29 days in all. Prisoners have been associated on 29 days only in the whole of those five years. In two of the years, 1890 and 1892, there was no association whatever.

4050. Not even for medical reasons?—Yes; I am speaking with regard to association necessary through excess of population over the separate cell accommodation.

4051. What is called overcrowding?—Yes. In 1891 there were 18 days on which prisoners were associated in three different periods; that is to say two periods of eight days each, and one period of two days. In 1892, as I said before, there were none. In 1893 there were five days on which prisoners were associated; and in 1894 there were six days; that is to say, not separate days, but consecutive days. Five days in one year, and six days in the other year. There was one period in each year; one of five days in 1893, and one of six days in 1894. These consecutive days would be until we could get the means of reducing the numbers by removal. That is to say, there were three occasions in 1891 on which we had to associate for short periods. There was one occasion in 1893, and one in 1894. When I say we had to associate, I would like it to be understood that in my opinion the statutory regulation with regard to cell accommodation has been complied with throughout the period at Wandsworth. The statutory regulation with regard to the provision of separate cell accommodation has never failed.

4052. Then turning to that part of the Act which deals with the question, how do you interpret it?—I have got the figures here, the maximum population for those five years. The average of those maximums would be the amount of cell accommodation required, less the convicts who might be in the prison at the time.

4053. But with regard to the 26th rule in the first Schedule of the Act of 1826, it is laid down that "every male prisoner shall sleep in a cell by himself"?—Yes.

4054. "Or under special circumstances in a separate bed placed in a cell"?—Yes, I interpret those special circumstances, in one particular at all events, to mean when there is a sudden and unforeseen increase of prisoners for whom separate accommodation cannot be found. I think that must be included within the special circumstances. There may at any time at any

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prison, no matter what accommodation has been provided, be a sudden rush, through some special circumstances which would cause an insufficiency of separate accommodation.

4055. You are of opinion, I suppose, that it is very undesirable to associate prisoners?—I am indeed, but I think you can never entirely eliminate the possibility of having to associate them on special occasions when there happens to be a sudden increase from some special temporary cause. Certainly the statutory requirements only provide for the average maximum of five years. They do not provide for the absolute maximum that has been the population during those five years; they only insist that there shall be separate accommodation for the average maximum for the five years.

4056. Since that Act you have had to take the convicts for the first nine months?—No, we do not take the convicts for nine months; sometimes we have had them for three or four months, but recently the period has been shorter. We had them formerly for three or four months until arrangements had been made for their removal.

4057. But that adds to the demand?—And the statute provided that the cell accommodation may be reduced by the number of convicts which we may have.

4058. Shall be reduced?—Yes, I had better go into the figures. The average maximum during the five years I have quoted is 1,135. That maximum has to be reduced by the average number of convicts during that period which is 11, and that reduces the statutory requirements to 1,124. The statute requires us to provide separate accommodation for 1,124 prisoners during those five years.

4059. But then the 11 convicts must occupy 11 cells?—Certainly they do, but then the statute does not insist on our providing separate accommodation for them. I have written out that section of the Act. It is section 17: "In every prison separate cells "shall be provided equal in number to the average of "the greatest number of persons not being convicts "sentenced to penal servitude"; therefore that average maximum is reduced by the average of convicts. I am speaking of what the statute requires.

4060. Quite so, I understand you, but I take it that you are strongly against associating ordinary prisoners where it is possible to avoid it?—Yes, I am; but I would like to say one word on that point, which is, that we do not associate indiscriminately, but when when it has been necessary to associate, we are careful only to associate prisoners with short sentences, that is to say, the ordinary vagrant or men of that class, and those who will be discharged in two or three days so as to minimise whatever evil there is in it. We do not associate indiscriminately, for instance, men of all classes. We are careful to pick out short sentence men of the vagrant class, and men who would be going out in the course of two or three days.

4061. Have you anything more to say on that point of association?—No, except this, that the class of men I am speaking of would probably be in precisely similar association before they came in and after they went out; that is, in the common lodging-house or the Salvation Army shelter, where the association would be as complete as it was here.

4062. Still you do not wish to follow that example?—Not at all, but I merely wish to reduce the effect of it.

4063. You have some suggestions to make with regard to letters and visits to prisoners?—I thought possibly the Committee might like to ask me some questions, but I have no proposals to make on the subject. I think the arrangements are sufficient at present to provide for every contingency.

4064. You think the Governor has sufficient discretionary power?—Yes. I always use my discretion, at any rate. I assume the discretion where time will not admit of reference, and I act upon it.

4065. But still you are bound by rules which are more or less hard and fast?—Yes; I do not depart from the rules unless there is urgency which would justify me in so doing; and then of course I should expect to be cleared on explanation of the circumstances. I do not think there is any intention that the rules shall be so cast iron and hard bound that a Governor is never to use his discretion. I do not interpret it so myself.

4066. If it was pretty clear that the receiving or writing of letters, or the receiving of visitors, was good for the prisoners from a moral point of view, I suppose you would see no objection to extending the existing privileges?—No. If there was time for a reference, I should not take the responsibility; but supposing a prisoner was going out to-morrow, and his friends wanted to make provision for his welfare, and there was no time to refer to the Home Office, I should certainly act on my discretion in the matter, and I should think the Home Office would expect me to do so.

4067. Take another point. Supposing the prisoner was one of the class who are liable to become habitual, and who has relations or friends who are likely to act in a good sense for him, do not you think that it is advisable rather to relax the present rules in order to give his friends freer access to him?—I do not think it would be well that every governor should have discretion in that matter. I think the rules should be adhered to in these matters, and that the discretion should be left with the central authority.

4068. Or with the visiting committee?—Yes, with the visiting committee, certainly; there is no objection to that.

4069. But would you agree that it would be desirable to extend these privileges to prisoners, provided it were found that there were friends who might influence them?—In very exceptional cases. As a rule, I should say it was not advisable.

4070. Then you would not be inclined to relax the three months' rule?—No, certainly I should not relax that. I think it is one of the deterrent elements of imprisonment, and I think they must be preserved.

4071. Upon this question of offences and punishments do you think that the present system is generally good?—Yes; I think the Governor has sufficient power, and not more than sufficient, to maintain the ordinary discipline of the prison; and he has the visiting committee to support him in any more serious matter. I do not think anything calls for alteration there.

4072. Are you in favour of the plank beds?—Yes, I see no objection to the plank bed whatever. It is part of the deterrent discipline of the prison, and I think that has already been relaxed as far as it is prudent.

4073. Then you are satisfied with the dietary punishments?—Yes, they are moderate in character.

4074. But still the effect of a dietary punishment is to lower the vitality of the prisoner?—It is, but he is carefully watched by the doctor. The doctor has power to take the man off the diet and to interpose at any time.

4075. Under what rule are these dietary punishments inflicted, under what part of the Act?—The Act of 1865 provides for that in a general way; but the details of the dietary punishments that may be inflicted are given in the "Local Prisons' Code."

4076. Could you tell me the section of the Act of 1865?—It is all in the "Local Prisons' Code," for the Act of 1865 is quoted in the "Local Prisons' Code." The provisions of the Act in regard to dietary punishments are quoted in the "Local Prisons' Code."

4077. I was rather puzzled myself as to where the power was conferred. I have been unable to lay my hand on it?—Do you mean to inflict dietary punishment at all? Page 80 of the "Local Prisons' Code" gives the dietary scale. I think it comes under the head of "Discipline" of the Act of 1865. It is page 56 in the "Local Prisons' Code."

4078. We are going to adjourn for a short time now, and therefore, perhaps we may as well stop at this point?—If you will allow me the book in the meantime I will turn up that part of the Act of 1865, which refers to it. We do not refer much to the Act of 1865, because everything that governs us is quoted and carried into the "Local Prisons' Code." We do not, as a rule, deal much with the Act of 1865.

Adjourned for a short time.

4079. You were going to find us something, Captain Helby?—Yes, I have looked up the two or three points in the Act of 1865 where those marks are, which refer to the visiting justices' power to impose punishment. That is all I can find.

4080. The Prisons Act of 1865 seems clearly to give authority and power to the Governor to inflict three days bread and wate r?—It does.

4081. But I do not see that it makes any reference to the visiting justices' power to order dietary punishments?—No, I cannot find it in the Act of 1865, I apprehend it must have been in the byelaws of the prisons. I certainly cannot find it in the Act of 1865, but I have distinctly a recollection of the visiting justices (that is the old representatives of the visiting committee), having power to impose bread and water for period not exceeding one month; and I know it was their practice to do so; but I cannot find it in the Act of 1865, I apprehend it must have been in our local byelaws. Each county had separate byelaws besides the provisions of the Act of 1865. This book is our present local code which does not provide for it, and I think it must have been fixed and provided for by the county byelaws. I think the powers of inflicting dietary punishments by the visiting justices—(not the visiting committee) must have been in the byelaws.

4082. Schedule 1 to the Prisons Act of 1865 specifically authorises visiting justices to punish by confinement in a punishment cell for any time not exceeding one month?—Yes.

4083. And felony prisoners, or those sentenced to hard labour, might be punished by personal correction?—Yes, that is so.

4084. But I do not see any reference to dietary punishments?—No, I do not see anything in the Act of 1865, nor in the local code which particularises that power.

4085. As a matter of fact dietary punishments are frequently imposed by the visiting justices, are they not?—By the visiting committee. It is assumed that they have powers to impose greater punishments in that regard than the Governor. The Standing Order 94 defines the Governor's power for these diets, limiting them in a certain way; but those diets are laid down in the code for idle and ill-conducted prisoners, and I have always supposed the visiting committee had the power to impose those diets, and they have always so considered themselves.

4086. You do not find any difficulty in giving the necessary dietary punishments to prisoners under the present system?—I do not find it necessary myself to go to anything like the limit that I am empowered to go. I always take my serious cases to the visiting committee. I refrain from imposing heavy dietary punishments myself.

4087. I suppose you think that one of the most effective punishments is the removal of privileges?—No, I do not. I think the most efficient punishment is a short sharp one in the way of diet, in order to deter prisoners from misconduct, I do not like dragging punishments; nor am I fond of the reduction of privileges to any large extent.

4088. Take the question of associated labour?—Well, of course, if a man does not behave himself he is removed from association. That is a privilege which is of course at once withdrawn when a man does not behave himself.

4089. Then that is an effective form of punishment?—Yes, up to a certain point. It does not carry very much with it.

4090. The point depends upon whether or not the prisoner likes associated labour?—Yes, it would not go very far. Merely withdrawing from associated labour would not go very far in the way of deterring him from misconduct.

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4091. Supposing certain other privileges were introduced into the present system, such for instance, as some special dinner on Sunday, do not you think that you would have in the possibility of withdrawing those privileges, a very useful form of punishment to preserve discipline?—Anything in the way of dietary punishment is I think always very effective. It appeals at once to the man's grosser nature, and I think it is more effective than any other sort of punishment, but I am not advocating it in any severe degree, or in any extremity; only in moderation.

4092. With regard to the system of stages and marks and gratuities, do you think that there is any improvement to be made in the present system?—No, I think it works exceedingly well. It is a modified system from what I was accustomed to under the county. They instituted a very similar system to that at Lewes under the county, and I worked it for some five years before the transfer to the Crown. The only thing I think is that the money value might be carried a little further with the long sentence prisoners. It stops at 10*s*. Well, we carried it further under our county system at Lewes. It was possible for a man in a two years' sentence to earn up to the full extent of the power the visiting justices had to give him; that is to say up to 2*l*. I do not say I would advocate it quite up to that extent.

4093. Would you approve of putting some premium on specially good work done in prison labour?—Not very much. I do not think it desirable to put too much in the hands of subordinate officers in that way. It might possibly lead to favouritism.

4094. Apart from that special difficulty you see no objection to encouraging prisoners to extra work by some slight premium?—Where there is task work; but it is not all task work in a prison, and it would work unfairly with those who are not at task work, men who are cleaning or working about, doing work that cannot be tasked, or working as artisans. It would be an unfair thing not to extend it to them.

4095. You mean it would be very difficult to work it equally?—Yes, I think the limit of eight marks a day is fair on the whole. It is better not to go beyond that.

4096. Would you approve of a proposal to enable local prisoners to earn remission of sentence?—No, I do not think it would be of any value whatever.

4097. Not even those under the long sentences of two years or one year?—No, I think it would be of very little value. I remember a case at Pentonville where some men rendered good service when a prisoner lost his life in the well. Some of these men rendered good service in going down and endeavouring to rescue him. A report was made and they got a month's remission of sentence, but they were very much disappointed because they did not get a gratuity. They would rather have had the gratuity than a month's remission of sentence.

4098. (*Sir J. E. Dorington.*) Would that sentiment apply to four or five persons, or only to one?—It would apply to the whole who were concerned, I think.

4099. How many were there in that case?—Two or three, I think.

4100. It was not an individual it applied to?—No, I think it applied to them all and they were dissatisfied that they did not get a gratuity.

4101. (*Chairman.*) What is your experience of the results of the associated industrial labour which you have at Wandsworth?—I think it works very well. It is an inducement to the men to behave well and get out in a modified form of association. I see no objection to it whatever, but I should not extend it too far. I think that short-sentence prisoners should be kept in separate confinement, otherwise all the deterrent effect of the imprisonment would be gone.

4102. Then what class of men do you put to industrial work?—The longer sentenced men, after a portion of their time has been spent in separate

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confinement. I make it a rule generally that a man should not go out of his cell until the first half of his sentence has expired; but we do not adhere to that very rigidly.

4103. Would you put a six months' prisoner into that work?—That would depend. I am obliged to consider the cases individually. It would depend upon whether he had been in prison before, and what his conduct had been during his imprisonment. But supposing his conduct had been good and he had never been in prison before I should put him to some form of labour outside his cell if I could, that is if I had the employment for him.

4104. You would not put a habitual prisoner there?—No, I avoid doing that as much as possible, I have had a good many contentions with convicts on the subject.

4105. In fact you would put the best conducted men?—Yes, we sift them in that way.

4106. Have you had any difficulty at all with regard to talking?—There is occasionally talking, but there cannot be talking to any great extent, so as to have a demoralising effect. There is no possibility of prisoners getting together to hold anything like unrestricted conversation, they may occasionally have a few words, and do undoubtedly, and they are reported and punished in a mild way for it.

4107. But you have no reason to think that there have been any evil results from it?—No, I do not think so. I do not think it can happen with the restricted opportunities that they have. I do not think that anything like concocting crime or demoralising one another by conversation can exist to any extent. I should say not.

4108. Do you imagine that these workshops pay their way?—I do not know. We work almost entirely for the Government, and we do not charge any profit. We merely charge for the wear and tear of tools and materials.

4109. Assuming there was no financial difficulty, to what extent would you be in favour of extending workshops at Wandsworth?—I do not think there would be need for any great extension of the workshops. I will just quote some figures on that point. On Saturday we had working out of their cells in some form or other—either in the infirmary or cleaning or in the shops, or working on the repairing of the buildings, and for things of that kind—330 prisoners out.

4110. (*Mr. O'Connor.*) Out of how many?—Out of a total of 989; and 66 of those 989 were discharged that morning; so they must be eliminated. They were regarded as our prisoners for the day as they show on the books for the day, but they went out at half-past eight in the morning, it being the last day of their imprisonment; but they were on the books. The total will have to be reduced by that, and of course the receptions who come in at night would not show, because they would be still in the reception ward; and we had 330 actually out of their cells working on that day. I do not think there is much room for extension on that point.

4111. (*Chairman.*) I see at Wandsworth there are 267 engaged in picking oakum, or coir or wool?—Yes, that is by the last annual return. We have now got some sack making, which we are doing for private firms which has considerably reduced the number on oakum picking.

4112. Do you care for oakum picking as an employment?—We cannot do without it. The statutory requirements of hard labour oblige us to employ the prisoners in some form or other.

4113. But do you think it is a good form of hard labour?—No, we do not use it if we can possibly get anything else, and if the prisoners are fit to do anything else.

4114. That is to say you only give them oakum picking when you cannot give them a better form of hard labour?—Quite so.

4115. But *per se* you do not think it is a good form of hard labour?—Yes; but I see nothing degrading in it. I see nothing particularly objectionable in it. It is not very enticing or attractive work, but I see nothing objectionable in it myself. Oakum picking is an industry. The oakum when it it picked is used for caulking ships, and I see no reason why it should be degrading to pick it. Sailors employ themselves sometimes by picking oakum at sea.

4116. Then I see you have 148 either at the crank or grinding wheat or pumping water?—Yes.

4117. Do you think that that form of labour which is in its nature unproductive is advisable in the interests of the prisoners?—Well, I think it is very advisable in the interests of society that there should be some real form of hard labour more than mere nominal labour, and I think as long as hard labour stands on the statute we should provide it at all events, for some portion of the sentence. A prisoner is sentenced to hard labour during his entire term. In point of fact we do not give him hard labour beyond the first month, because the lighter forms of work cannot be reckoned hard labour as required by the statute.

4118. We all agree that hard labour must be imposed in some form or another, but should not you say that these particular forms of hard labour mean necessarily that the prisoners engaged on that would be in a state of mental emptiness all the time. No mental effort is required for doing work mechanically, and to that extent it must have a more or less unfortunate effect?—A man breaking stone on the roadside has not mental occupation. It is about as mechanical a thing as turning a crank.

4119. Well, he has to use his eyes, his arms, and his legs in a somewhat different way?—The difference is very small. Our labour in point of fact is really not unproductive, for instance we save 85*l.* a year by pumping water; that is not unproductive.

4120. Of course, that you could get done by getting water from the water company, or using a gas engine if it came to be a question of economy?—Yes, we get water from the water company, but we save to the extent of 85*l.* a year by pumping our own water from our own well, and we also grind our own corn by the mills. That is not unproductive labour because we get much better meal than when we purchase it.

4121. Still the nature of the work means that for six hours a day a prisoner at hard labour on the crank or the mill has to perform a single mechanical action the whole time?—Yes, that is so.

4122. He might be asleep so far as any mental effort is concerned?—Yes, that is so, but I think he would be during that time reflecting on the folly of getting there, and having subjected himself to that discipline. I cannot see the harm of punishment pure and simple myself. I think it is wholesome discipline.

4123. I suppose you say that supposing under favourable conditions you could put a man to hard labour in digging or some hard manual labour which was immediately profitable it would be preferable to putting him to these mechanical contrivances such as turning a crank?—Yes; but I do not think there would be much more profit got out of the digging if you judge of it by taking the experience of the Salvation Army. It might be an advantage, but the powers of doing that are very limited. We should require an extended area and a large wall built at great expense to prevent escapes, and we should require a large extra staff to superintend these men.

4124. I can understand the difficulty of carrying out any such proposal at Wandsworth, but I observe you do make use of every available space within your prison walls?—Yes.

4125. And you find that a good sort of employment?—Yes, and very much sought after as far as it goes.

4126. How do you manage with regard to teaching your prisoners their work in these shops. Have you special artisan warders?—Yes, we have warders who know something; some of them pick it up in the shops in the prisons; for instance, our brushmaker entirely learned brushmaking in some other prison and was sent to Wandsworth to superintend it.

4127. Then you make boots?—We have a proper shoemaker.

4128 A shoemaker warder?—Yes, we have a shoemaker warder to superintend them, and we have two tradesmen to superintend the pouch-making for the postmen, and legging-making, and so on.

4129. Do those men get any extra pay?—No, they do not. If I may express an opinion on that I think it would be desirable if it could be accomplished.

4130. And probably if there were some additional pay you would have better opportunities of getting skilled men?—No I think they could not come in straight in that way to superintend work of that kind. You must have experienced officers and select them. It would be no inducement to men in the first instance, I think.

4131. But they might serve some probationary period?—It would be certainly an advantage if those who were superintending industrial labour and qualified to instruct men, could get some special acknowledgment of their services.

4132. Now, with regard to the question of contamination, is it your experience that there is greater danger of contamination among the younger prisoners than the older ones?—Yes, if they get together; if they get a chance of communicating. That is my opinion undoubtedly. Boys will corrupt each other vastly more than men, and more than men will corrupt boys.

4133. Therefore in any special methods of classification under which the younger prisoners were kept together you might run very great risk of harm?—I think so. I do not know how they get over that in the reformatories; I must say, associating lads together in the numbers they do, seems to me to be fraught with a good deal of risk in that way.

4134. Would you be prepared to give as many books to the prisoners as they wished to read, assuming you had sufficient staff available for the purpose of distributing them?—I do not think I should go beyond our present limits, they get a new book every week and their time for reading, if they do not take it out of their working time, is somewhat limited.

4135. But, still, providing the literature is profitable, it is a good thing for the prisoners to read if they like, is it not?—But I do not think they read their books, I think they skim them. It is not a discipline of the mind at all, but a sheer amusement. I should say if they get a book once a week and get through that, it is a great deal more than I can do. I have not time to read 52 books in a year.

4136. Still, as a matter of fact, you have discretionary power to give them books more than once a week if you thought fit?—The chaplain might do so in special cases, and no one would interfere with the chaplain's discretion in the matter. He has, I think, a free discretion in all those matters.

4137. With regard to the diet, have you any special remark to make on the present system?—No, I think it is more a doctor's question than for me to observe upon. I have not observed any ill-effects of Number 1 Diet. I have heard it commented upon, but I cannot say I have observed it myself. Prisoners appear to me to go out in quite a fit condition to resume their ordinary employment.

4138. How often do the inspectors visit you in a year?—The rule is once a month, but in point of fact the inspector comes to us twice a month. It takes him two days to do his inspection, because ours is a large prison.

4139. Two days each visit?—Not immediately following each other, but he comes two days a month.

4140. (*Mr. O'Connor.*) How many hours a day?—He would be there the whole afternoon, three or four hours.

4141. (*Chairman.*) Is it a rule that they visit the prisons once a month?—Yes.

4142. Even the small ones?—Yes, every prison.

4143. Their duty, of course, is to report to the Commissioners?—Yes, that is so.

4144. They have no powers to give orders?—No, they have no power of giving orders. They can call the Governor's attention to any matter, and they make notes in their minute book, and perhaps in 99 cases out of 100, though not an order, it will mean the same thing. The thing will be attended to; but if they should put anything in their order book that the Governor would think he was not justified in carrying out, he would not carry it out without referring to the Commissioners. At least that is my interpretation of the relative position of the Inspectors and the Governors. They do bring round, of course, special orders from the Commissioners, but those are distinguished from their own notes. They bring round from time to time some general order from the Commissioners which is entered in their book, and understood to be the Commissioners' orders.

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4145. Then with regard to the Prisoners' Aid Societies. At Wandsworth, I think, that work has been done chiefly by the visiting committee?—Yes, we have a very efficient Prisoners' Aid Society worked by the visiting committee, in fact they spend several hours every week when they visit in going into cases and administering assistance and relief. Besides that, the St. Giles' Mission also has a mission room outside, and every man who goes out of the gates has a card of invitation given him to go and have coffee and bread there, and he has an opportunity of making his case known to whoever is attending as the agent of the society, so that, in point of fact, nobody can possibly say that he has not had an opportunity offered him.

4146. If a prisoner desires to see the agent of any particular society is there any difficulty about it?—No; if he expresses a wish to see the agent of any particular society he is allowed to do so. That society is communicated with, and if they choose they send an agent down to see him.

4147. Do you know how much money the Wandsworth Prisoners' Aid Society gets from the Treasury?—No, I do not quite know; I daresay it would be shown in the statistics, but I do not know.

4148. We have got them in the Commissioners' Report perhaps. Are you satisfied with the average standard of the warders in point of character?—Yes. I must say I think I have got a very fair set of men. They are quite equal to what we had in the county. I think altogether they are quite equal to what I found at Coldbath Fields when I first went there, and they were all county men then.

4149. There is no falling off when you get young men?—No; the new men of course have to learn their way and so forth. I certainly consider my staff now quite as good in point of character as the staff I found at Coldbath Fields when I went there.

4150. I suppose the tone of the warders depends largely upon the Governor. If you get a bad or inefficient Governor that will permeate the whole staff?—Yes, the Governor's tone will unquestionably affect the tone of the staff.

4151. If a prisoner brings a charge against a warder for striking him or alleging that he has struck him or something of that sort, is he allowed to produce evidence from other prisoners?—I should get every possible light that would bear on the subject from prisoner or officer. Of course I should very carefully consider the value of the evidence that came from fellow prisoners. I should have to consider what opportunity they had of collusion or making up a story against the officer or anything of that sort. One would have to consider all that, but I should certainly endeavour to get all the information I could from every source.

4152. And from prisoners as well as from other people?—Yes, certainly.

4153. With regard to young prisoners, do you think that it would be advisable to extend the age of admission to reformatories?—Do you mean beyond 16?

4154. Yes?—I should not say so. The working-class boys, I think, practically become men between 16

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and 17, and unless they have been taken in hand earlier than that, I think you cannot treat them as children any longer.

4155. But still, is not it conceivable that a lad of 17 might do well in a reformatory when he, perhaps, would become an habitual criminal if he went to prison?—Yes, I would not say that it may not be so in some few instances, but, generally speaking, boys of that age have gone out to work for a year or two, and they have acquired all the habits and notions of men. It would require at all events a separate kind of reformatory treatment altogether for them, quite distinct from the child's treatment.

4156. They would have to be treated as a separate class in the reformatories?—And in separate reformatories I think. I do not think it would do to mix them with the younger boys.

4157. Still you think it would be desirable to give to the court, if it were thought fit, power to send lads to a reformatory up to 18?—I should not like to give much opinion on that.

4158. You have not been connected much with reformatories?—No. I think the reformatory people would be better able to judge upon that.

4159. Have you any opinion upon the question as to whether short sentences upon habitual criminals have a very slight deterrent effect?—I should say they had absolutely no deterrent effect at all. Short sentences on an habitual prisoner would not have any deterrent effect. They are so thoroughly accustomed to prison life that they take it as merely an unfortunate accident in their lives.

4160. Have you had many habitual criminals who so work their own business that they come in again and again under sentences of three months or six months?—Yes, we have a great many such, but I should have thought it would have been much better if they had had a more severe sentence I must confess. Sometimes I get prisoners committed for six or twelve months, who have had two or three periods of penal servitude, and it is not likely a six or twelve months' sentence would deter those men from crime.

4161. Would you agree that as an habitual prisoner gets older the prison has less deterrent effect on him in increasing proportion?—Undoubtedly, it becomes a sort of second home to him. He does not choose it, but he is quite reconciled to it when he falls as it were and gets caught and sentenced.

4162. And some sort of cumulative sentence, you think, is the only way of dealing with them?—Yes. I think it is most desirable that previous crime should have an effect in lengthening the sentence. I think it is the only deterrent in such cases.

4163. With regard to the unconvicted prisoners, do you think their position is satisfactory under the existing system?—I have had no experience of them during the last 16 years.

4164. How many debtors have you?—We have an average, I should think, of about 9 or 10 debtors so called. Half of them are probably prisoners committed under magistrates' orders in some civil matter. It is not a conviction and they are treated as debtors.

4165. Do you keep them apart?—Entirely apart from the other prisoners, certainly. They have their day rooms and they have their yard to themselves. They never come in contact with the convicted prisoners, and they have a separate part in chapel.

4166. Are they troublesome prisoners?—Not at all.

4167. Are they well behaved?—Yes.

4168. Do you find convicts are more difficult to deal with than the short sentence prisoners?—No, except now and then. When a man, for instance, cannot get out of his cell to work, and that sort of thing, he may be very troublesome, but as a rule they behave fairly well, quite as well as the average of other prisoners.

4169. Do you think there is any sufficient reason for sending convicts to local prisons during their first period of sentence?—I am really quite unable to give an opinion on that. We do not have them ourselves. We have not the convicts with us for nine months.

4170. I thought you said you had them for three or four months?—We used to have them for three or four months or so before we could get them removed, but we do not get them sent to us for nine months regularly.

4171. Still, how many convicts would you have?—I think not more than two or three at present, because we remove them much quicker than we used to. The forms are altered and we can remove them quicker.

4172. Have you got any opinion as to whether a Deputy-Governor should be given to the large prisons when the population reaches a certain figure?—I think you must have a Deputy Governor in large prisons. During the Governor's absence, for instance, on leave or sickness, I do not think it desirable to leave a large prison with 1,000 prisoners in the hands of a chief warder.

4173. But what would be your limit. In what cases would you appoint a deputy-governor?—Do you mean in point of numbers?

4174. I mean when do you think the appointment of a deputy governor is really necessitated?—Where there are females there is not the same necessity because the matron is, as it were, deputy-governor on her side; therefore it greatly reduces the governor's responsibility on that point.

4175. But still he is the head of the whole prison? Yes, but practically if the matron is a person suitable o her position in a large prison she would be able to superintend on the female side, I think, without much interference from the governor. Of course, he has to impose the punishments and all that sort of thing.

4176. Then do you think the present system hits the mark?—Yes, I think it is only in large first class prisons that you require a deputy-governor.

4177. Let us take a prison, for instance, like that at Strangeways at Manchester?—I should fancy they have a deputy-governor there.

4178. No, they have no deputy-governor there?—They had. Probably there is a large number of female prisoners there.

4179. In 1893 and 1894 they had a population of 714 men and 316 women?—I should be glad myself if I were there to have a deputy-governor.

4180. In Liverpool there was a population of 686 men and 323 women, a total of 1,009?—Yes.

4181. And there was no deputy-governor there?—I think it is desirable in large prisons. There is a certain amount of mechanical duty which it relieves the Governor of, and it relieves the strain which he must be under. Besides which it is not desirable in a great institution that men of the class of chief warders should be left long in charge.

4182. Then coming down to the smaller prisons—say a prison of 500 or 600—does not the same difficulty present itself there?—It does in a degree, but it is reduced in degree as you come lower. I should not think a prison of 500 or 600 needed a deputy-governor.

4183. But do you think it is advisable, during his absence on sickness or leave, to leave the prison in charge of a chief warder?—Well in medium sized prisons I think it does not work badly.

4184. Do you approve of the system of appointing chief warders as warders-in-charge to prisons with less than 100 prisoners?—I am not too much in love with that, but I should be very sorry to say anything which would militate against the ultimate prospects of good officers having a charge of their own; but I think it should be well limited and not extended too far.

4185. (*Sir J. E Dorrington.*) You said you thought the change from the Local Government to the Crown was beneficial?—Yes.

4186. Are there any particular points that strike you with regard to that. You have just said that the warders were equal to yours under the old system. You did not say they were better?—No, I do not think they are better. Perhaps I might just mention two or three heads as I thought I might be asked

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that question. I should like to preface what I say, by this, that my experience under the old system was a most satisfactory one. I have not a single word to say against the old system from my own personal experience of it. I had an excellent visiting committee who were most anxious to promote reforms and improvements and do everything that was suggested to help my endeavours in that respect in every possible way; so that I am not at all to be understood to animadvert upon my own experience.

4187. What size was Lewes. How many prisoners had you there?—We had between 300 and 400 cells, I think, but not so many prisoners. We had a large excess of accommodation beyond our requirements. They were built in excess anticipating what never happened; but under the counties each prison was isolated and had its own system; that is, within the statutory obligations of the Act of 1865. It had its own byelaws; its own discipline; its own dietary; and its own system of labour. Within the limits of the Act of 1865, there might be very great differences in prisons in adjoining counties. There was no common standard, no common dietary, no definite point to aim at. The structures varied materially, some being very much behind the time. Improvements were slow of growth, and sometimes there was a great deal of *vis inertiæ* to overcome, not perhaps with the visiting justices, but some other members of the Court of Session, who would perhaps not approve of improvements and reforms. One magistrate, when we introduced our industrial system at Lewes, came down expressly from London to oppose it, and called it "Captain Helby's Romance in Three Volumes." You were liable to that sort of thing. Then the industrial development was very small. There was very little done except in a few prisons beyond oakum picking and the tread-wheel or cranks with a little bit of mat making here and there. This represented the labour of most prisons, excepting a few that were in advance of others.

4188. So you think the old system was less progressive on the whole?—Yes; then the finance and keeping accounts and all that sort of thing was very elementary indeed. The hours of duty of officers were very much longer, and the promotion was uncertain and irregular. The powers of visiting justices to punish were very much in excess of what the visiting committees' powers are now, and the Act of 1865 I consider positively discouraged industrial labour. It imposed the necessity of penal labour for the first three months, and made it optional to the magistrates to continue it during the whole sentence if they pleased, and I have reason to think that that view was taken sometimes in some counties.

4189. So that the reduction of penal labour to one month is a distinct advantage?—Yes, it is a distinct advantage. Then the Government inspection under the old system was infrequent and indefinite. Once a year the inspector under the old system came round, and he was supposed to be the eyes and the ears of the Secretary of State; but I think that he knew little or nothing of what might be going on in the prisons. In fact the systems might vary immensely in adjoining counties according to the views that the separate visiting justices or Courts of Quarter Sessions took about prison discipline.

4190. We already heard here in evidence that the dietary in two prisons in one county under the same Quarter Sessions was absolutely distinct?—Yes. Very possibly they might be very different in character. The dietaries are greatly improved. We thought we had a good dietary at Lewes; but I should say comparing it with the present dietaries it is vastly improved. It was too monotonous. Now it is more varied and palatable, and more likely to be assimilated than a monotonous dietary day after day would be.

4191. Was your dietary a smaller one than the present one?—No, I think it was not less in quantity.

4192. It was more monotonous?—Yes, it was not so varied.

4193. There was a Government dietary recommended at that time?—Yes, there was, but I think very few prisons adopted it. I think they mostly framed their own dietaries. In point of fact, speaking as a Governor perhaps it is a curious thing to say, but under the old system the Governors had too free a hand. I think the system hung very much upon the Governor of each particular prison under the counties.

4194. You do not think now that you are under too strict regulations?—No.

4195. You do not think that you are too much of a machine?—No.

4196. You have got a sufficient amount of discretion to manage properly?—Yes. I think such a large organisation as the prison service is now is vastly better than a number of separate communities with no common bond and no common system.

4197. I understand you would not approve any considerable extension of associated labour?—No. I think with short sentences that separate confinement is better as a deterrent, undoubtedly.

4198. There was a period in English prison management when there was a good deal of associated labour, which I think was found unsatisfactory?—Yes.

4199. And led to moral deterioration of the prison? Yes; I think when it is not very carefully guarded (as it is with us in separating them off in stalls and great supervision) that it would lead to demoralisation very considerably.

4200. In the convict prisons they are much more associated?—Yes, they have longer sentence, and men cannot bear separate confinement beyond a certain period. At Pentonville I think they began to try it for 18 months, but it was found to be too severe.

4201. In the convict prisons, I suppose, they are practically always associated except at night?—I do not know.

4202. With regard to young persons, do you think that young persons over 16 are unsuitable subjects for reformatory treatment in proper reformatories, or do you only think they are not proper subjects for treatment in such reformatories as we have got now?—That is my meaning.

4203. If an institution was specially licensed for the reception of such prisoners do you think that some good might be done?—Very likely, but I do not think they can be treated as children any longer. At 16 the working-class boy is beyond the age at which he can be treated as a child or juvenile.

4204. Would you say it would be desirable to try an experiment of some kind of reformatory treatment for persons over 16?—Yes, I should see no objection to such an experiment. I suppose the meaning is that instead of sending a boy for three or four months to prison, you would send him for three or four years to a reformatory.

4205. Do you happen to know that before the Reformatory Acts were passed, under license of the Secretary of State, the reformatory managers did receive persons of much older age for reformatory treatment?—No, I do not know that.

4206. Reformatories began without any legal power, but prisoners were licensed to them by the Secretary of State?—Yes, but that was before my prison experience.

4207. (*Chairman.*) Do you happen to remember the Parkhurst Reformatory?—No, I only know it by hearsay. I know it was established, but I fancy it was a failure, though, from what cause I do not know.

4208. (*Mr. O'Connor.*) As I gather the effect of your evidence would be that the principal advantage which has accrued from the handing over of the prisons to the Government, is the adoption of a uniform system as regards a great many things, where before there was a great want of uniformity?—Yes, a wider range of vision I think altogether.

4209. But apart from that question of uniformity, and limiting your answer only to your own personal experience, would you say that there is any great

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advantage attaching to the central system as compared with the old?—Do you mean with regard to prisoners or officers or what?

4210. Both or either?—Well we will begin with officers. Certainly there is with officers. There is a much better field for promotion and advancement undoubtedly, both for superior officers and for subordinates. If a Governor was appointed to a small prison with a couple of hundred prisoners, he would probably stay there all his life under the county. Now there is a progressive advancement, and it is a certain stimulus to officers whether superior or subordinate.

4211. But with regard to prisoners?—With regard to prisoners, I think that they are more looked after and better protected. As a rule, they have more protection than they had under the county system. The visiting justices under the county were of course the governing body of the prison, and there was nothing besween them and the prisoners. Now, the Commissioners and the Home Office are the governing body, and the visiting committees stand between them and the prisoners. They come now, into the prisons, under a totally different aspect. They come to see wether the prisoners are well treated or not, whereas, formerly as visiting justices, they came to enforce the discipline.

4212. Do you think the head quarters are sufficiently in touch with the different prisons?—Yes, through the inspectors.

4213. The inspectors are supposed to be the Secretary of State's officers?—I can hardly say that. They do not report direct to the Secretary of State, but they report to the Commissioners.

4214. And they bring round orders to the Commissioners?—Yes, they do from time to time.

4215. You do not think that there is in the Central Department sometimes so much *vis inertiæ* as there would be amongst local authorities in respect of reforms?—No, I do not think so. It strikes me that the central authority is very much on the look out for improvements.

4216. Now with regard to the question of accommodation. I quite follow all the figures, but I understand that in the years 1890 and 1892, there was no excess of prisoners. In the year 1891, again in 1893, and again in 1894, on several occasions you had not sufficient accommodation under the statute—is that so?—No, not quite so; I did not say on several occasions. On one occasion in 1893, and on one occasion in 1894.

4217. And on four occasions in 1891?—On three occasions in 1891.

4218. Do you have to make a return at all to the Home Office or to the Commissioners with regard to the state of the prison in point of population?—Yes, weekly.

4219. It is a weekly return, is it?—Yes.

4220. What does the return show?—It shows the population and the cell accommodation; and it shows the number of vacant cells.

4221. Does that include the debtors' cells?—Yes, they are all specified in the returns.

4222. But are you allowed to use debtors' cells for ordinary prisoners?—No objection could arise to that in any form that I know of. They are precisely the same cells. A certain portion is cut off from a wing with a canvas screen. A canvas screen screens off a portion of the wing presumably for debtors; and seeing we cannot fill it up with debtors as there are perhaps only 10 debtors and 32 cells appropriated to them, there is no reason in the world why those cells should not be used on a pressure. We should not use them in the ordinary way, but there is no reason why we should not use them in a case of pressure.

4223. I only want to get at the fact. The debtors' cells are used at any rate for the ordinary prisoners sometimes?—They may be used.

4224. They have been used?—Yes.

4225. What do you consider, having regard to your prison population, is a satisfactory working margain for reception cells?—Well, we occasionally get of course more than the whole of our reception cells will accommodate, but as a rule they are sufficient.

4226. What would you say was a reasonable and satisfactory working margin for your prison, having regard to population?—You mean the number of reception cells you should have?

4227. Yes?—We have 50, and I think that meets all our necessities in a general way.

4228. Do you besides having to use the debtors' cell also have to use the reception cells for your prison population?—In case of strain we may have to do so certainly; in case of any sudden influx.

4229. Then it has sometimes happened, if I understand you rightly, that not only have all your ordinary cells in ordinary use for your prisoners been occupied, but also all your reception cells and all your debtors' cells?—No, I would not say that. I say we may do so, but I do not say we have done so. I think in all probability, if we had done so, we should not have had so much association as we had in 1891?

4230. What was the maximum in 1891?—The maximum that we had in association?

4231. Yes?—I think 22 was the highest we had altogether.

4232. Now; what was the maximum number of your prisoners in 1891?—1,165.

4233. And your total number of cells?—I am afraid I have made a little mistake in the figures I gave you just now.

4234*. Kindly give me the total number of cells?—That must be, 1,114 not 1,124.

4235. And that includes every single reception cell and every debtors' cell. Do you consider that you have sufficient accommodation according to the requirements of the statute under these circumstances?—We have the statutory provision, but of course it is a question of opinion whether that is sufficient accommodation. At the present moment we have 20 cells in addition to the statutory provision.

4236. I am speaking of the number 1,165?—Yes.

4237. Coming now to the year 1893 for five days you had an excess. What was the maximum number?—We had 1,165.

4238. Even more than in 1891?—Yes.

4239. And then all the cells including debtors' and reception cells were occupied?—No, I do not think they were.

4240. Then how do you accommodate 1,175?—You must understand that there are prisoners in hospital, and in the associated room who would liberate a certain number of cells.

4241. You could utilise the hospital accommodation and also the association room?—You could utilise the cells and that would be liberated by these men being there; and those men not occupying cells the cell that they would be reckoned to occupy would be freed, and therefore have reduced that excess to that amount.

4242. To the amount of 51?—No, it would not reduce it entirely.

* *Extract from a letter from Captain Helby.*

Some confusion of figures has got into that portion of the evidence between questions 4234 and 4248, as to the amount of separate cell accommodation in this prison in relation to the statutory requirement in that particular. No doubt I must have given the figures to Mr. O'Connor (on which he based the questions I have quoted) from my notes—but in error—that is, taken from the wrong table, in the hurry of the moment. I do not quite see how I can correct the mistake by any alteration of the text. But the true figures are shown in detail in the following table; and if that could be inserted as a footnote to my evidence, it would clear the matter up. The effect will be to show that (counting cells of all kinds) we are actually at the present time in *excess* of the statutory requirement to the extent of 33 *cells*.

4243. That is the difference between 1,165 and 1,114?—That would not represent it entirely. The difference between 1,175 and our accommodation would be reduced by the prisoners who were in hospital, or in the associated ward.

4244. What was the highest number you had in this year?—I have not got it beyond March 1894.

4245. Only for one quarter?—No, for the year ending March 1894. That was 1,171, but we have now 23 more cells than the numbers I have given you. We have added 23 cells.

4246. To your 1,114?—Yes.

4247. That will make 1,137?—Yes.

4248. That would leave a deficiency of 34 as compared with 1,171?—Yes.

4249. That is after every available cell is occupied. You say you make a return of the cells and of the population each week?—Yes.

4250. Then the Home Office is cognisant of this state of things?—Yes, but it occurs suddenly, in a day probably; and of course I immediately make the Home Office cognisant by sending up a list for removal. It does not depend upon the weekly return at all.

4251. I thought you said that you made a return weekly?—We do make a return weekly, but I should not wait for a weekly return if we got an excess or even a threatened excess if I could foresee it.

4252. What becomes of the men when you make that return? Where do they go to when you make that return of overpressure?—They must be associated for a time.

4253. In the year 1894 you had six consecutive days when you had an overpressure?—Yes.

4254. Was any special arrangement made under the direction of the Home Office for that period?—Though I have not looked it up I have no doubt we removed the prisoners in consequence of that pressure.

The separate cell accommodation required by s. 17 of the Prisons Act, 1885, in Wandsworth Prison is ascertained as follows:—

Year ending 31st March.	Greatest number of prisoners.	Average maximum population for the 5 years quoted.
1890	1131	1135
1891	1165	
1892	1033	
1893	1175	
1894	1171	

Greatest number of convicts in the years quoted:—

1890	21	Average 11
1891	14	
1892	8	
1893	11	
1893	3	
Present statutory requirement of separate cell accommodation in Wandsworth Prison.		1124

The actual present separate cell accommodation in Wandsworth Prison is made up as follows:—

Ordinary cells	1034
Reception cells	50
Debtors' cells	32
Hospital cells	8
Corner rooms	12
Punishment cells	11
Epileptics' cells	8
Padded cells	2
Itch cells	3
Total separate cell accommodation	1160
Or, excluding itch cells	3
Net total separate cell accommodation	1157
Actual accommodation (as above)	1157
Statutory requirement (as above)	1124
Excess of cell accommodation above the statutory requirement	33

4255. But can you say positively?—No, I cannot say positively; but I know that on two or three occasions we have removed prisoners to other prisons through excess above accommodation as soon as it was possible to get the papers through.

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4256. I suppose that when you have a very large number of prisoners the strain upon yourself and your staff is much greater than when that is not the condition of the prison?—I do not think there is much appreciable difference in that way.

4257. Is your staff overworked?—No, I do not think it is.

4258. What would be the longest hours that any warder would be worked in Wandsworth?—The regular day hours are from 6 o'clock in the morning till 6 o'clock in the evening, with an interval for breakfast and dinner, which makes ten hours.

4259. What would you say would be the longest time worked by any of your warders or assistant warders counting from 6 o'clock in the morning?—Occasionally some of them would be on until 10. Some might remain for the night; but they would not be on duty during the night. They would be a reserve guard and would be in bed.

4260. Has it ever happened to your knowledge that a warder in your prison has been on duty from 6 in the morning and all through the night without going to bed?—Yes, the principal warders.

4261. I asked you just now what was the longest time any warder was worked, and you said until 10 o'clock?—Yes, the principal warders are sometimes in their turns on duty the whole night.

4262. From 6 o'clock in the morning?—Yes.

4263. All through the night?—Yes; not actually on their legs all night, but they have to go through the wards from time to time.

4264. The warder is on duty from 6 o'clock in the morning all through the night either sitting or standing?—Yes.

4265. Till when—8 o'clock?—Yes.

4266. When he goes to breakfast?—Yes, or rather half-past seven.

4267. Twenty-five and a half hours?—Yes; he gets the day off then.

4268. And then he was to go to bed, I suppose?—Yes, I suppose so; part of the time at all events.

4269. And stay in bed most of the day after that?—Yes.

4270. Then the case of a warder being worked from 6 o'clock one day until half past six the next morning—that is without a break for 25 hours—is not unknown?—That refers only to the principal warders, not to the warders or assistant warders at all.

4271. To officers?—Yes. I mean it does not go through the prison. It only affects a very small number; the principal warders.

4272. Do you know how many warders your prison is estimated for in the estimates?—No, I have not looked at the estimates.

4273. And pay taken for?—No, I have not looked at that.

4274. How many assistant warders have you?—46 altogether, including two who are for special duties.

4275. What is the service of these men? Are any of them at their maximum?—Do you mean at their maximum with regard to pay?

4276. Yes?—If they have been more than eight years there, they have got their maximum pay and will get no increase until they are promoted.

4277. Some of these men I understand are skilled men in different branches. I think you spoke of men who are employed in making pouches, did you not?—Yes, I said we had a man who was a shoemaker by trade superintending that.

4278. The pouch makers according to your return work up to the value of 2,700*l.* and they are under the direction of some skilled warder; I mean skilled in that particular line of industry?—Yes, he is a shoemaker; and, because there is a great deal of leather work in these pouches, he is appropriated to

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that duty. His only claim to skill is that he is a shoemaker by trade.

4279. At any rate he is a skilled workman?—To that extent, as a shoemaker.

4280. Not only is he a shoemaker but he can make pouches. Now does that man receive any more pay than the other warders?—No, he receives the ordinary warders' pay.

4281. Who is it superintends the prison industries. I mean under the Government?—Well the storekeeper, superintends the accounts and all that sort of thing. The prison officers superintend the actual work, and they keep rough books of the work but the storekeeper has all the accounts to keep.

4282. But who is there who is concerned with the industrial occupation of the prisoners as they are classified and who checks the work?—We have no labour master. The books check the work.

4283. I want to get from you what amount of administrative distribution, measurement, and direction is there, with regard to the industrial population of the prison at Wandsworth?—Well, I hardly know how to understand your question. They are divided off under certain officers and those officers superintend the details of their work.

4284. There are certain men employed, a good many at oakum picking; then there are pouch makers, mail bag makers, brush makers, some grinding wheat, and so on, and a variety of industries. I want to know what officer is there who is concerned with the classification under these particular heads and the direction of the industries. Is there any system?—There is no labour master or anything of that kind. They are not under any one special superintending control excepting my own.

4285. Do you select these men for the different branches of work or different kinds of industry according to their ascertained aptitudes?—No, it would be almost impossible to do that in a local prison; the sentences are too short to be able to deal with it in that minute way.

4286. What system have you of measuring the tasks of the prisoners?—There are certain tasks which are fixed by the Home Office. The others we measure by the experience of the officer superintending the work who takes a fair average of what a man can do, and that is virtually the task that is expected of men; but great allowance is made for men in all industrial work. It is not at all rigid as long as a man seems to be doing his best under supervision.

4287. You have some system of check as directed by head-quarters?—Yes, to a certain extent.

4288. Have you any system of check with regard to hammock making?—Not from head-quarters. That is a matter of experience from what it is found a man can fairly do in a day, and we take that as the average expectation; but, as I say, it is elastic with regard to industrial work because all prisoners cannot do exactly the same. Their intelligence, or even their manual skill, is not the same.

4289. So that with regard to quantity or the appropriate task to be done, very often you are entirely in the hands of a subordinate officer who is in superintendence?—Yes, very much. His observation enables him to say what a prisoner really wishing to work fairly and honestly can do and we take that as the standard.

4290. But there is no officially recorded standard?—Not in every case.

4291. Do you think that is a satisfactory system?—Well, it might de desirable perhaps to have a recorded standard for every branch of work.

4292. I should like to ask you with regard to the health of prisoners. Have you many cases of patients sent to lunatic asylums? You have had I suppose?—Yes; I find that during the last 12 months we had four cases sent to lunatic asylums, of which three were insane on admission.

4293. Had those three been in prison before?—I do not know without tracing their cases.

4294. You did not notice that?—No, I could not say now about that; I could not say at all without reference.

4295. And if a man is sent to a lunatic asylum, the cost of his keep at the lunatic asylum comes through the prison vote, does it not?—Yes, until his sentence expires.

4296. Do you know the charge for a prisoner in a lunatic asylum?—I do not know it.

4297. It is 36*l.*, a year, is it not?—I could not say.

4298. However it costs more to send him to a lunatic asylum than to keep him in prison?—Yes; I suppose so.

4299. So that to send away a man whose mind is affected involves an increased charge on the prison vote?—I dare say it does, but we are not conscious of anything of that sort. We know nothing about that.

4300. Have you seen the evidence given by any previous witnesses?—Yes.

4301. All of them?—No; I have seen a good many, but not all.

4302. Is there anything in any of the evidence which you wish to answer, or correct, or modify or qualify?—Well, I hope I have qualified the impression with regard to the association. I think I have endeavoured to reduce the seriousness of its first appearance, and I do not know that there is anything else.

4303. You have not communicated with the Commissioners with regard to your coming here?—No.

4304. You are a perfectly free agent?—Yes.

4305. (*Sir Algernon West.*) You have talked a good deal about the deterrent effect of certain punishments and certain discipline. Do you mean the deterrent effect provided against prisoners returning, or the deterrent effect to the outside people not to commit crime?—I mean both.

4306. Could you support by statistics in any way that that discipline has really any deterrent effect?—I cannot support it by statistics.

4307. But do you really think that the discipline has a deterrent effect?—I think a sharp and strict discipline must have a deterrent effect.

4308. It has been suggested to me once that it would be a very good thing if the severer punishment should come at the end of the prisoner's term rather than at the beginning. What do you say to that?—No, I should not say that. I think it would exasperate them.

4309. With regard to debtors, they are usually people who are sent to prison for refusing to pay money when they can pay?—There were really no debtors now in the strict acceptation of the term.

4310. These men are sent, I believe, in all cases when they can pay and will not pay, and they are put into the position of a first class misdemeanant?—They are.

4311. Have you ever known cases of people sent in for a trivial debt of 10*s.*, or something of that kind, who have had good dinners sent up?—There are cases where people get maintenance and could easily have paid.

4312. Do you see any reason for treating these people who are committed for contempt of court, in the same way as other prisoners are, with regard to diet and so on?—No.

4313. They are refractory prisoners?—The need for amelioration of the debtor prisoners' condition has gone by I think in consequence of the recent Bankruptcy Acts.

4314. Is the position of a chaplain in a goal this, that he is subordinate to a Governor?—Well, as far as the rules and routine duties of the prison are concerned he will be to a certain extent that is to say, he must abide by the rules and system and that kind of thing.

4315. And would he report through you, or direct to the Secretary of State?—All letters go through me as a matter of form, but he would write his letter independently of me, not to me, but to the Commissioners; but it would go through my hands, so that I should have knowledge of it.

4316. As a rule do you have extraneous preachers on a Sunday?—No.

4317. You have a prison chaplain?—Yes.

4318. Do you think it would be advisable to have a little new blood with the prison preachers?—Yes, with discretion, but I have seen unsuitable persons come and I have heard unsuitable addresses given.

4319. Do you mean they have been invited by the chaplain?—Yes, I am speaking of the old days under the counties.

4320. Do you think the present system of prison chaplains is a good one?—Yes. I should like to see it supplemented in the large prisons by a Scripture Reader; undoubtedly, I think, the cell visitation is the weak point.

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4321. (*Sir J. E. Dorington.*) It is inadequate?—Yes; it cannot be adequate. Besides I think a man of their own class of life would get at prisoners better, and it really would be more helpful to them in all probability. In many cases, I do not say in all cases, but with a certain class of prisoners, they would be helpful to them. I am speaking of large prisons not small prisons.

The witness withdrew.

Mr. James Duncan called and examined.

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4322. (*Chairman.*) You are Store Accountant in the Prison Department of the Home Office?—Yes.

4323. And you have been connected, I think, for a long time with the subject of prison industries?—For 39 years.

4324. Would you tell the Committee what posts you have occupied officially?—I filled the post of Store Accountant at the Prison Department since 1889, and in that capacity have charge under the direct control of the Commissioners of all the matters relating to the purchase and disposal of stores, the industrial employment of the prisoners, and the maintenance of an effective check on all accounts connected with stores and manufactures. From 1877 to 1889 I was employed in establishing a system of book-keeping for local prisons, and at the request of the Treasury I compiled a Manual of Instruction on Prison Accounts for the English prisons. I also prepared similar text-books for the use of the Scotch and Irish prisons. In the course of my experience I visited almost every prison in the three kingdoms, and furnished special reports to the Government respecting them as regards accounts, trade, &c. Prior to 1877 I occupied for a good many years the post of steward and manufacturer at Pentonville Convict Prison, where I had a varied experience on the subjects generally. I was for a time Accountant of H.M. Treasury. While Treasury auditor of the accounts of the Metropolitan Board of Works, just before that body ceased to exist, I suggested, and afterwards assisted to introduce, the system of store accounts now in use under the London County Council. I am at the present time Treasury Auditor of the accounts of the Official Trustees of Charitable Funds. I gave evidence before Lord Kimberley's Commission on Penal Servitude in 1877, and before the Irish Commission in 1884.

4325. What does "a manufacturer" mean?—Having charge of the industrial operations of the prison, and the accounts connected with them.

4326. You supervised the whole of the labour?—Yes. That is to say, I had instructors under me and kept the books. I was the accountant of the prison, but with a staff wherewith to enable me to direct the various industries that were carried on.

4327. Does the head instructor at the present day perform the same duty that you performed then?—No. My duties were somewhat similar to those now performed by the storekeeper.

4328. With as much authority as you had?—No. He would be a warder and would act under the storekeeper.

4329. With as much power to check the industries and accounts?—I exercised pretty nearly the same functions that the head of a manufacturing business firm would have done.

4330. And he would be the accounting officer of the prison?—Not of the prison; but he would have to keep accounts of the manufacturing materials issued to him and used by the prisoners under his charge.

4331. Will you give the Committee some information about the labour in the prisons under the old system of administration?—Under the counties and boroughs the chief factor in the difficult problem of prison administration was profitable industrial employment. Discipline of course had its place, but the main object was the maintenance of remunerative occupations.

4332. Does your experience lead you to think that the desire to make money interfered with the discipline of the prison?—No, I think not. Discipline had its place, and a very prominent place too; but the maintenance of what I call remunerative occupation was kept before the administration in a very prominent way indeed.

4333. Then in those days you had the unproductive labour, what now constitutes hard labour, namely, the crank, the treadmill, and so forth?—Oh, yes. In many prisons, indeed, they made a point of preferring the more penal classes of labour to industrial labour. For instance, in 1874–75 Winchester had 207 prisoners out of a total population of 262 employed in pumping, grinding, and oakum picking. Out of a total population of 48, Oxford had 35 on the treadmill, shot drill, the capstan, hard-labour machines, and oakum picking. At Devizes there were 62 out of its total of 78 prisoners engaged on the treadmill or on oakum picking; but in far the greater number of prisons the question of providing remunerative employment received the highest attention, and was always regarded as of the highest importance. One prison competed with another in finding a market for its produce, and in making a good show of profit in the annual returns printed in the reports of the inspectors. Governors and other officers were encouraged in many instances to take an active interest in trade by bonuses or other payments, and the amount of trade profit was taken largely into account by the visiting justices in dealing with applications for increase of pay.

4334. Did they employ any agents outside the prisons?—In some cases that was so. Wakefield carried on a very extensive mat trade, in which the sales averaged 40,000*l.* a year. Steam power was employed. A commercial traveller was appointed to sell the goods, and the whole of the industrial department of the prison was under the control of a trade manager, who was provided with a staff of clerks and trade instructors. The salaries of all those officers were paid out of the trade profits. The trade manager had authority to award a gratuity not exceeding half-a-crown to any prisoner on his discharge who had shown special assiduity in the performance of his work, and the Governor could supplement this to the extent of 17*s.* 6*d.*, making it 1*l.* in all. It was in the power of the trade manager also to recommend the grant of additional bread as a reward for marked industry. Diligent long-term prisoners on their discharge were frequently provided for in the way of clothes, and had their railway fares paid to their destination. Cases have even been known of mutton chops being allowed at Christmas time to exceptionally industrious men. Preston Prison was another busy prison. It carried

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on a large trade, employed a commercial traveller, and the Governor was allowed a trade agent at a salary of 60*l.* A taskmaster and assistant taskmaster also formed part of his staff. The regulations provided that "with a view to encourage habits of industry as "well as to reward the honest efforts of prisoners, and "to enable such as desired to reform to have the means "of living after discharge until they can procure em-"ployment,' the Governor should be empowered to grant a sum of 2*s.* to every prisoner who had performed his fixed task diligently and well during the whole period of his sentence (being not less than three months) and to a further sum not exceeding 2*l.* for all work done in addition to such fixed task. The allowances were:—for an extra square yard of matting, 1*d.*; for an extra ton of stone breaking, 2*d.*; for every extra coat made, 2*s.*; for every extra pair of boots, 9*d.*; and so on. The same system prevailed at Bodmin, Bedford, Chester, Mold, Preston, Chelmsford, Maidstone, Coldbath Fields, Holloway, Lewes, and Warwick. Manchester had an agent paid by commission for the purchase of stores, and the sale of manufactured articles. The Governor of Hereford received 10 per cent. on the net profits arising from the sale of the manufactured goods, and the assistant turnkey had an extra allowance of 3*s.* a week for acting as trade instructor. Then Kirkdale, Strangeways, Leeds, Lewes, and many other prisons were furnished in addition to the ordinary disciplinary staff with trade officers, whose duty it was to instruct the prisoners in the various industries carried on.

4335. Then the Governors seem to have been allowed to do pretty well what they liked with regard to developing these industries?—That is so. So far as I can learn gratuities to prisoners in any other form than that simply of trade rewards, were not in force throughout the service to any great extent. There are of course obvious objections to a system of extra payments to officers, but there can be no doubt that the stimulus to industry which they caused in the local prisons was very marked. The keenest interest of the Governors was secured, and they had practically a free hand. They could buy and sell pretty much as they liked, and they were not slow to learn that in the direction of the high profits the way to promotion lay; and it was the same with their instructors.

4336. With regard to the earnings, can you tell us what were the average earnings of those who were employed in those industries, and also what the average earnings per man were?—The total earnings in the local prisons for the year ending the 30th of September 1876, were returned at 111,710*l.* 12*s.* 0*d.*, giving an average of 5*l.* 18*s.* 0*d.* per prisoner in custody.

4337. What would the average of those engaged in trade industries be, for instance, mat-making?—At Preston the average earnings of the mat-makers was 18*l.* 5*s.* 2*d.* per man; and of the laundry women 22*l.* 5*s.*

4338. (*Mr. O'Connor.*) Was this under the system of extra allowances to the Governors and the teachers?—Yes. I have given you the general average per prisoner in custody as 5*l.* 18*s.*

4339. (*Chairman.*) Can you make any comparison between the figures of those days and the present labour statistics?—It would be impossible to institute any reliable comparison between past and present labour statistics, as the method of arriving at the figures then and now is totally different. Each county and borough acted independently and had its own views on the matter. It was not unusual to, for example, leave unvalued altogether the large army of bakers, cooks, cleaners, menders, and others performing the ordinary domestic services of the prisons.

4340. Were classes of prisoners employed in productive labour under the old system, who, under the present system, would not be so engaged?—That is so. It is worth noting that under the old authority prisoners not sentenced to hard labour, and those also who were excused hard labour by the medical officer, were in many prisons utilised for industrial employments from the beginning of their sentences instead of being strictly confined to their cells for the first month as now. Governors were enabled in this way largely to increase the number of efficient workmen available for trades.

4341. Do you think it would be a good thing to go back to that system at all?—Yes, I think it would be worth considering, at all events, whether on the whole it would not be advisable to resume the practice in some modified shape. We lose a good deal of competent industrial hands in that way.

4342. Now before going further into the actual figures of prison labour in these days, I should like to come to 1878 when the prisons were transferred from the local authorities. Of course that transfer brought about a great difference in all branches of the prison service?—Yes.

4343. And produced a considerable alteration in the rules with regard to prison labour?—Yes.

4344. The whole system became uniform?—Yes.

4345. Were there any changes with regard to the checking of stores?—A revised system of accounts was introduced.

4346. Were you engaged in that?—I was engaged along with the Accounts Committee on that point, and produced the book which I handed you just now.

4347. The book is the standard book for the English prisons?—Yes.

4348. What were the chief changes that were made in the staff of the prisons at the time with regard to this question of labour?—A carefully considered and uniform system of discipline was introduced, and various reforms were carried out, among the rest being the establishment of a strict check on cash and stores. An important change was made in the staff of the prisons. The granting of extra trade allowances to officers was for the most part discontinued, and the payment of industrial rewards to prisoners was abolished. The scale of gratuity applicable to all convicted criminals was at the same time initiated in connexion with the system of progressive stages.

4349. Were the whole of the industries carried on much the same as before?—Yes, pretty much as they were before.

4350. Were they supplemented at all?—They were supplemented to an important extent by the introduction of the manufacture of articles for prison use. Blankets, clothing, calico, flannel shirting, sheeting, tin ware, brushes, and other goods were produced for these purposes in large quantities.

4351. Then mat-making was one of the most important items?—We carried on mat-making, but in course of time an agitation against prison mat-making on the part of the outside workmen which had commenced in 1872 was actively renewed, and strong pressure was brought to bear on the Government and the House of Commons, with the result that in the end mat-making had to be abandoned excepting in so far as manufacturing for the Government Departments was concerned. It probably was the most suitable, as well as the most flourishing of all the prison industries. It employed 2,800 workers at the time the prisons were taken over.

4352. Then considerable change took place in connexion with the oakum picking?—Yes; the oakum trade practically collapsed, and oakum was a trade on which the prisons of this country had been enabled to rely for employment for many generations. The collapse of the oakum trade was owing to the substitution of iron and steel for wood in the building of ships. It was owing partly also to the depressed condition of shipping. The industry gave occupation both under the late and present administration to over 3,500 prisoners, mostly under very short sentences.

4353. (*Sir Algernon West.*) Oakum alone?—Oakum alone.

4354. (*Chairman.*) What profits were made upon it?—Well, as much as 5*l.* or 6*l.* at one time could be made per ton in the shape of profit in picking oakum.

4355. Was that the price per ton?—No; that was the profit realised. A firm would send in a ton of

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oakum, and would pay from 4*l.* to 6*l.* for the picking of it. Now we can scarcely make both ends meet. I may say, however, that just at this particular moment there are signs of a turn in trade, curiously enough.

4356. Why is that?—I do not know, but we are beginning to sell a little at places here and there where for a long time we were unable to get a half-hundredweight disposed of.

4357. You do not know for what purpose?—For barges and things of that kind. There are still some wooden vessels.

4358. (*Sir Algernon West.*) Are not they using it for making new rope?—Something has been said in that way, and I believe something is done, but only to a small extent. I believe oakum is still used for river barges.

4359. (*Chairman.*) What has taken place in the oakum picking?—Well, we have exerted ourselves immensely to get substitutes for it, and we have extended wood chopping, stone breaking, the picking of wool, cotton, hair, and silk; but these things are only to be got in the manufacturing districts. Efforts have also been made to pick up minor local industries, such as sack making and mending, pea-sorting, box-making, glove-making, cart-cover-making, the unpicking of leather belting, &c. These little local industries are extremely difficult to procure, but they help us to tide over the present difficulty, and Governors are being constantly urged in the matter, while the Commissioners leave no stone unturned. Mosaic we used to make at Woking, but that has long been discontinued. I think they had some difficulty in getting rid of the produce.

4360. What is pea sorting?—Sorting peas; picking out the bad ones.

4361. I think you can give us some comparative figures with regard to the number of prisoners employed in most of the representative trades in 1876 and within the last year?—I have prepared some figures, and I would like to hand them in (*the document was handed in, see Appendix IV.*).

4362. I have got these figures before me and I should like to ask a few questions upon them. I see that in regard to basket, brush, and broom makers there is an increase of from 39 to 221?—Yes.

4363. Is that through Government orders?—That is largely Government orders.

4364. Entirely?—Yes. I include supplies to prisons.

4365. Why have bookbinders dropped from 22 to 1. Why has that industry practically gone out?—It has not gone out, although it is down in that year. This is 1892–3, and at the present moment we are carrying on bookbinding to a large extent all over the service. The drop is more apparent than real. It is merely a question of classification in the statistics of employment.

4366. Do you remember at what prisons bookbinding is done?—It is done at Wandsworth and Wakefield. We have four centres for bookbinding. We send the books to those prisons to bind.

4367. You bind your own books?—Yes.

4368. But not for other Government Departments?—No. We have thought of that, but it has never come to any practical conclusion. We have thought of bookbinding for the Stationery Department.

4369. Gardeners and labourers have dropped from 135 to 70. How is that?—Probably in 1876 the number of prisons was very much larger. There were probably 114 prisons then, and now it is only 56. Each prison would have its little garden, and the numbers would be larger on that account.

4370. I have been round several prisons, and only in one case was the ground inside the prison used for garden purposes. That is at Wandsworth. For instance, at Strangeways, Leeds, and Knutsford no attempt was made to cultivate the waste ground inside the walls?—In some of the larger towns, such as Leeds, for example, they say things will not grow well.

4371. They can make rhubarb grow with a very great profit?—We are looking up these gardening industries. I think I can give you the figures as to that. 38 out of 56 have garden ground which they cultivate. There are probably others where cultivation might be possible.

4372. I suppose you would say it is advisable where you can do it?—Certainly. I should advocate that class of employment very much for prisoners.

4373. I see mat and matting weavers have gone down from 2283 to 186?—Yes.

4374. Are you supplying all the mats used by the Government?—Yes, I believe so. I believe there are a few which are not supplied, to the Office of Works. We used to supply all the Office of Works wanted.

4375. Then shoemakers have dropped from 313 to 50?—Yes. Here again it is a question of classification. The 50 are only those at new work. The repairers are entered among those at domestic services.

4376. What shoes did they make before 1877?—They made for themselves, and in some cases for outside.

4377. For sale?—Yes, for sale.

4378. They make shoes now for convicts?—Yes.

4379. For any other class?—No; they only make for themselves.

4380. They do not supply the Army or the Navy?—No, not at present.

4381. Would it be possible, do you think, to get a degree of skill which would be sufficient?—Yes, I think it would. I can go back to the early days of Pentonville when the prison had but lately emerged from the control of the then Commissioners, and it had trade instructors and all that sort of thing. We used to make at that time postmen's shoes.

4382. Were they well made?—They were sufficiently well made to suit the Post Office.

4383. Could not something be done there to increase that branch of industry?—I think so.

4384. Stonebreakers have gone down from 404 to 49. What is the reason for that?—Well, I think the introduction of stone crushing by steam has had something to do with that. Then some prisons at which stone breaking used to be done have been abolished, and the trade has disappeared in that way.

4385. They have probably been the prisons in the neighbourhood of quarries?—Yes, in most cases.

4386. Tailors have declined from 289 to 213. Did the tailors do any work for sale?—In some cases that was so. Preston, I think, did it.

4387. What is the reason for the diminution?—Well, there is a fall in the number of prisoners, and the difference in classification comes in again, as in the case of shoemakers.

4388. That would account all through for the proportion?—Yes, and governors tell me constantly that there is a falling off also in the industrial qualities of the prisoners that are coming into the prisons now. I do not know whether that has been mentioned to the Committee before.

4389. (*Sir Algernon West.*) They are a lower class prisoner?—Yes. We do not get the workmen prisoners that we did in that time.

4390. (*Chairman.*) Then, non-effectives, sick, debtors, those awaiting trial and under punishment are put down at 2,107 in 1877 and 3,114 now?—These figures at the end in that group and some of the others must be taken in this way. The difference in those figures arises largely from the different way in which they were grouped by the old authorities as compared with the new. You will see that in order to get the total number in 1876 I had to add 540 who were entirely omitted by the local authorities in their returns, and possibly some of these may have been among the non-effectives. You see I had to make a bit of a shot at those numbers. The other numbers are all perfectly correct as taken from the returns, but there was a difference between the way in which the counties manipulated their numbers as compared with our method.

4391. The term non-effective means prisoners who did not do any productive work?—Who were not at work.

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4392. Then they seem to bear out what you said a short time ago, that a great many classes of prisoners who now would not work at all were brought in then?—Yes.

4393. Because then you had a larger number of prisoners than you have now, and you had a smaller number of non-effectives than now?—Yes.

4394. And you think some of those 3,114 could be brought into labour with profit?—I think so.

4395. Now coming to the Government Departments, have you found the large producing departments ready to meet the representations of the Prison Departments?—Well, of late we have been finding them far more accessible and far more ready to co-operate with us than formerly. Up to the last few years there was extreme difficulty in getting them to take us up at all. The Post Office from the beginning has been the Department that has been most ready to help us and to give us orders; but the War Department now, and the Admiralty also, are helping us in every way they possibly can.

4396. I suppose you go to see the officials personally?—Yes, either I myself or a member of my staff; I think that has been really the breaking down of the old system of the stilted official letter inviting a reply and leading to delay, and correspondence, and sometimes to controversy and friction. I think the doing away with that has put us in a better position in dealing with these people than we formerly were.

4397. Will you just tell the Committee the chief items of work that you get from those Departments?—The Postal Department gives us extensive orders for the mail bags, leggings, belts, pouches, stamping pads, tin saucers, notice boards, packing cases, twine, brushes, bag mending, &c. The Admiralty helps us with requisitions for hammocks, coal sacks, mats, mattings, hearth-rugs, sacks, mattress covers, slippers, and ship-fenders. The War Office deals with us for mats and bedding; and the Office of Works for mops, brushes, hearth-rugs, and rug-mats; and the Board of Trade for mats and rugs.

4398. I see that in some of the figures which I have got before me the number of prisoners employed in manufacturing for the War Office is 28, for the Admiralty, 289, for the Office of Works, 16, and for the Post Office, 624. Well, surely the War Office and the Office of Works ought to do rather more for you?—Yes, a great deal more. We are constantly appealing to them on the subject, and we are gradually getting our hand further in; but if skilled instruction were provided, I have no doubt there would be an immense opening for extension both in connexion with the Admiralty and the War Office.

4399. The Admiralty already give you a great deal, but the War Office hardly anything?—It is gradually increasing as I have said, and we are making our way into their custom which they are willing to increase.

4400. Can you suggest any particular work which the Office of Works could give you?—I think I might probably do that. Given increased skill and increased facilities, I think we could make house-maids' boxes, knife boards, knife boxes, clothes horses, hassocks, mops, kneeling mats, Dutch carpets, house flannel dusters, huckaback towels, door mats, hearth rugs, rolling-pins, paste boards, chopping boards, presses, and other similar furniture, and possibly blinds for the Office of Works.

4401. Could you manufacture chairs and forms and tables?—I see no reason why we should not.

4402. Why should not you have a furniture department?—Yes, certainly, it would be interesting work for the prisoners if they were properly instructed.

4403. Now, on the question of skill and manufacturing facilities, has there been a decline in skilled facilities since the transfer?—We have had few instructing officers.

4404. You have not had officers as highly qualified as those who were in the prisons before 1877?—That is so.

4405. The inducement having been taken away, there has not been the same incentive to make themselves skilful in the work?—Yes, that is so.

4406. Then the number of short sentence prisoners has largely increased?—Yes, the number of short-term prisoners necessarily hampers industrial progress here as in other countries. In 1893–4 the number of prisoners sentenced to three months and under, was over 48 per cent. Of those, nearly 22 per cent. of the prison strength were in custody for sentences of a month or under.

4407. You do not happen to remember the proportion before 1877?—No.

4408. It would not be nearly as high as 48 per cent.?—No, I should think not. It has always to be borne in mind that a large number of prisoners are of necessity unavailable for labour of any kind, such as those that are sick, and those that are excused labour by the medical officer, prisoners under punishment, untried prisoners, debtors, first class misdemeanants, and new arrivals not yet told off for labour. They come into these statistics and there is always a large proportion of them. They amounted in March last to 22 per cent. of the whole. It has also to be remembered that in addition large numbers have to be assigned to unproductive labour on the tread mill or crank, and to comparatively unremunerative work like wheat grinding, pumping, and oakum picking, because of the fact that first class hard labour must be provided for prisoners in the first stage sentenced to hard labour.

4409. Can you hand to the Committee the figures showing approximately how the prison population is now employed?—Yes (*the document was handed in, see Appendix IV.*).

4410. The Act gives a certain amount of discretion as to determining what is or is not hard labour?—Yes, a certain amount.

4411. It is: "hard bodily labour such as may be "appointed by the justices in sessions assembled, with "the approval of the Secretary of State"?—Yes, that is so. Under the old authority they used to adopt artificial means of converting mat making, into first class hard labour by increasing the weight of the beater.

4412. Oakum picking figures sometimes as first class hard labour?—Yes; it is not strictly hard labour as laid down by the Act.

4413. But it would be first class hard labour for women?—Yes. It might, perhaps, be so regarded; but the Act lays down that every female prisoner sentenced to hard labour shall be kept at hard labour of the second class.

4414. In the old days prison labour was let out to some extent to contract, was it not?—Yes, to some extent it was.

4415. But not now?—Well, the system of letting out the labour of prisons to contractors never existed to any great extent in this country. At present we have some contracts of this sort for making list slippers, list rugs, coir brushes, oakum picking, and so on; but in no case is the management of the work given over to the employées of contractors, as in other countries.

4416. How does that system work. How are these contracts carried out?—That matter is left to the prison administration.

4417. Each particular prison?—To each particular prison.

4418. But, of course, those are articles that are delivered to the contractor, and then he retails them?—Yes, that is so. As a rule he supplies the material and we make it up for him.

4419. Is not there any agitation on that?—Not as yet, but we never feel ourselves safe from an agitation in these matters. Oakum picking is the most important in the list that I have given you, and it is not likely there will be an agitation on that point. A man sends in what we call junk; that is to say old rope, and we pick it into oakum, and he pays us the cost of the picking. That is a simple arrangement, and others are much on the same footing.

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4420. Do those contractors come into the prison to supervise the work?—No, they are not allowed in the prison for that purpose.

4421. They have the power of rejecting bad work, I suppose?—Yes, they have that power. At one time the foremen of contractors superintended mat making at Coldbath Fields, Holloway, Wandsworth, and Kirkdale, and rug making at Stafford; but this was the utmost to which it was permitted.

4422. Then recently you have had a long struggle?—Yes, to cope with the troubles we have met with it may be said to have been one long struggle in connexion with the crisis in regard to prison labour, which arose from causes over which the Prison Commissioners had no control: for instance, the stoppage of mat making, the breakdown of oakum picking, and the complaints of outside workmen.

4423. Although you have been in a special department of the prison service, yet from your long experience you probably have formed ideas on various prison questions. I should like to know what you think of this question of productive labour as bearing upon the prisoners themselves?—Well, for myself I have a great belief in the reformatory influence of productive labour. I hold with the late Frederick Hill that it is the very life of a good prison, and I would advocate its extension wherever possible.

4424. I do not want to press you on any of these points if you do not wish to answer them; but you do not make any exception in the case of associated labour. Would you think that the advantages of associated labour are so great that you would be ready to run some risk of freer communication taking place between prisoners?—Yes, I never attach very much importance to the strict preservation of isolation in regard to the work of prisons.

4425. Do you think it is of the utmost importance to extend industrial labour to all classes of prisoners subject to the necessary discipline of the prison being carried on?—Discipline first, trade immediately afterwards.

4426. Then do you approve of the present form which hard labour takes in the treadwheel, in the mill, the grinding of corn, and so forth?—Well, in the abstract, no; but I hardly see at present what substitute could be found for it.

4427. Of course some substitute would have to be found if they were abolished, but if some productive industry could be found you would not object to it?—I would be strongly in favour of it.

4428. Would you think that oakum picking is not a form of employment which is good for prisoners?—I think not. I think it should be strictly confined to penal purposes.

4429. For what reason?—Well, it is looked upon as a degrading kind of occupation by the prisoners, and as bearing the label of degradation. It is accepted in that light.

4430. When you were in the prisons officially connected with Pentonville was it your duty to supply the prisoners with the raw material?—Not my own personal duty.

4431. But it was in your department?—Yes.

4432. And so you had the opportunity of seeing which particular industry the prisoners would like?—Yes, I would hear of it more through the officer who was personally connected with them.

4433. (*Mr. O'Connor.*) Would it be the warder or the storekeeper?—That would be the warder.

4434. (*Chairman.*) But a substitute for oakum picking has not been discovered?—No. I know that at Wakefield Prison a reward was once offered for any suitable substitute for oakum picking, but without success. It is one of those things we are constantly looking out for.

4435. With regard to the establishment of workshops with the necessary instructing officers in them, that would mean considerable expense if you were to extend such as exist now?—Yes, you would have to make up your mind to that.

4436. You might save the Government a certain amount of money in making clothes and boots for the army and navy, but still it would not pay itself?—I am not sure of that. I think that the pace might be so increased that if it would not pay itself it would largely do so.

4437. I suppose a certain expense is saved by making use of prison labour for pumping and grinding corn?—Yes.

4438. But that labour might be more profitably employed?—Yes.

4439. Able-bodied men might be more profitably employed than by turning a crank?—Yes.

4440. With regard to the instructing officers, have you any suggestions to make with regard to making them more fully qualified or making them more anxious to qualify themselves?—Well, I think if an active industrial programme is to be entered upon (and that I believe to be the wish of the Committee), the prisoners should be as far as possible systematically trained in suitable handicrafts in the selection of which the experience of American and Continental prisons might afford some guidance. But of course in America and on the Continent the circumstances are somewhat different. It is impossible to do this at present with any approach to efficiency. There are hardly any instructors, and there is not a sufficiency of suitable workshops. The material increase of both these would be essentially necessary as a first step. As regards workshops, perhaps that at Wandsworth might be taken as a model. At Pentonville, Lewes, Maidstone, Chelmsford, and Wormwood Scrubs prisons they have also shops of some size, though some of them would need alterations. Liverpool has also a large shop occupied by twine spinners. Many other workshops of a similar sort are scattered over the service, but they likewise would require alteration in many instances.

4441. Then, with regard to the qualification necessary for Governors and instructing officers and warders?—That is a point perhaps that I am hardly capable of expressing an opinion upon that would be of much advantage to you.

4442. I suppose in general terms you would say the more a Governor knew about trade, and the more aptitude he had for informing himself about manufactures, probably the better it would be?—Yes.

4443. He would take a keener interest in supervising the prison industries?—Yes.

4444. Then, with regard to the officers who would act as industrial instructors, I understand that at present they are not paid more than ordinary warders?—That is so, with a few exceptions.

4445. And it is a matter of some luck whether or no you get hold of a properly qualified warder?—Yes, he is a great catch.

4446. Do you think there should be some addition to their salary in order to attract them?—Do you mean the ordinary staff or the instructing staff?

4447. I mean the instructing officer?—I would have the instructing officers well paid. I would have an officer of skill paid at a fairly remunerative rate. I would make his position one to be coveted by the ordinary rank and file of the prison, so that you might get the ordinary warder taking an interest in the trade with a view to rise into the superior position. When an instructing officer leaves the prison on a holiday or from ill-health, one of the rank and file ought to be ready and willing to jump into his place, with the view of showing that he could do the duties, and with an eye also to reaching that post himself afterwards.

4448. Then in order to get a higher degree of skill among the prisoners, and also to extend to them a greater number of skilled industries, it would be necessary or advisable at least to have a somewhat different classification of the prisoners?—Yes.

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4449. That is to say, the long-term prisoners would be the men who would be naturally trained the most readily for the more skilled industries?—Yes.

4450. And you would have to have them together?—Concentrated in convenient prisons.

4451. And the short-term prisoners you would have to give odds and ends, which they could readily do without much trouble?—Yes.

4452. And for them agriculture and gardening would be good?—Yes.

4453. Is mat making an industry which a man in for a month could pick up?—Yes, seven or eight days would be quite enough to make a man a mat maker. I refer to common door mats made in a frame, not to loom-made mats, which would require a longer apprenticeship.

4454. There is nothing to be done in the way of mat making I think you said for the Government?—I believe we are doing all the mat making that is required for the Government. It is not a very big thing.

4455. (*Sir Algernon West.*) I should have thought it was a big thing?—I do not think so.

4456. (*Chairman.*) We have mats used in the dockyards and on ships?—Yes, we supply them.

4457. You supply them all?—Yes, I believe we supply the whole of them. I do not speak positively, but I know we are constantly at the service of the Admiralty, and we make considerable quantities for them.

4458. (*Sir Algernon West.*) There are only 106 prisoners employed at it?—Yes.

4459. (*Chairman.*) Would you give your opinion to the Committee as to the giving of trade gratuities to prisoners?—Yes. In order to stimulate the prisoners to industry and to encourage them to take a healthy interest in their work it would be advisable, I think, to revive the old practice of awarding special gratuities on a carefully considered scale to prisoners who had performed a definite quantity of work in excess of the authorised tasks. The amount need not be large. It is not intended that the present system of paying gratuities should be disturbed. These latter are not sufficiently connected with industrial assiduity to subserve the object in view. They are attainable by any prisoner who conducts himself well, though he may in no way exceed the minimum task. Besides, a prisoner can earn his 10*s.* in the first seven months, and he has no special inducement to exertion after that.

4460. But just on that point, as was pointed out by a witness this afternoon, if you gave these gratuities, then in fairness to the prisoners they ought to be in the same position, and there are a certain number of prisoners who cannot be employed productively, and therefore who would have no opportunity of earning this gratuity, which would not be fair?—That is a fair enough remark to make from one point of view, but if you are to develop trade you must have an eye upon the prisoners who can do the work for you. It is solely a trade reward.

4461. I suppose the prisoners do not do more work than they can help?—No, I think not.

4462. Have you any statistics to lay before us with regard to prisoners who are suitable for trades?—Well, at present we are only able to undertake the simpler class of work for the Government departments. With a sufficient number of skilled prisoners who would be available under the circumstances, we could unquestionably extend our operations in this field. It must be distinctly remembered (to take the figures I have laid before you) that after deducting the large body of prisoners on first class hard labour (3,825), the non-effectives (3,261) and those engaged on domestic service (2,450) there would only remain about 35 per cent., or 5,077, of the total population to work upon; and of these a large number would be necessarily of sentences so short as to preclude the idea of their being taught any trade; while a further large number (3,004) it is already found possible to employ, although not to the full extent at more or less profitable work on manufactures or buildings. Even thus, however, the financial, not to speak of the moral possibilities are not insignificant. Every increase of 1*l.* per prisoner per annum in the average earnings would mean 3,000*l.* or 4,000*l.* a year saved to the Exchequer, excluding of course, the cost of instruction.

4463. I think you have told us in what direction you would extend work in government offices?—Yes, that is so.

4464. Do you think on the whole that really there is enough worth in government departments to occupy the whole strength of the prison labour?—I think it is extremely likely that it would be found that that is so if you would give the facilities for instructing prisoners in workshops in which they can produce the articles that are required.

4465. Have you got the acreage under cultivation connected with prisons?—Yes, I think so. You mean the gardens?

4466. Yes?—The total acreage in the local prisons is 43 acres 1 rood 35 poles.

4467. (*Mr. O'Connor.*) How much do you put down for Canterbury in that?—1 acre 2 roods.

4468. (*Chairman.*) Then there are a great many prisons with none at all?—Yes, 38 out of 56 I think have gardens: that leaves 18 that have none, that is, none under cultivation. I cannot tell you whether any of them might be cultivated, but it is possible it may be so.

4469. Have you had experience in convict prisons?—Yes.

4470. Have you any view to express with regard to them in particular?—Do you mean as regards their industries?

4471. Yes?—The work of a convict prison is mainly devoted to quarrying and the cultivation of land. It is to some extent however applied to industrial employments, such as shoe making, tailoring, sack making, and so on. There are about 700 convicts in convict prisons employed on work for the governments departments whose work might be found handy in the local prisons if work on the quarries, and so on, could be found for the convicts.

4472. What work are you alluding to?—The making of hammocks, coal sacks, and that class of thing for the Admiralty. There is a good deal of the Government departmental work done in the convict prisons as well as in the local prisons. That class of work could, with the improved facilities I have referred to, be done in the local prisons quite as easily if work could be found out of doors for the convicts.

4473. With regard to this question of mat making, do you imagine that the manufacture of mats in the prison had any harmful effect upon other manufacture outside in England?—I hardly think so.

4474. Is not it the fact that when the prisons first undertook the manufacture of mats there was no mat-making industry to speak of in England?—No it was practically a prison industry.

4475. So that the mat-making industry grew up alongside the prison industry?—That was so.

4476. And that in face of both the prison industry and the outside industry the importation of foreign-made mats has been increasing?—It has; so I have been told by manufacturers outside.

4477. (*Sir Algernon West.*) In the time of which you told us when Preston and Wakefield were the first employers of labour, was there an instance of any gaol actually being so supported?—I do not think so. I do not think there has ever been that in this country.

4478. What I want to arrive at is this: you said there was possibly some difficulty in finding employment in the Government department for all the prisoners that can be employed, supposing there were no other difficulty?—Yes.

4479. But it would be a very small addition, would not it, because you have got to take from the prisoners you could employ in remunerative labour those that are now so employed, and prisoners employed on domestic service, and the sick; and, therefore, it only comes to a few thousands?—That is so. I am glad you have noticed that point. I want you to realise the small margin there is to work upon. It means first of all that you will increase the pace of the present workers; that the 3,000 workers now working on trades will be instructed and will do a larger amount of work; and that of the 2073 oakum pickers who are first on my list under the second class hard labour a proportion will be taken to industrial employments, and that is the whole thing.

4480. And therefore you would be able to tell us probably almost the exact figures that could be employed in industrial labour?—Well, I have given it.

4481. It comes to something very small?—It is not very large.

4482. I ascertained from this valuable paper you have given us that there are 32 trades which are useful trades to be followed by prisoners?—Yes.

4483. If you divide the surplus prisoners into 32, you would give to each trade a very small addition?—Yes.

4484. Now I should very much like to have this, and I daresay you will do this for us; for instance, take the tailors and see how many would be available for tailoring; then divide all those trades as you have divided them, if you like, and then from the census returns show us how many people are employed in England upon those trades. I take it that you will find out that the competition would not amount to a half per cent. I am putting it roughly, but I expect it will be so small that any agitation against it would break down from the mere absurdity of it. Will you kindly give me that?—I find that if you were to employ on the productive work that we do have orders for the prisoners now engaged on unproductive labour, and treat each prisoner as equal to a free workman, you would only add to interference with outside labour in the proportion of 1 to 2,500.

4485. You have given us the history of why mat-making was abolished in prisons, and we are told it was abolished in consequence of the mat-making being given to one firm by Government?—That was not quite the case. The fact is there were 24 prisons at which mat-making was let out to contract, and there were 15 contractors.

4486. (*Miss Orme.*) You mentioned wood-chopping as an industry instead of oakum-picking?—Yes.

4487. Where wood-chopping is carried on how do you get rid of it—how do you sell it?—Formerly people used to come to the prison for it, or we had an arrangement to take it to their houses; but of late that has very much disappeared, and we now do it either by way of contract with a particular firm, or we supply some two or three leading merchants in the town. We do not care about doing a chandler's shop kind of business. People of all sorts might come into the prison, and it would be objectionable.

4488. In York, for instance, there is one agent who takes it?—Yes.

4489. He is an old pensioner?—Yes.

4490. He has not got rid of it, so that there is a lock. Is there any means of improving the market from the centre?—I was not aware there was any difficulty, or I daresay I should have taken it up.

4491. But in a case like that you could help them from the centre?—Yes.

4492. They are not left entirely to their own resources?—No.

4493. Was it not the case that before 1877 the warders could, if they chose, have their boots and sometimes their clothes made by prisoners?—That was so.

4494. Would not that account for the lower figures for tailoring and shoe-making?—To some extent.

4495. Should you see objections to that now?—The objections to that were rather disciplinary objections. It was thought it led in some instances to irregularities, and it was done away with.

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4496. What do you think is the most profitable industry for women who are in for some time?—Laundry work.

4497. Is it more profitable for the prisons than tailoring?—It is the most profitable work that I know of. At Strangeways we made something like 20*l.* a head by it last year.

4498. What do you think they could make at tailoring if they were instructed as they were at Woking?—It is very difficult to say. I should regard 12*l.* a year as very good, but it is difficult to say.

4499. What is the cost, do you think, of each prisoner in an ordinary prison?—It is set down by the Commissioners in their last report at 23*l.* 14*s.* 7*d.*

4500. Is that for a woman?—No, that is for a prisoner, male or female.

4501. So that it would be lower probably for a woman where you have them congregated together?—Yes.

4502. Then if they could be employed on laundry works during sentences of two or three years they would be almost self-supporting?—Yes.

4503. For instance, these women who now receive very short sentences for drunkenness, if they were put into a special prison for two or three years, and could get a sufficient supply of laundry work, would make it almost self-supporting?—Yes, it would come nearer to it than anything I know of at present.

4504. With regard to the question of giving gratuities for good work, I suppose you could get over the difficulty of unfairness in the case of prisoners engaged in domestic service by giving some special re ard if it is well done?—Yes.

4505. That difficulty could be got over?—Yes.

4506. You said you objected to oakum picking because there is a certain disgrace attached to it?—Yes.

4507. Do not you think if any industry were used very largely in prisons that exactly the same feeling would come up about it?—Yes; probably that is why oakum picking has come to bear the character it has.

4508. So that any unskilled industry like that of wood-chopping would create just the same feeling after a time?—Yes.

4509. (*Mr. O'Connor.*) I have been looking at this book of yours, of which I have heard a great deal that is laudatory before. I should like to have one or two points cleared up in it. First of all, do you charge the same to the British Government as you do to a Colonial Government for articles sold in prisons?—Not quite.

4510. In the one case you include the value of the labour and in the other you do not?—Yes, that is so.

4511. Supposing you are selling any article to a Colonial Government, what proportion do you add to the price charged to the British Government as representing labour?—I think it is 17½ per cent., but I cannot tell the sum off-hand.

4512. It is an agreed per-centage?—Yes.

4513. Of 17½ per cent.?—Yes, I think that is the amount; at all events, we are able to respect the principle you are speaking of. I now remember the per-centage is 12½.

4514. I only want to get the proportion which, in your case, labour figured for, and that is about it?—Yes.

4515. I see in dealing with outside customers you give credit for a month to some people?—Yes.

4516. And in respect of certain articles?—Yes.

4517. But no credit is to be given on oakum transactions?—That seems a little hard, but we had our fingers burnt very smartly some years ago.

4518. It arises from a casual market?—Yes, and other things.

4519. I see in paragraph 800 of this book you say: "That a return of labour is to be furnished "annually and the daily number of prisoners, male "and female, employed during the year." You give the value of the labour of each industry?—Yes.

4520. And in the next paragraph, "The numbers "employed will be obtained from an employment

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" book, and the value of the labour will be arrived " at in strict accordance with the special regulations " on the subject issued by the Board." Can you give us the special regulations with regard to the value of labour?—I have not got them here.

4521. Perhaps you will put that in?—Yes.

4522. Are those special regulations of old standing or are they quite new?—I suppose they date back to 1879, probably just after the Commissioners took charge. Then there may be perhaps new industries, in regard to which special regulations of value have not yet been issued. That may be, but these regulations lay down a principle. I may mention that the question of valuation of labour has been for some time under consideration.

4523. We will have the regulations put in?—Yes (*see Appendix IV.*).

4524. Then you see under paragraphs 113 and 114 "the scale of tasks is to be duly enforced in " conformity with the special regulations on the " subject." Can you put in the special regulations with regard to task work?—Yes (*see Appendix IV.*).

4525. There, again, when was that scale of tasks devised?—It was probably 10 or 12 years ago.

4526. And there may possibly now be some fresh industries to which they do not apply?—Yes.

4527. In superintending the industry in a prison who is it that checks the tasks and sees what is done or is not done by each particular prisoner?—The officer of the wards.

4528. In these new industries to which the scale of tasks we have been talking about does not extend, how is he to know whether the standard has been reached?—In these cases we supply the task. When we start a new industry we supply the task.

4529. What is the scale in hammock making?—I cannot tell you off-hand. You will not find Admiralty hammock making in our task scale at all, because it is not done in local prisons.

4530. We have been told it is done at Wandsworth?—It is a convict prison industry.

4531. Yes, here it is at Wandsworth, "Hammock makers, 2,338*l.*" ?—Yes, it is in the 1893–4 report. I had forgotten it was done at Wandsworth up to the end of 1893. It has been introduced into the local prisons within the last year or two, and I had forgotten it.

4532. I want to know this. If a man under whom prisoners are doing work in the matter of hammock making has no scale of task, (and I understand there is no scale yet settled with regard to this hammock making,) how are they to be able to report that the man has not done a fair amount of work. What protection is there for the prisoner against an unjust warder?—If there was no scale there would be no hardship on the prisoner. If the officer has no scale to go by he could not oppress a prisoner.

4533. But supposing he said the prisoner had not done a fair amount of work, the prisoner would have no standard to appeal to, and would have no protection?—I am not sure whether this hammock making is in the scale.

4534. I only take that as an illustration, but I understand there are several industries which have not come under the terms of these?—With regard to hammock making that used to be entirely done in the convict prisons like all the Admiralty industries.

4535. I am speaking according to the last report?—In the last year or two we have been gradually taking them from the convict prisons and giving them to the local prisons.

4536. Have you ever, as storekeeper, taken the trouble to add up the totals shown in respect of the several prisons and the value of the prisoners' labour?—Yes.

4537. Am I right in saying it comes to something like 117,000*l.*?—It is something like that.

4538. Can you explain shortly what is the system under which you value it?—You get it in the Special Regulations.

4539. It would be as well to wait for that?—Yes.

4540. The value of a cook for prisoners I see is put at 30*l.* a year?—Roughly I may say that the system in vogue in the valuation of labour of local prisons, is a system of per diem rates.

4541. In Derby there are two cooks for the prisoners, and they figure for 60*l.*?—Yes, a cook is valued at so much per day; it is a fixed rate; that is the principle of it.

4542. Do you prepare the estimate for the prisoners' food?—No. The financial estimates are prepared in the Accountant's Department, not in mine.

4543. Are you concerned with a portion of it?—Well, with the stores, I should be consulted.

4544. But do not the storekeepers pay the wages of the prison officials?—Yes.

4545. Can you tell me how many warders for whom pay is taken in the estimates do not exist?—That would not come under my cognizance.

4546. The number of prisons has been diminished?—Yes.

4547. With each diminution in the number of prisons you have upon your hands a certain clerical staff as well as warder staff?—Yes.

4548. They have certain claims in respect of pension and promotion?—Yes.

4549. With a continued diminution in the number of prisoners, and in the number of prisons, will not your establishment, disciplinary and clerical, get more adjusted?—Well, we absorb what are called the redundant officers of the abolished prisons.

4550. But the natural diminution of the civil staff would not be at anything like the same rate as that at which prisons have diminished. Since 1877 they have gone down, I think, from 114 to about 57, or 50 per cent.?—Yes.

4551. Now the annual depletion of the civil staff would not proceed at that rate?—Not quite.

4552. And therefore you must have a continual process of congestion going on blocking promotion?—Yes, I see the point.

4553. You have not considered that yet?—No, I did not quite follow the point of your question for the moment.

4554. But now you see it?—Yes.

4555. It is an inevitable consequence of the present state of things that you should have a staff whose prospects would be more and more interfered with, and an establishment getting more and more congested?—Yes, unfortunately that is so.

The proceedings were adjourned until Friday, November 9th, at 12 o'clock

TENTH DAY.

Home Office, Whitehall.

Friday, 9th November 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., *Secretary.*

Mr. CHARLES HALL called and examined.

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4556. (*Chairman.*) What is your office now in the prison service?—I rank as a first class clerk at Lewes, acting as storekeeper.

4557. How long have you been at Lewes?—Nearly 24 years.

4558. Is that a large prison?—No, it is a very moderate one. There is an average now of about 210 to 220 prisoners, but in the days of the county there were over 300.

4559. Then you have been at Lewes during what period?—From December 1870.

4560. When you first joined the service?—Yes.

4561. Will you give to the Committee a general statement of your duties?—Practically I have the control of the clerical and financial and industrial accounts, the preparation of all estimates, the checking of bills and accounts, the general superintendence of the whole of the criminal work, under the governor's direction, the supervision and examination of all materials connected with the building department, but I may say that that is perhaps more according to the letter of the law than the spirit. It is not exactly insisted upon although it is laid down in my instructions that I am to do so.

4562. (*Sir J. E. Dorington.*) I suppose you look after the clerk of the works?—Yes, a little bit.

4563. He does the checking, and you look after him?—That is it. I am responsible for the preparation of all the annual returns for the Home Office, the inventories, profit and loss accounts, abstracts of receipts and expenditure, and, I may say, statistics generally.

4564. (*Chairman.*) Then you have had a large experience, of course, in connexion with prison industry?—I have had it, I may say, entirely under my control, subject to the governor's direction, since the year 1873.

4565. Before the transfer Lewes did a very considerable amount of industrial work, I think?—Yes, we held a position of some importance in the industrial world in those days, so far as prisons were concerned.

4566. Perhaps you would tell us briefly the effect of the transfer, and also the recent events in connexion with prison industries, from your experience at Lewes?—There has been very little difference in the character of the work that we carry on, but it has been very considerably reduced; for instance, I may say that under the late authority we employed from 40 to 50 men at mat-making, and our average profits were something like 1,000*l.* a year. You will see by that that the profits averaged nearly 1,000*l.* a year, or something like 20*l.* per head. In the present day, of course, we are simply employing a few men at mat-making for Government departments. Probably not more than 10 or 12 are actually employed at mat-making, and perhaps another 8 or 10 in assisting them.

4567. From that industry alone?—From that industry alone. Perhaps it would not be a bad plan for me to show you a profit and loss account and the balance sheet for the year 1878, which I have here. It is the final report of the late authorities in connexion with that question, and you will see the figures at the end.

4568. Then the transfer itself did not have any special effect on the prison industry?—No; there has been a gradual reduction.

4569. From the agitation which arose against it?—That is so.

4570. Perhaps you could hand in to the Committee, and if you have not got it perhaps you could let us have it—a short statement showing the change as between, say, 1873 and 1896?—Yes, I could write that out for you better than I can describe it perhaps.

4571. You will let us have those figures?—Yes (*see Appendix IV.*).

4572. I gather that you still continue to deal with it on a modified scale?—Yes.

4573. There are, I see, 86 engaged as pickers of coil rope and wool?—We are exceptionally badly situated with regard to that. The cost of carriage is very heavy, and we have no labour at present that we can substitute for it, and being close to several very large sea-side towns, we get a considerable per-centage of very short sentence prisoners whom it is impossible to put to any other work.

4574. Who would naturally have been put to mat making in the old days, I suppose?—In the olden days, I am speaking of—before 1877, the number of short-sentence prisoners was nothing like so great as it is now. We were able to put many a man to a trade in those days whom we are obliged now either to put to oakum picking or some very trifling work. We have no opportunity of teaching them anything.

4575. I suppose a short sentence prisoner could be made use of in connexion with mat making. It is an industry which is very quickly learned?—From a practical experience I should not think of putting a man to mat making under a two or three months' sentence. That is a view which I know is not shared by everybody, but I have had a great deal of experience in that, and I know that great damage is caused by men who are put at it with such very short sentences.

4576. Have you any suggestions to make with regard to short sentence prisoners. What kind of work is really suited to them?—Some years ago we were employed by the Admiralty to make coal sacks. Why it was left off I am not able to say, but I think work of that character is far more suitable to short sentence prisoners than mat making. It is work which is very readily picked up, and it is very seldom

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that a man can do much injury unless he does it wilfully.

4577. Has that industry been taken away from the prisons altogether?—That has been taken away from us for some years. I do not know why.

4578. But has it been taken away from prisons generally?—I cannot say. I think sack making altogether is an industry that might be very largely extended, although it is not a particularly profitable one.

4579. Have you any other employment in your mind?—Firewood chopping is work which we have carried on I may say ever since I have been in the prison service, and we had a very considerable quantity of it. That is splitting the firewood up into small bundles and selling them to retailers in the neighbourhood.

4580. Has not there been some complaint about that?—No, we have had no complaint I think. It is a very minor industry, and is not likely to meet with any opposition. I think it would be often profitable, cleanly, and easily picked up, and work that could be done by anybody.

4581. Could Lewes be made a centre for that?—It could be largely increased at Lewes unquestionably. Of course if it were increased it may be said we should require increased facilities to carry it out. At present we do it by carts and waggons coming to the prison. It might be a question whether we should not dispose of it ourselves by sending out vehicles and men to get rid of it. At the present time everyone comes to the prison for what they want.

4582. Have you any workshops?—Not for firewood chopping. That is done in the cells, but we have a very large mat factory.

4583. Do you say wood chopping is done in the cells?—Yes.

4584. Where the prisoners sleep?—No; there are a few vacant cells allotted to this purpose. We have lately had a great many empty cells.

4585. Then you have a workshop?—Yes.

4586. What kind of workshop is this?—It is a workshop where we formerly employed about 50 mat makers. There is a gallery which runs through the centre, and on each side there are what we call boxes, very similar to cells, without a roof. Each of these boxes contain a loom or a frame, and the men work there under the superintendence of the instructor or warder in charge of the place, who walks along the centre gallery and sees every one underneath him on the right and left. It is an excellent arrangement, and one which was adopted, I may say practically made, under the instructions and direction of Captain Helby, the present Governor of Wandsworth.

4587. I suppose it was Captain Helby who introduced that?—That is so, and it is an excellent arrangement, because it enabled the man in charge to see everything that was going on, and it was a sort of half-way arrangement between cellular work and association.

4588. I see in this statement of account you have given me that the use of cells for industrial labour is condemned?—That was probably what gave rise to the building of this workshop.

4589. But if you wanted to develop this wood-splitting industry would you prefer to have a workshop?—Yes; at Lewes especially it could be made, because we have plenty of spare room.

4590. Have you had much opportunity of observing the prisoners at work?—Yes. They have been, to a certain extent, under my charge; not actually, but I have been amongst them, and I know what they are doing and how they are doing it; and I had control of the men who are really looking after them.

4591. Do you think association under proper supervision leads to any mischievous results?—Not under proper supervision. It depends a very great deal upon the officers in charge, but I see no reason why it should if it were properly carried out.

4592. From your experience do the prisoners prefer it to cellular labour?—Yes, I think I may say that very emphatically.

4593. Do you think it is good for them?—I think so. I do not like a man working in his cell from morning till night.

4594. Do they ever complain about solitary work?—Perhaps not so much in that way, but they complain of the dust and grit which accumulates from the work. I had many complaints years ago on that score.

4595. In the cells?—Yes, it is a very confined space for a man to be at work in all day, particularly with regard to the mat making. It would not be so with sack making, but in mat making and firewood chopping it is especially so.

4596. How many hours a day would they be at these industries in the cells—six hours?—In the cells you might go for over seven hours; in the workshops it would not be quite so much.

4597. Do you find difficulty in getting warders of sufficient technical experience to teach?—That is a very difficult matter altogether. At the present moment we are feeling it, especially as the only man we have who knows anything at all about the work is on sick leave and consequently we are practically standing still.

4598. What is he?—He is a man who has been taught by a professional instructor.

4599. What trade is he?—A mat maker.

4600. Then you have no skilled instructor at all?—No, this man has a general knowledge of it; he gets along very well, but he certainly is not competent to teach any one else to take his place or scarcely so.

4601. I suppose you have about 10 or 12 warders?—We have 19 uniformed officers all told. That would leave us about 14 or 15 warders altogether.

4602. Do warders seem to prefer to be associated with the industrial work of the prisons?—No.

4603. They look upon it as an extra duty?—It is an extra duty which under the county authorities they were paid for; that, of course, is abolished.

4604. Under the county they were paid by results, were not they?—Their salaries were raised on the distinct understanding that they were to give special attention to the industrial work. That was laid down at one of the Quarter Sessions. They were to receive an additional salary on the understanding that they did the best they could to improve the industrial labour in the prison.

4605. Were the salaries reduced?—No, the salaries were raised, but I do not think we have an officer in the prison at all now who has been on that scale.

4606. (*Sir Algernon West.*) But the extra payment for being able to instruct was taken away from the warders?—Nothing was taken away from them, but those on the new scale of course have not had that taken into consideration at all.

4607. (*Chairman.*) There was a special scale under the old principle?—Yes.

4608. And there is no qualification for that scale now?—Not at all. I believe 12*l.* a year is given for what is called an artisan warder, but that is only in special cases where a man has shown some marked skill—in building, for instance.

4609. Where a man has had some special training for it?—Yes; that is done in the case of the hospital warder also sometimes. There are other cases where that is done, but in our case it is not given to the mat maker.

4610. If there were sufficient inducement given, would it be possible to instruct the existing staff of warders sufficiently in different trades?—Not unless you had a special man from the outside, a skilled instructor. We had two men from Deeds, I think it was in Oxford Street, one of the large mat makers. We had two professional men, one who received 100*l.* a year and the other 80*l.* a year. Those men are both gone and we have no one to take their places. My opinion is that you will never teach mat making in a prison thoroughly, and never have the work properly done unless these men, or men like them, are re-introduced.

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4611. That I take it is one of the main difficulties in developing prison industries?—I think so.

4612. Then perhaps a second, and almost a greater one, arises from the fact that you have so many short sentence men?—Yes. I have an average here which, perhaps, will give you some little idea of it. The average for the four months ending the 31st of October last was 33 per cent. of one month and under. There was one man out of every three who came into the prison who received a sentence of less than one month, and for three months' sentences the average was 50 per cent. for the four months ending on the 31st of October last.

4613. (*Sir J. E. Dorington.*) Is that the present or the old average?—That is the average for the four months ending on the 31st of last month.

4614. (*Chairman.*) Have you thought out any plan by which this difficulty arising from the short sentences may be met?—Not as long as that continues, unless we can introduce some class of labour which requires very little skill, very little attention, and that is specially easily done, such as sack making and fire-wood chopping.

4615. I suppose you would say the more you could concentrate prisoners with long sentences on the one side, and short sentence prisoners on the other, the greater facilities you would have to arrange suitable work for them?—That would be very much better unquestionably, but that involves another question altogether which is a matter, I suppose, the Commissioners would deal with. You see, in Lewes, we are practically the only prison for the county, and we have to take them as they come. We have no means of sifting ours in any way.

4616. I understand that. Now, what do you find, as a general rule, as to the quality of the work? What sort of work does a prisoner turn out? Is it indifferent work?—No; my note is that, generally, in the trades with which I am most intimately acquainted, after a certain period of probation, the quality of the work (especially in mat making) is equal to, if not superior to, that of many professional mat makers, and I have had many opportunities of judging of that, and talking matters over with people who thoroughly understand it.

4617. Do you think that would be the opinion of the Government departments which are supplied with the mats?—I can hardly say that. That is rather a difficult question to answer. The principal defect in the prison work is its finish. The foundation of the work may be just as good, and the whole of the work in itself may be just as good, but it lacks a certain finish which a manufacturer is able to give to it, and I think that to a certain extent spoils the market. If we could have some little machinery at times to put the same polish and finish on the work that is done by the outside manufacturer, I think we could compete, in mat making at any rate, with anyone.

4618. At any rate, you can answer for the soundness of the material and the strength of the work?—That is so, and I have found, in every case in which I have been asked to give an opinion, that the work itself is quite as good as any you get from the large manufacturers.

4619. It has been represented to me that one difficulty in the way of giving orders to prisons is the irregularity of the supply?—That has been a sore point ever since I have known anything about it: not particularly in my case, because we were pretty well situated; but I know in some prisons where the numbers fluctuated frequently and largely, it was a great difficulty and one they could not get over. Now it is got over by the fact that if one prison cannot supply another can.

4620. But could not that be overcome by a system of storekeeping?—Yes, a system something after the clearing-house style of having a general depôt where those goods could be sent.

4621. There is nothing of the kind now?—There is nothing of the kind now; each prison has to stand by itself.

4622. But if you kept a sufficient supply of the material, likely to be ordered by the Government, in stock, that difficulty as to irregularity of supply could be altogether overcome?—I think so. Subject to that depôt being established, some arrangement of the sort might be carried out. Then you want a man who is thoroughly acquainted with this work if you are going to deal with private persons as well; and I suppose you do not confine your question entirely to Government departments.

4623. No?—I think if you are dealing with private people it wants someone to go to these different prisons at times and examine the work. It should not be left just to the clerical staff of the prison and one or two instructors. There should be an efficient and skilled man, who should go about and examine the work, and reject it if necessary, before it is sent out. The great difficulty is that many things are sent away to the dockyards and arsenals, and they come back simply because the people do not understand the quality that is required.

4624. That arises from the fact that your staff is not sufficiently skilled?—It is not sufficiently qualified for the work, but if there were some person appointed who could make it part of his duty to occasionally visit the prisons and look at the work, and give them some sound advice as to how it is carried on, I think this system of rejecting work would be avoided.

4625. (*Sir J. E. Dorington.*) Is there a great quantity of work rejected?—I think there is a great deal too much. I do not think it amounts to much, but it amounts to more than it should do if it were looked after.

4626. (*Mr. O'Connor.*) Is not there a pattern article supplied?—Yes, a pattern is sent with all orders.

4627. (*Chairman.*) In all trades there is a liability to have articles rejected?—Yes, but my contention is that they should be rejected before all this cost of carriage is involved if it can be done.

4628. Still, of course, it is natural that there should be a certain small per-centage of rejections, because that is inevitable in the best managed concern?—Yes, you cannot help that of course.

4629. Do you find that prisoners who are skilled artisans, for whom no work such as they have been accustomed to can be supplied in the prison, are apt to forget their work?—You mean their own labour?

4630. Yes?—Well, I have hardly had any opportunity of judging of that, because when they go out I know very little about them.

4631. But supposing a skilled artisan—a man whose work made it necessary he should be in something like constant practice to secure proficiency—came under a sentence of a year or 18 months and there was no opportunity of giving him the work he was accustomed to, then at the end of 18 months I suppose that man would go out unfit for his work?—He must inevitably lose some of his skill for want of practice; for instance take a watch and clock maker, or any industry of that kind, he must necessarily lose some practice; but to what extent I do not know and whether he would be able to take it up again very readily I cannot say.

4632. You would agree as a general principle that it is desirable, wherever it is possible, to employ the prisoners on the trade to which they have been accustomed?—Certainly, I think so.

4633. Would you say that agriculture and gardening are good occupations for prisoners?—Yes, that is rather a strong point. We are in an agricultural district and we have a good many opportunities of seeing the class of work that would be suitable there.

4634. Have you land attached to your prison at Lewes?—Yes, we have about 4½ acres.

4635. How is that cultivated?—We supply the prison entirely with vegetables. It is quite an unusual

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thing for us to have to buy anything of that kind. Our vegetables are supplied entirely from the seed we purchase in the spring. We cultivate the ground and supply ourselves; and occasionally we are able to send small quantities to London.

4636. How many men does that occupy?—I have not the figures.

4637. Of gardeners I see you have got three and a fraction?—That would probably be about it—three or four, but I think it quite advisable that that should be largely increased, because there are many prisons, of course, with no ground at all, which could be supplied from Lewes very largely with vegetables that will not hurt in transit, and probably will keep very well when they get them.

4638. (*Sir J. E. Dorington*). Do you mean that your land is not fully cultivated at present?—No, but we might possibly increase the area of ground because there is a large quantity of ground round us, close to the Downs, if it could be purchased; in fact the four acres I am speaking of we purchased some four or five years ago for that very purpose.

4639. (*Chairman*. Have you anything in the nature of a garden? You only grow vegetables I understand?—Only vegetables.

4640. You do not grow flowers?—No, very little at any rate.

4641. (*Sir J. E. Dorington.*) Who is the farmer, are you the farmer?—No, I think the governor takes that under his special care. Of course all the produce has to come through my hands in the way of book-keeping.

4642. But who directs what shall be grown?—The governor himself, but that is not a difficult matter, because our books shew exactly what we require in the way of potatoes, carrots, onions and that sort of thing, and we have simply to lay the ground out another year accordingly: but I more particularly allude to the fact that I think it might be increased by supplying London prisons instead of their being supplied by contractors, if the cost of carriage would not be too excessive.

4643. (*Chairman.*) At any rate you think that the kind of labour required is very good for the prisoners?—And particularly short sentence ones, especially if you do away with the necessity of shutting up these men for the first 28 days of their sentence. If they could be allowed out into the garden to work, there would be a very great deal more work done.

4644. Do you think that the class of warders that you get now is of sufficiently good status for the work, speaking generally?—Do you mean as compared with those we had under the old authority.

4645. Well, how do they stand as compared with them?—Well, I think that they hardly come up to the standard of the old warders, perhaps there is not a very great difference but I should say that the old standard was rather higher than the present one.

4646. I suppose you would say that it is important to have as high a class of men as warders as you could get?—I think so and especially men of good character. I think that is a very great point. Many men that we get, of course, come from the army with the kind of stereotyped character they get, and I think if that could be rather more closely looked into it would be better.

4647. I think you have had an opportunity of seeing the evidence that Mr. Duncan gave?—I have.

4648. Have you any remark to make?—No; I think, taking it on the whole, it expreses my opinion, with the exception that I think I noticed the remark that mat making could be taught in eight days, or something to that effect. I think it is either a mistake, or at any rate, I do not agree with it.

4649. (*Chairman.*) You say that it is an industry that a man should be not less than three months at?—Not less than three months. I should not think of putting it to him if he were sentenced to less than three months.

4650. With that exception you agree with Mr. Duncan?—Yes, as far as my experience at Lewes goes.

4651. (*Sir Algernon West.*) The only question I want to put to you is as to the gratuities that were given to warders under the counties management for technical knowledge and instruction. I think I understood you to say the salaries of the warders were raised in order that they should give instruction?—Yes.

4652. The other day I was told that a man was in this unfortunate position, that when he was under the county administration he received his salary, and in addition 10*l.* a year for teaching weaving; but since he came under the Government he lost it?—He would lose the 10*l.*, I suppose. I can quite understand that. It was not part of his salary, and he could hardly lay claim to it under the provisions of the Prisons Act, because I suppose they not only took the 10*l.* away but they took the work away as well, and I think I could see how he would lose that if he was not a very necessary individual at that time.

4653. I gather from your first evidence that they had an additional salary on condition that they would give their services to teaching?—Yes.

4654. And it was included in that, whereas in this case he had an additional 10*l.* a year because he was a very good weaver?—Yes, and if that had been added to his salary before the transfer he would probably have retained it, but as it remained outside his ordinary salary I can understand he would lose it.

4655. (*Chairman.*) Probably there are many other cases of the same kind?—There are probably many other cases. Then, sir, you were speaking of the marks system and the gratuities given. I think I ought to mention that I think if something could be done to encourage the prisoners somewhat more after they have completed seven months of their sentences it would be as well. At the present moment a man loses all interest in his work after he has earned his 10*s.* He gets no encouragement after that either in the way of library books, food, or privileges of any kind.

4656. (*Sir J. E. Dorington.*) When he gets into the fourth class there he stops?—Yes, whether he is in for 12 months, 18 months, or two years.

4657. (*Chairman.*) Would you give advantages to all prisoners alike, or would you give them in the shape of a premium on good work?—In the days of the county authorities we gave every man advantages on a certain fixed scale, the same as they have now, provided he was industrious and worked up to a certain standard, but beyond that he received just double; that is to say, he has received 1*d.* for eight marks, whereas under the ordinary scale he got 1*d.* for 16. The consequence is that many a man has come before me before he went out having from 2*l.* to 3*l.* to take, and that money was sent to his friends or to some agency or other for his benefit, whereas now the maximum is 10*s.* except under very special circumstances.

4658. Do you find a distinct difference between the work of the prisoners after they have earned the 10*s.*?—I find it does not get any better, whereas in the olden days after that part of the sentence a man practically became a first-class hand at his work.

4659. Do you find any wish amongst the prisoners to qualify themselves for a particular class of work when they go out of prison?—No.

4660. They never seem to desire to make provision for their own future?—No, I have never known a man attempt to earn his living after he got out by the trade he learnt in prison.

4661. Have you had plenty of opportunity of judging of that?—No, not plenty, but I have on several occasions offered to get a man work in a London firm, and I do not remember a case where he accepted the offer; he declined it on every occasion.

4662. But the work was open to him?—I do not know that. I would have tried to have got him work if he had shown any desire for it, by writing to firms in London and different places to take him on; but I never knew a man who accepted the offer.

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4663. Then what is your explanation of it?—Well, I do not quite know how to answer that question. It opens a very broad question altogether. For instance, he might say as a man who had just come out of prison he would not like to work with his fellowmen at a trade where he knew he would be spotted at once. He could not go into a mat factory in London as a tradesman without its being shown at once he was taught in a prison, because there would be many professional details which he would know nothing at all about; and I think, perhaps, the fact that he had learnt his trade in prison would be a great factor in his dislike to go amongst his fellowmen in the same class of labour because he could not do it without disclosing where he had learnt his trade.

4664. (*Mr. De Rutzen.*) But could not that be wiped out by better instruction?—No, I do not think so. You see, a mat factory, or a factory of any kind, is very different to the present system of teaching a man in prison. There are many little machines in use in a factory which it is not desirable to introduce into a prison. They are not absolutely necessary, and I think when he got into a factory and had to use these machines that he would at once show his ignorance, and probably explain to everybody where he came from.

4665. (*Chairman.*) Then to some extent what you say, if it could be fully substantiated, is an argument against extending the mat-making industry in prison?—If you take it with regard to the advantages a man is to derive when he gets out. I do not think a man gets any advantage from it at all. I am speaking of it purely and simply as a prison industry.

4666. What you say with regard to mat-making would not apply so much to gardening or farming?—No, and there are several industries to which it would not apply at all.

4667. Tailoring or shoemaking?—No, but mat-making is carried on in all factories upon a very large scale, especially in and about London.

4668. For the same reason a man who learns weaving by the hand loom would not be able to qualify at all for the machine weaving?—I should take that as another case in point.

4669. (*Mr. De Rutzen.*) What reason would you have against introducing that little bit of machinery which would obliterate the difference between prison-made mats and ordinary manufacturers' mats?—Well, I do not know that there is any great objection to it except that it has always been customary to avoid that thing as much as possible.

4670. (*Chairman.*) Is not it rather that the mat making industry has to be carried on in the cells?—We never carried it on in cells under the county in later years. We carried it on in a large workshop.

4671. Had you any machinery there?—Only a machine for trimming the mats and putting a face on them.

4672. Why could not you carry it on under the same conditions as it is carried on in the workshops?—There is always an objection to introducing these little things into a prison. I do not know why, but it has been the case, I know. There are many little pieces of machinery for finishing the mats and putting them ready for market, and so on, but it has always been done by hand in the prisons. I do not know what the particular objection to the machinery is.

4673. I think it has been given before us in evidence that the mat making industry is a specially desirable one in prisons because it is so useful for prisoners when they first come in, and those who are in solitary confinement; and that a certain kind of mat at any rate, can be made in the cells?—Yes, there is a kind of mat certainly that can be made in the cells, but I do not uphold it at all. I think it is much more desirable that they should work in the workshops, not in the cells.

4674. But assuming that for reasons given it was found necessary to have this solitary confinement for the first month, or whatever the time should be, do you agree that it would be desirable that they should be given work suitable to the solitary confinement?—Yes, but in that case a man can only carry out a part of his work. He never can become an efficient mat maker. He only does one part of the work and it is sent in to the other to be finished. That is where he would display his ignorance. He would get this mat made up to a certain point, and he would know nothing about the remaining part of the work. He might pick that up in a workshop, but in his cell he could not possibly do so.

4675. (*Mr. De Rutzen.*) You said just now, I thought, that such work as mat making and wood chopping were unfitted for cellular work on account of the dust and so forth?—Yes.

4676. And you are able to carry it out in the cells simply because you have some vacant cells in which you can put them to work?—That is it.

4677. Then assuming that there was a prison in which they were so full that they had really no vacant cells, in your opinion it would be impossible to carry that sort of work out?—Properly, I think.

4678. Just to return one moment to the mat-making, according to your view there would be an opportunity of turning hundreds of people out of prisons qualified as mat makers, but you do not think they could continue their work on account of their fear of being, what I may call, "spotted"?—That is it.

4679. But would not it be very good economy to introduce the little machinery which would be necessary so as to blot out and obliterate that altogether, so that a man could not be detected when he went out?—There are so many other questions involved in that. You would have to have this associated labour, so that each man was able to carry out the whole process from beginning to end. I do not know whether I make myself quite clear about that; but it is no use a man simply being able to begin a mat and not able to put a face upon it. He must understand the binding of the mat, and the sewing of the mat, and the dressing of the mat, and that could only be done in association.

4680. Do you ever have two men at the same moment at work on a mat?—No.

4681. So that it would go through different hands?—Yes.

4682. But it would not be necessarily like two men at smiths' work?—No.

4683. The mat would never be under the hands of two men at the same time?—Certainly not, but it is quite possible the man who finished it would know nothing about the foundation of the work, and the man who laid the foundation would know nothing about the finishing. Unless he was taught the whole process from beginning to end I say he would not be quite competent when he came out of prison to go to a factory.

4684. Would that be got over by allowing him to take each particular portion of the mat?—Certainly, but then you must come to association at once.

4685. But why, if two people are never employed on it at the same time?—Are we talking of cellular work just at the present moment, sir?

4686. Of cellular work or work in association?—Well, we will take the cellular work. In that case the man would have to be drafted from his cell and put into the workshop and another man put back to take his place at mat-making. That would be simply a question of transferring a man from one part of the industry to another and it might be carried out if there were proper facilities for it. In our case it could be carried out because we have both the workshop and the cells; but whether it could be done in ordinary prisons I cannot say.

4687. You were asked a question just now about skilled artizans. Do you find many tradesmen, carpenters and men of that class, in prison at all?—Very few.

4688. It is quite an exception?—Yes, it is quite an exception.

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4689. Or a skilled artizan of any sort?—There would be a difference I suppose between the prisons round here and in the agricultural districts; but in our prison it is quite the exception. We find more among the transfers. We get a great many transferred from London and we find more amongst them than we do amongst our own men.

4690. You said just now in connexion with agricultural work that by extending the amount of ground which you have at present you might employ people who were sentenced, we will say, up to 28 days and under?—Provided we were allowed to do so.

4691. Yes, provided you were allowed to do so, but do you think there would be anything at all deterrent in allowing a person who was in for, say, eight days to be immediately transferred to the open air and put to digging. Do you think there would be anything deterrent in that?—No, but in the case of first convictions I think it might be tried. I may say that question brings up something to my mind, that in the days before the present authorities we made exceptions in those cases. A man on first conviction was allowed to do labour of a kind which as a man of second conviction he was not allowed to do; because on second conviction he was put on the crank or tread-wheel at once; whilst the other was allowed to work in the garden and do work of that kind.

4692. But did you mean that as a general remark, that the person who was in for 28 days, whether he was there for the first time or not, might be allowed to do?—No, I think an exception should be allowed in that case.

4693. But I thought it was rather general?—I think an exception should be made in the case of first convictions.

4694. And I suppose at your prison, as at most others, the same people come time after time?—Yes, we have many re-convictions.

4695. And all under a month?—Many of them; I can hardly say all.

4696. (*Dr. Bridges.*) I have only one or two questions to ask with reference to the agricultural labour. At present I suppose the three or four men who are employed on the garden are looked upon rather as privileged prisoners?—No, I think not. It depends upon their abilities. If they said when they came in that they had a knowledge of gardening they would be put to that particular work.

4697. Is not gardening as at present carried on looked upon as rather a light form of labour?—No, I think not; I could not say that.

4698. Supposing you were to have your ground increased largely and to have treble the amount of ground that you have, I suppose you would employ a good number of men in hard digging would you not?—Yes, it would be all hand work. I do not propose to introduce any machinery.

4699. What would be your opinion in that case if you had a larger amount of ground and more actual hard plain digging work, would that work, in your opinion be of a sufficiently deterrent character to employ men on during their first month of imprisonment?—Yes, I think so certainly. I think it is quite as hard as anything you could give them.

4700. (*Mr. O'Connor.*) You do not think that a proposal to utilize the first 28 days at work outside the cells would have any disadvantageous effect in respect of discipline?—No, I think not.

4701. You told us that you have had the superintendence of the labour of prisoners for a long time under the governor's superintendence?—Yes.

4702. Have you any disciplinary authority?—No, none at all.

4703. And with regard to the connexion of the warders with the prison industries am I right in supposing that any duty of that kind is rather distasteful to them?—Yes, I think it is probably on account of their having no encouragement.

4704. In the old days there was a certain pecuniary advantage attaching to the work by the warders?—Yes.

4705. And that does not exist now?—No.

4706. There is no inducement to them to take an interest in it?—No.

4707. Then there is no disciplinary officer who is concerned with the industries or with the industrial work of the prison?—Yes, the man who now superintends the work is a disciplinary officer, and he simply does that because he is the only man in the prison who understands anything about it. But as a matter of fact he is a disciplinary officer, and always has been. He picked up his knowledge of the work from our professional mat makers.

4708. But he is away sick?—That is only a temporary matter.

4709. I thought you had the superintendence of it?—I am speaking of the teaching and so on.

4710. Have you read Mr. Duncan's evidence?—Yes, I had an opportunity of looking at it this morning.

4711. He told us that there are certain industries in respect of which there are allotted tasks, a task scale, but there are also other industries more recently introduced in respect of which no task has been prescribed. From a disciplinary point of view, can you tell us how work of that description is dealt with?—You mean the untasked work.

4712. Yes?—No, I do not quite understand what Mr. Duncan alludes to there, because so far as it is possible we task all kinds of work.

4713. I instanced to him hammock making, and he said you will not find hammock making in our task scale at all?—But the practice with us would be that as soon as we get a new industry we should task it as fairly as we could.

4714. But there is no scale of task for new industries prescribed from head-quarters?—No.

4715. If then it is said of a man that he has not done a fair amount of work, he being employed upon one of these new industries, how are you to settle the question whether he has or has not?—The Governor would settle the question if it arose, but I can hardly understand its arising, because we should certainly settle that before we attempted to deal with the man. The official would be asked if he thought he had performed a fair day's work, and if he said "no" the Governor would exercise his judgment on the matter.

4716. Then it would not depend on the power of the man, but on the opinion of the disciplinary officer who was in connexion with him?—Yes, but I must say I do not quite understand its arising. Those cases are very seldom; they are very few and far between.

4717. You have not hammock making?—No.

4718. You told us that with 30 or 40 prisoners under the old system you made a profit of 1,000*l.* a year in mat making?—I think 50 was my number. It is mere recollection, but I think it was about 50.

(*Sir Algernon West.*) How do you calculate that?

(*Chairman.*) That is about 20*l.* a man.

4719. (*Mr. O'Connor.*) Do you deduct the expense of maintaining a man?—No.

4720. Then what was the expense of maintaining him, do you think, under the old system?—It is a long time ago, but I shall not be far out if I say from 20*l.* to 23*l.* a year.

4721. In reality your profit did not clear the maintenance of the prisoner?—No; that includes salaries and everything; that is the actual cost of the man and his share of the expenses.

4722. Of the men employed in mat making, where you have 10 or 12 mat makers you have 10 or 12 to assist them?—It generally runs about two-thirds.

4723. What do you mean by "assisting them"?—Men who are preparing the yarn for the purpose of mat making; men who are finishing the mats when they come from the loom, and generally all those men who have anything at all to do with it, but who are not actually employed in the manufacture of the mat.

4724. In the 50 men that you speak of as earning the 1,000*l.* a year, do you include those who are assisting the actual mat-makers?—No.

4725. Then the 1,000*l.* would have to be spread not only over the 50 who are producing the mat, but over an equal number who are assisting them?—An addition of two-thirds of very short sentenced men, men who were unfit to be employed at anything in the way of manufacturing, but who were just able to assist by preparing the materials.

4726. Then your estimate of 1,000*l.* is subject to these qualifications: first, that you do not include the maintenance of the prisoners?—Yes.

4727. Secondly, that you do not include the assistants?—The assistants were probably included in the 1,000*l.* a year, but not included in the average.

4728. They are not included in the 50 men?—No.

4729. How many warders do you say that you have as disciplinary officers?—We have a chief warder, six warders, and 12 others.

4730. That is 18. Did you prepare the estimate for your prison?—Yes.

4731. Did not you put down nine warders and nine assistants?—Are you speaking of the estimate of accounts?

4732. The estimate for the votes in Parliament?—No, we have nothing to do with that.

4733. I see your staff is estimated at nine men on warders' pay, and nine assistant warders. Did you say you have only six warders and 12 assistants?—Is not that a prospective estimate?

4734. It is for the year ending the 31st of March 1895, the year in which we now are?—I do not know what alterations they may intend, but the present staff is what I have given you.

4735. (*Mr. De Rutzen.*) Will you just repeat your figures please?—There are one chief warder, six warders, and 12 others, including a schoolmaster and engineer.

4736. (*Mr. O'Connor.*) You told us that you would consider that the average warder now was not quite up to the standard of the average warder in times past?—That is my opinion.

4737. Is he paid as well?—A little better.

4738. How do you account for the deterioration, if I may use the term?—In the days when the magistrates had control of this matter it was customary to advertise in the local paper. The men who replied to the advertisement were all interviewed by the magistrates and their credentials and testimonials were very carefully gone into, and, if necessary, inquiries were made in the parishes and districts where they lived for their character as to honesty and sobriety, and that sort of thing, and I think the men were better sifted than they are now.

4739. There was more discrimination exercised in the selection of them?—I must not perhaps say that, but still I simply state it as a fact. I can tell you why I think the magistrates were the best judges of that.

4740. They had better means of judging it perhaps?—Yes, but I should not go further than that.

4741. You told us that after the prisoners had earned 10*s.* they could earn no more?—That is so.

4742. But in the old times they could get many 10*s.*?—They could get up to as much as 2*l.*

4743. Would you say it was sometimes of importance to a prisoner what amount of money he takes with him to face the world again?—I think it is of very great importance provided it is judiciously used.

4744. With regard to the prospect of his return or non-return to prison?—Certainly.

4745. But do you think from the public point of view it is important that the man should have sufficient means to keep him for some little time after he went out of prison?—Yes, and I think it would be good economy in the end, and I think that he should be allowed to earn it.

4746. (*Sir J. E. Dorington.*) You spoke in your evidence of a profit of 1,000*l.* on mat making?—About 1,000*l.* I had not the paper before me at that time.

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4747. It appears that the profit was 317*l.* in the last year?—May I point out to you just one or two little matters there. I think I can clear that up. The profit for 1873 and 1874 when we only worked about half the year was 500*l.*; for 1874 and 1875 the profit was 957*l.*; for 1875 and 1876 the profit was 1,001*l.*; for 1875 and 1877 the profit was 801*l.* Then you see we were handed over to the Government authorities and things were sold for what they would fetch. We were clearing out, and of course only worked a very few months in the year. That does not represent a whole year's work or anything like it.

4748. Last year's was not a fair test?—No.

4749. I suppose the reason why you say that a mat maker in prison could not go and pursue his trade of mat making in a factory is that a factory is conducted in such a totally different way to what cellular employment would be?—That is so.

4750. I suppose mat making is conducted with steam machinery?—A great deal of it is; not necessarily, but it is in many of the factories.

4751. The factories you would go into would be steam factories?—Yes.

4752. And therefore he would not be fitted to hand that sort of machinery which would be driven by steam?—No.

4753. And the little machines you talk of are adjuncts to the looms I suppose?—Yes; combing and that sort of thing.

4754. Which could be done by hand in prison?—Yes.

4755. I believe in the clothmaking trade it is known that a piece of cloth woven on a handle is a better article than one woven on a machine?—Yes.

4756. But hardly anybody understands the handle now?—No.

4757. With regard to your prisoners you say they would not continue to follow the same trades as they had learnt in prison. I suppose they would go back to the trade they had learnt previously to their imprisonment?—Certainly they would, if they had a trade.

4758. But a large number of your prisoners, I have no doubt, had no trade at all?—Many of them. Most of them are agricultural labourers.

4759. With regard to employment on land if you took town prisoners and tried to put them on the land it would be extremely penal, would it not?—Yes, I could not justify that unless they had been used to it for some time.

4760. But to an agricultural labourer it would be his daily occupation?—Yes.

4761. And it would hardly be penal?—Not unless you imposed a very severe task.

4762. So that to the two descriptions of prisoners you would be administering totally different degrees of punishment?—Yes.

4763. What was severe in the one case would not be in the other?—You might carry that to an unlimited extent.

4764. That is necessarily a difficulty in prison employment?—There has been no means of separating it, that I know of.

4765. You have suggested it might be desirable to shift the prisoners with long sentences and short sentenced prisoners into different places so that you could pursue your trades rather better?—I think it would be better if it were carried out.

4766. You have had a good deal of experience. Do you think a prisoner would regard it as a hardship to be removed from Lewes, say, to Winchester?—They are liable to that now.

4767. But it is not much done?—It varies according to the population. There is no hardship in it for short sentence prisoners. There might be a little hardship where they are entitled to a visit from their friends.

4768. To remove them from that opportunity?—Yes, or it would put the friends to a good deal of expense.

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4769. I may ask you as a man who has had experience of prisoners whether you think the prisoners would have good grounds for a grumble at being removed from the prison of the district in which they were first lodged to a different prison?—No, I think *not.* The only hardship that I can suggest is the want of opportunities of being visited by their friends.

4770. Are the opportunities of visiting largely taken advantage of?—Yes, fairly so.

4771. Do you think four-fifths of your prisoners get a visit?—No, two-thirds I should think, but that is mere guess work of course. I have not any figures before me. That would only, of course, be in the case of transfers of long sentence men. It would not affect short sentence men at all.

4772. You could not transfer them?—If we did it would not affect them in the way I have spoken of.

4773. No, because they are not entitled to a visit?—Because they are not entitled to a visit.

4774. How do you get your materials for the workshop. Do you contract for it at the prison?—No, they are all supplied through the Home Office—through the Prison Commissioners.

4775. But is that supplied satisfactorily?—Yes, I think so.

4776. You get what you want easily?—Yes.

4777. If you want a new loom do you get it?—Yes.

4778. Without much trouble?—Yes, there is nothing troublesome about that.

4779. If you had a skilled inspector going round the prisons, not to inspect them as prisons, but to inspect them as workshops, do you think there would be any risk of the prison being judged rather as a workshop then as a prison?—I should not think so.

4780. There would be no collision between the two views?—Nothing that could not be reconciled with a very little management.

4781. Do you think the two classes of inspectors would not fall out?—No; they would be so totally different. There would be nothing in common. I do not think they could clash.

4782. One man might find fault with the officers—because they were not good artisans, and the other because they were not good disciplinary officers?—The inspector would have nothing to do with the disciplinary officers. It would come more within the business of a professional man connected with the industries than of anyone connected with the discipline of the prison.

4783. They are necessarily worse, are they not?—That is a very moot point. That is a point we have been discussing some little time. It is so at the present time, but I hope it will not continue.

4784. Would you like to see skilled instructors apart from the warders?—Yes, I should like to see a man who understands the work, and who is devoid of duties connected with discipline. I want him to have *more sympathy with the men and to* be able to walk into the cells and show them how to do the work, and help them along with their work.

4785. Would you like him to be a kind of schoolmaster?—Yes.

4786. And not a warder?—It causes nine-tenths of the friction that frequently takes place, because the disciplinary work and the industrial work constantly clash. The one man has to perform the two kinds of duty at different times of the day, and he is never able to concentrate his attention on either one or the other.

4787. And having considered the matter you think that the industrial trainer who is also bound to look after his prisoner, I suppose, when handed over to him?—Yes, certainly.

4788. Would not clash with the warder who is more strictly connected with the discipline?—I do not say so; I think it can be avoided.

4789. (*Chairman.*) You said you used to make coal sacks at Lewes?—That is so.

4790. I see that Mr. Duncan mentions that industry as having been taken on in the convict prisons?—I did not notice that.

4791. When was that item of industry taken away from Lewes?—I think about four years ago.

4792. Then were you asked to make a report about it?—No.

4793. It was simply taken away?—It was simply taken away and transferred to some other prison. Possibly we were doing more in the industrial way then and some other prison was doing very little, and they wanted to equalize matters.

4794. What officer is responsible for the work of the industrial system in the prisons? Who arranges what work shall be done?—Well, it is all done under the instructions of the Governor. The Governor gives his instructions.

4795. But I mean taking the whole prisons of the country generally, do the Prison Commissioners determine what labour shall be done?—*Certainly.*

4796. Then who would advise them of it?—Their own officers. We have nothing to do with it.

4797. But is *there an official* who is cognizant with the particular circumstances relating to the industries of different districts throughout the country?—I cannot answer that question. There are several people I believe *who advise upon this point.*

4798. (*Miss Orme.*) Have you any other occupations in your mind that would be suitable for long sentence prisoners besides those you have already mentioned to us?—I want to increase the laundry work very much if I can. It is work which appears to me to be not only profitable, but work which is very easily carried out.

4799. And amongst men too, are there any other occupations than those you have spoken of?—Yes; basket making is one which I have down specially, particularly fancy work which can be sold very readily in such towns as Brighton, Hastings, and Eastbourne, and those towns where these little things are often purchased. Then again comes the question of a skilled instructor, and we have no one who understands it.

4800. Are there any others?—Knitting might be developed to a great extent amongst women.

4801. At Lewes do you use your crank for sawing wood?—No, it is not used for anything at all; it simply revolves with so much opposition, but it does nothing.

4802. Could it be used for sawing wood in the same way they use the tread wheels?—The combined crank would I think do it. I do not see why it should not be so in the same way as I think at Wandsworth it is used for grinding corn.

4803. That would assist you in the wood-chopping industry, because then you could buy the wood in large pieces?—Yes, but that is not exactly my view of the question. I think we have ample prisoners to do the work, and if we introduced that kind of machinery, we *should* be then, as it were, reducing the labour. I do not think, in our particular case, we want to do that.

4804. You do not think it important to make that first penal labour productive in order that the men should know they were *doing something*?—Well, it has been considered by most people that it is very necessary it should be made unproductive, but I do not know that it is a very great point. It could be made productive unquestionably with very little outlay.

The witness withdrew.

Dr. Brayn.

Dr. BRAYN called and examined.

4805. (*Dr. Bridges.*) I believe you are the Governor of Woking?—Yes, I am Governor and Medical Officer at Woking Female Convict Prison.

4806. Will you tell the Committee what your previous appointments have been?—I joined the convict service at Portsmouth in 1875 as Assistant Medical Officer; then I was moved to Millbank about September or October 1876; I remained at Millbank until January 1879. Previously to being removed from Millbank I had done duty temporarily at Wormwood Scrubs, but I was not officially appointed there. Then I was promoted to the post of Medical Officer at Pentonville, when Pentonville was a convict prison, and I remained at Pentonville until August 1882, which was about three-and-a-half years. From there I was appointed Medical Officer to Woking Invalid Convict Prison, the male prison. It was then partially a convict prison and lunatic asylum. The lunatic convicts were at Woking then. I remained there until the the convicts and lunatics were removed, about August or September 1888; that would be six years I was there. Then I was temporarily employed doing the medical work, only in the female prison for a year. That would be until 1889. I was then appointed Medical Officer at Parkhurst, but never did any duty there, as in the meantime the Governor died at Woking, and I was appointed as Governor there.

4807. Your experience has been entirely in convict prisons?—Yes; I do not know anything about local prisons.

4808. Coming to the question of the accommodation at Woking Prison, I understand the prison is to a large extent empty at present?—Yes, one wing is entirely empty.

4809. You have now only women there?—Yes; the male prison has been handed over to the War Department, and half the female prison is not occupied.

4810. You have between 200 and 300 prisoners, I think?—207 is the number this morning. It has been gradually going down.

4811. And the number of women whom the prison could accommodate is about double that number?—Yes, more than that. I think the prison accommodation altogether is for nearly 800.

4812. Therefore you have, at the present time, abundant facilities for any amount of classification that you might desire to introduce so far as accommodation is concerned?—Yes; I suppose you know we are not likely to be at Woking very long; it is a question of probably a few months now.

4813. Have you found great advantage arise, from having a great deal of room at your disposal, in the way of classifying your prisoners?—In some ways we have, and in some we have not. Now we have all the women on one side of the prison, we are not able to separate individual prisoners so much as we used to do. For instance, the great cause of prison offences, we find, is these women *getting* jealous of each other and quarrelling. Formerly when two women fought we were able to put one on one side of the prison, and one on the other, and we could keep them further apart; but now we have to keep them on the same side of the prison, so that they see each other *more* than they otherwise would; but I do not think it gives rise to anything serious.

4814. I believe you are much in favour of separating first offenders from habitual offenders?—Yes, we do that in the convict prisons.

4815. And that you are able to do?—Yes, we have what is called the Star class, and they are kept quite separate.

4816. Are you satisfied that first offenders are distinguished from the others adequately?—Yes, I think so. We never receive the ordinary criminal who has not, probably, served dozens of convictions in the local prisons before coming to us.

4817. By first offenders you mean those who have never committed any offence at all, and who have never been convicted previously?—Although it is their first conviction we make inquiries into their antecedents. Sometimes this is done at the local prisons before they come to us, and we make further inquiry ourselves, if we do not think it is exhaustive. Then we send the result up to the director, and he decides whether the convict is to be put in the Star class or not.

4818. That is settled by the director?—Yes. Sometimes we write to half-a-dozen people. We usually write to the police in the first instance, and ask if they can tell *us* the woman's character and her habits of life, whether she is sober or not. Sometimes in abortion cases the woman has been practising criminal offences for years, and although it may be her first *conviction* she may not be the sort of woman to put with young women in the first class.

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4819. In fixing those who are to be admitted to the Star class, you *take into consideration* not only the mere fact of their having had one conviction, but the general character of the prisoner?—Yes.

4820. As ascertained by *all* the means at your disposal?—Yes, we have a form which we send out; in the first instance, usually to the police; and we ask them if they can give us the name of any other trustworthy persons who can *give us reliable information*, and we often get names to whom we make further application.

4821. On the first admission of a prisoner to a convict prison, as to a local prison, a careful examination is made of the physical condition of the prisoner?—Yes. We have what we call a medical history that we fill up for every prisoner who comes in. I have brought one if you wish to see it.

4822. That applies to all convict prisoners?—Yes, male and female.

4823. In your double capacity of Governor and Medical Officer, is that examination made by yourself or by your assistant?—Usually by myself, but I may say that the medical history is filled up at the local prison before the woman comes, and it comes with her. Then we go over the woman physically and and examine her heart and lungs, and principal organs, and talk to her and see what condition her mind is in, and if it agrees we simply put down "ditto," but, if not, we put down what we find.

4824. You are not quite satisfied with recording the result of the local prison's certificate, but you make one yourself?—Yes.

4825. You have an assistant?—Yes; as a matter of fact I do not do any clinical work; I supervise it and visit the hospital every day; but he takes the hospital work and calls my attention to any prisoner who is seriously ill; and, if any prisoner is dissatisfied with her treatment, she can apply to me about it.

4826. You have been in a great many prisons, and some of them have much larger numbers than Woking now has?—Yes.

4827. What has been the largest number of prisoners you have had under your care at any time?—I expect Portsmouth would be. I think there were about 1,400 prisoners there when I was there.

4828. What was the medical staff there?—Myself and a medical officer. That would be two, a medical officer and an assistant surgeon.

4829. In your *opinion*, would that be a sufficient staff to adequately examine the number of prisoners?—Well, I think it would in a prison like that. We were pretty hard worked, but still we used to be able to do it. The only time I really found the work very hard at Portsmouth was when we had a very large number there, and an epidemic of scarlet fever *in the quarters.* I was at work then from morning till night.

4830. That was an accidental circumstance?—Yes, but otherwise it would be *sufficient.* There were not so many receptions, and the sentences were much longer than they are now. The shorter the sentences the more rapid the flow through the prison.

4831. With 500 prisoners you might have a larger amount of medical work to do than if you had 1,500 prisoners on very much longer sentences?—Yes.

4832. With regard to the sanitary arrangements of Woking Prison I understand you are quite satisfied?—Well, nothing has ever arisen. They are not the newest pattern of sanitary arrangements, but I do not think anything goes wrong.

4833. Is the system of ventilation used there the same as that is common to other prisons?—Not in the

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new prisons, I think. We take the fresh air in from the corridors, which I do not like. I think it ought to come from the outside. We have no hot-air chambers, but the corridors are warmed by stoves, and the hot air is drawn from them into the cells by the ventilating shaft, so that you get products of combustion of gas, and the prisoners inhale the air from the corridors; I do not like the system.

4834. That is the old system?—Yes.

4835. But in the newer prisons?—Yes, like Pentonville, for instance. That has hot-water coils, and the air is drawn over the hot-water coils, and comes in pure from the outside.

4836. That, of course, you greatly prefer?—Yes, much.

4837. Is an examination made of a prisoner on admission by the chaplain as well as by the medical staff?—Well, I can hardly say what the chaplain's practice is. He does not see them the same day. I think Wormwood Scrubs is almost the only prison from which prisoners are received in the morning, but the chaplain and priest get a list of them and ascertain whether they are Roman Catholics or Protestants.

4838. Is there a communication between the chaplain and the medical staff with regard to each prisoner?—With the medical staff there would not be. When a prisoner comes in she is entered in the Governor's order book and it is noted what religion she is. That is sent to the chaplain and priest, and they initial it, so that the book is seen every day.

4839. You, as governor, see every report of the chaplain?—I do not see the chaplain's annual report. That goes direct to the Directors. The chaplain makes no report to me unless he thinks any prisoner is affected in his or her mind, when he would always come and tell me of it.

4840. There is nothing in the nature of a consultation between the medical staff of the prison and the chaplain of the prison so as to form what I call a complete diagnosis of the whole physical and moral character of each prisoner?—Not necessarily, but if any question arises as to the condition of the prisoner's mind, as a matter of fact I always ask the chaplain what he has noticed, and get his opinion; but there is nothing officially done. There is no official report which passes between us. If a prisoner attempts suicide the chaplain's opinion is taken. That is the only case I remember now. In case of attempted suicide we have to report to the Home Office whether we consider it a feigned or a genuine attempt.

4841. A large number of your prisoners are occupied in what I see is called the manufactory?—Yes.

4842. You have a daily average of 134 persons employed according to the last report?—I am not quite certain about that.

4843. It is at page 56?—Yes, that would include prisoners working in their cells part of the day as well. We have two kinds of association at Woking.

4844. That 134 includes those who work in their cells and those who work in association?—Yes. We have no unproductive labour at Woking.

4845. Your work appears to be knitting, needlework, tailoring work, and twine spinning?—Yes.

4846. And general work?—Yes, washing in the laundry.

4847. Are the workshops in which they work, taking your associated rooms, sufficiently large for the purpose?—Yes, they are too large for the numbers we have now.

4848. They have always been?—Yes, since I have been at Woking.

4849. The work you consider is well conducted for the class of women you have. As far as the physical conditions of the work are concerned they are satisfactory?—Yes, a prisoner generally improves in health. It is very seldom a woman goes out having lost weight. They almost always gain weight. I think they all improve in health.

4850. It is all sitting work, is it not?—No, the twine spinning is not nor the laundry.

4851. But knitting, needlework, and tailoring would be sedentary work?—Yes.

4852. Do those women get exercise?—Yes.

4853. Every day?—No woman gets less than an hour's exercise daily.

4854. Do they get their exercise on Sundays?—Yes, they get more exercise on Sundays because we keep them out as long as we can.

4855. Your mortality last year was not, I think, a very high one?—Yes, it was a very high one last year. It was the highest I have ever had. We had two women who died suddenly of heart disease.

4856. Then I will just take you to those cases. You had, I think, five deaths?—Yes.

4857. Two from heart disease, one from peritonitis, one of phthisis, and another of cancer?—Yes.

4858. Taking that case of phthisis, it was a woman of 42 years of age who had been in the prison for three years I think?—Yes.

4859. Do you see any reason to attribute her illness to the prison life?—No, that woman was never in very good health.

4860. What would she be employed at?—I think she was employed in the tailor's shop as a machinist. We have 16 sewing machines that they used to work at. I have made out an average of the deaths for the last five years, and you will see we never had such a large per-centage before. It is the highest per-centage we ever had, and I think it is quite exceptional.

4861. With small numbers you may have great fluctuations in the death rate, obviously?—Yes.

4862. Were the two cases of heart disease employed at active work?—No. One was in hospital from the time of admission, she never did anything at all; and I think the other was in the hospital for the greater part of her time.

4863. You have on the average, I observe, about 16 women in hospital. At least you have had for the last year?—It is somewhere about that. Our daily average number in hospital now is about 14 or 15.

4864. What system of nursing have you there?—We have two female officers, and they are assisted by prisoners; but a prisoner is not allowed to do anything without an officer being there.

4865. Are the officers trained nurses?—Yes, one is a very experienced woman indeed. She has had a long experience. She can dispense, and do anything that is wanted.

4866. Had she an hospital training?—No, not until she came to Woking, where she has been 20 years; and we have now a younger one who is being trained to take her place when she goes.

4867. Do they actually do the nursing, or is the actual nursing done by the prisoners?—They do part of it themselves, but such things as changing sheets and that sort of thing is done by the prisoners, though the prisoners are not allowed to do anything without the officers being there to superintend it. All medicine is administered by the officer; that would never be trusted to a prisoner.

4868. In a hospital such a thing as changing the sheets would be done as we know by the nurses themselves?—Yes, but that kind of thing would be done by the prisoners.

4869. The dressing of a bedsore, for instance?—That would be done by the infirmary matron as we call her. Everything of that kind is done by the infirmary matron.

4870. In the summary of your report it is observed that you have 87 infirmary cases out of 212 prisoners I do not know exactly what you mean by the infirmary cases?—It is cases which have been admitted into the infirmary.

4871. If for ever so short a time?—Yes, if only for two days. If it is only a boil it will be called an infirmary case.

4872. Then you do not think 87 is a large number?—No, it is not 87 out of 212; 87 is the number we have had in the infirmary during the year, but the women are more than 212. I think it is 311. The daily average of hospital cases calculated on the daily average of prisoners is, I think, about 7 per cent.

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4873. Has your attention been called to the fact that the mortality during the year 1893-94 has been somewhat higher in prisons—that the death-rate has?—I do not mean in your prison particularly, but generally?—No.

4874. I do not know whether you happen to have seen a paper that was read by Dr. Walker, of Holloway?—No, I have not seen the paper, but I have heard of it. It is about the "vital statistics of convict prisons."

4875. You have not expressed any opinion on that?—No; I know he made the death rate in prisons about the same as the death rate outside.

4876. That would be the result of your experience speaking without book?—Yes, I think so.

4877. With regard to the discipline of prisons as to punishment, what kind of punishments are principally inflicted at Woking?—It depends on the nature of the offence. The first time a woman is reported she is usually cautioned, and if she is reported again she would probably have separate confinement awarded, and then she might be awarded loss of marks or loss of privileges for a time. She would be degraded in class and put from second class to third or from third class to probation. With regard to separate confinement we have what is called a penal ward for misconducted women, and if it is not a very serious offence I practically give them no dietary punishment at all, but sentence them to No. 4 local prison diet. That is a little worse than ours, but very little.

4878. Is that the stir-about?—No, that is the best diet in the local prisons. If that is not sufficient I would give her probably No. 2 punishment diet. That is the stir-about diet. And of course in extreme cases one can give bread and water. I have the power of giving bread and water for three days only. Anything further has to be referred to the Directors.

4879. The No. 1 local prison diet you do not give?—No, we have a convict prison diet.

4880. What is your lowest dietary. What does that include?—I may say for prisoners undergoing separate confinement we have the No. 4 local prison diet. That is really the lowest diet we have.

4881. You do not use what they call stirabout?—Only as a punishment diet—only for misconducted prisoners.

4882. But that is made in the same way that it is in the local prisons I presume?—It is two ounces of Indian meal and two ounces of oatmeal made into a little over a pint of stirabout.

4883. That is only given for two days?—No; the Directors can give it for 42 days; but that is very seldom given.

4884. With regard to the rule of silence, is that very rigidly enforced with you. It is not enforced at all. All the prisoners are allowed to talk at least an hour a day except those who are undergoing separate confinement; they are prevented from talking; other prisoners have an hour's talking every day.

4885. Is that when they are at work?—Yes.

4886. Talking is simply kept in control?—We group them in threes. They come outside their cells and sit in groups of three, and they are allowed to talk for an hour.

4887. During the rest of the day they are kept in silence?—Yes, except the women in the laundry and the twine room. You cannot help that. They do not hold continued conversations, but they talk. They have to speak to one another about their work, and so on.

4888. Do you consider that the prison discipline, as far as you have observed, has much reformatory effect upon prisoners?—Upon some of them it has; but our class of prisoners are, I think, the majority of them incorrigible before they come to us, excepting those in the Star class. Except for serious offences a woman is never sentenced to penal servitude now unless she has been convicted several times before. I think I have a woman who was imprisoned 130 times before she came to us, and in many instances they have been convicted 40 or 50 times before they come to us.

4889. Are many of those for drunkenness?—Perhaps some of them are, but many are for theft and larceny. I do not think a woman is ever sent to penal servitude for a first offence unless it is for murder, infanticide, and perhaps Post Office offences. We have a case now and again of arson, but for petty offences they are never sent to penal servitude until they have had a great many convictions.

4890. (*Miss Orme.*) You find it a great advantage do you not in combining the offices of Governor and Medical Officer in the treatment of these prisoners?—I think so.

4891. Do you think it is a good system?—I think so.

4892. For instance, in awarding punishments to the women, is not it an advantage that you are able to decide at once without referring to another authority?—Well in that particular instance, the governor would never punish a prisoner in an ordinary case unless the prisoner was certified by the doctor as fit for the punishment.

4893. Is not it a great advantage for discipline that you are able to decide the punishment at once?—The system is this: the reports are heard at a certain time, and the medical officer sees the prisoner previously. That used to be the system. He sees the prisoners and certifies whether they are fit, and that book is laid before the governor when he sees them.

4894. You have in Woking occasionally outbreaks of disorder?—Yes; nothing serious, but we have had one or two fights.

4895. If there is a fuss with one, I suppose the others are apt to get out of order?—Yes, they are apt to get out of temper sometimes.

4896. What sort of punishment do you award?—That would depend on the woman's previous character. If it were a first offence we do not sometimes punish her at all; or if we think she has been assaulted by the other woman.

4897. Do you find it necesary to use handcuffs?—I have never used a handcuff.

4898. Do you use any physical restraint?—I have always restrained them, not as a punishment, but as a matter of protection—in the loose canvas restraint jacket. If they are inclined to hurt themselves or the officers, I put them in that until they promise to be quiet.

4899. For how long would you use a punishment of that sort?—Very rarely more than 24 hours, sometimes only for an hour. If the paroxysm has passed away and they promise to be perfectly quiet they might come out in an hour.

4900. You have found that to have a good effect?—Yes.

4901. You have lately had a lady appointed as visitor, have you not?—No, we have no regularly appointed lady visitor. Mrs. Stidson comes up occasionally.

4902. I thought there was a lady appointed officially in your prison?—She was a Scripture reader, but now she is assistant superintendent, so that practically she is my deputy governor

4903. When she was Scripture reader she visited the prisoners much as a chaplain would?—Yes.

4904. The chaplain would never see the prisoners alone?—We have an arrangement of a room which has a glass door so that the chaplain can be alone with the women. He is out of hearing but within sight of the officer.

4905. Then this lady used to act as Scripture reader in addition to him?—Yes.

4906. Does she now have any duties of that sort?—No, but a lady who was the schoolmistress has been appointed as Scripture reader.

4907. Then you think it a good arrangement to have a Scripture reader besides the chaplain?—I think so.

4908. Why is it necessary to have a Scripture reader besides the chaplain?—Well, a chaplain can hardly

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go into the women's cells alone. It is not considered advisable he should, whereas a lady can go in and sit down and talk to them, and get on very much more familiar terms with them than the chaplain can.

4909. You think that really is a great advantage?—I think so.

4910. Do you think it a good plan for a woman to go for nine months to a local prison before coming to your prison?—Well, I should prefer to have them for the first nine months, because I think you get them into the ways and routine and discipline and so on. No two local prisons are quite the same, and women come with different ideas of discipline.

4911. Do you know why convicts should be sent for nine months to a local prison first?—I do not.

4912. You would prefer them coming straight to you?—Yes, the longer we have them the better chance we have of teaching them needlework and different industries.

4913. Your mark system is different also. Do not you find some difficulty when they come to you first?—That is rectified in the Home Office before they come. The local prison governors send up to the Home Office an abstract register which is corrected before it is sent to us.

4914. Do not you find some confusion arises in the prisoner's mind from the different system of marks?—Yes, sometimes they are under the impression they have been deprived of marks. They have been earning eight marks a day in the local prisons, and can only earn six in the convict prisons.

4915. All that causes friction?—They think the marks are taken away from them.

4916. In addition to the Star class, have not you practically a class of old prisoners whom you consider too old to do any work?—They are not too old to do work, but we have what is called an invalid ward where we put the old women. Of course they are not tasked.

4917. And practically in fine weather they have as much air as they want?—They are out in the afternoon for 2½ hours a day, and we allow them to take out stools; and they take out work with them.

4918. During all that time you do not interfere if they talk to each other?—No, not if they talk quietly.

4919. With regard to the work that the prisoners do with you, do you think that twine-making is of any use to them after they leave you. Is there any such industry do you think?—I do not know about that, I do not know what their means of finding employment at it would be.

4920. Which of your prisoners do you actually put to the twine-making?—Usually the most ignorant women, the lowest class; those who cannot sew or knit, and are not good washerwomen.

4921. So that you only put into the twine-room those who cannot do anything else?—We put the roughest there.

4922. Which industry do you think is most useful for the purpose of getting them a good living after they leave you?—The laundry work.

4923. Have you any means of knowing whether they get occupation when they leave?—Some do. Some go to the aid societies and the refuges, and some go to Mrs. Meredith, and I believe washing is done at all these places. That is their usual employment.

4924. Who arranges about their employment afterwards? Do you have anything to do with it?—When they leave the prison?

4925. Yes?—No. Those women who go to aid societies we send a form with, and we state on that form the kind of employment they wish for. We have a form which we send to aid societies. About a month before discharge every prisoner is sent for and seen by the clerk, who takes down the destination where she wishes to go, and who tells her of the aid societies in the neighbourhood, and if she will go to them we send to the society and tell them the sort of employment she wishes for, and her capability for work.

4926. Do you mean in the neighbourhood of Woking, or where she is discharged to?—Where she comes from. We send convicts to the place of conviction. We do not discharge them at the prison gate.

4927. Then all that is arranged before she leaves Woking, not during the week she is at the local prison finally?—She is not in all cases at the local prison the last week. We discharge to Holloway only prisoners liberated in London. The rest we send to their places of conviction.

4928. Then all that is done with the Aid Society is done while she is at Woking?—Yes.

4929. Not during the final week?—It is only the women who are convicted at the Central Criminal Court, or discharged in London, who go to Holloway. As to all prisoners from other parts, we pay their railway fare to their destination, and they simply go to the town where they wish to reside, and report themselves to the police.

4930. Do you think it a great advantage to them to go to licensed homes after they leave you?—Well, some, I think, get an advantage from it, but I do not think they keep them long enough to teach them very much.

4931. Do you think it a matter of great importance that the women who have only a three years' sentence are not sent to these homes? Have you ever heard any complaints about that?—No.

4932. You are not prepared to recommend that those with three years' sentences should have that privilege?—No, not the three years' women. They would not be eligible for a refuge, because if they are well-conducted, they only stay for two years in prison, so that we should have to send them to the refuges before we knew very much about them.

The proceedings were adjourned for a short time.

4933. (*Mr. De Rutzen.*) What effect do you find it has upon the prisoners if you give them certain privileges like a remission of a certain part of their sentence. I think it has a very good effect upon them. I think it is better to lead than to drive them if you can.

4934. And are you of opinion that a remission of a certain portion of the sentence has a good effect upon all prisoners?—I think so. It certainly has a very marked effect upon their prison conduct, because they are all very anxious about their remission and very jealous of losing any of it if they can possibly help it. They frequently come to me and complain there is some mistake in the calculation of their marks or gratuities.

4935. And however small it may be they would look upon it as a very distinct advantage if they could earn it?—I think they would make an effort to gain it. Most of them would.

4936. Do you see any reason why in the same way a person sentenced to two years' imprisonment should not be able to earn some remission of a portion of his sentence in the same way that the convicts do?—No. I do not know of any reason why they should not. I think the system might be adapted to two years as well as to three.

4937. Does the facility for meeting for conversational purposes, which you speak of at Woking, apply to all convict prisons?—Not to the male convict prisons, I think.

4938. It does not?—I think not.

4939. Then this is confined entirely to the women?—I think so. In the male convict prisons they work outside the prison a great part of the day. They do not work inside like the female prisoners do. Men go out on the public works at Portland and so on.

4940. But in the long summer days they are not employed more than a certain number of hours in that way?—The others hours are spent in the prison cells

That was the practice when I was in the male prisons, but I have not been in the male prisons for some time.

4941. (*Sir J. E. Dorington.*) That was at Portsmouth?—Yes, but I have been at Millbank since then, and also Pentonville.

4942. (*Mr. De Rutzen.*) What reason do you assign for such a wide difference between the treatment of women and men?—I am sure I do not know. Of course women are not usually treated as severely as men, and have never been so. The discipline for women has always been much more lenient than it has been for men. The female prisoners only talk for this hour in the afternoon.

4943. They talk for one hour?—Yes, they talk for an hour, but not those who are in separate confinement. It is only the first, second, and third classes.

4944. Is that done on any system, or is it any three of them that happen to be together?—We usually put the women in the adjoining cells together to sit together.

4945. Whatever their offences may be?—Yes. The Star class of prisoners, of course, are kept separate from the old offenders. We have those in a separate ward. The first offenders do not mix with the others.

4946. Of course there is a difficulty in knowing what a first offender means in a convict prison, because, as a matter of fact, there never is a first offender there, is there?—Yes, we have infanticides, and commuted capital cases.

4947. But there are no cases of thefts?—No, we never have a case of ordinary theft of a first offender.

4948. And it is only a certain class of prisoner who ever can be a first offender in a convict prison; that is those who have been sent for murder, or something of that?—Yes, the commuted cases.

4949. (*Sir Algernon West.*) Just to continue for a minute this question of conversation in this convict establishment. One witness talked of "the cruelty of a lifelong silence." As far as regards the females at any rate that is not so?—No.

4950. Dr. Bridges was talking about the deaths in prison. You always avoid a death in prison if you can; that is to say, if a woman is dying, and has friends who will take her, you will let her go, will not you?—Yes, if she is fit to be removed. Of course you cannot do that in acute cases.

4951. But supposing a woman is dying from old age, would you let her go?—Yes, in chronic diseases we should.

4952. If she had friends who would receive her you would be willing to get rid of her?—Well, we should make inquiries whether the friends were able, as well as willing, to take them. We have a case now of a woman, a phthisis case, who has been in the hospital the whole time she has been in prison, but her friends are too poor to take charge of her.

4953. Last year there was a woman dying in prison, and she told us she would sooner stop there. She was in the infirmary?—She is there still; she is not dead yet.

4954. Mrs. Winsor died, did not she?—Yes.

4955. She was a great baby farmer?—Yes.

4956. With regard to the Star prisoners, you try to keep them apart as much as you can?—Absolutely.

4957. Do not they see each other?—They see each other in chapel, but they cannot communicate with each other, unless by the connivance of an officer.

4958. You employ them in preparing food for the officers sometimes?—Yes.

4959. Therefore they are cooking food of a superior kind to what they have themselves?—Yes, and they are also employed in the prison kitchen.

4960. That I do not mind; but do you think doing cooking in the warders' kitchen leads to theft of the food in any way?—No. Originally when the ordinary prisoners were employed we used constantly to find things about; but since the first-class Star prisoners have been there it has been different.

4961. Do not you think a better system might be devised than that of the visitors? Do you think they do any good?—I think so.

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4962. Do you think the prisoners appreciate that?—Yes, I think so.

4963. You know they generally talk about subjects the visitor cannot interfere with, such as their sentences and so on. You think they would complain to the visitors?—They all know that they may, I think.

4964. You think there is some good in it?—Yes, decidedly.

4965. I know you have devoted a great deal of attention to the question of insanity among prisoners. You have visited Broadmoor, and gone into it closely?—Yes.

4966. I think, when there was that controversy about insanity, you went closely into it?—I read the account of it.

4967. Would you give the Committee your views on that?—I think the figures as given were quite misleading. I think it is a very unfair comparison to take the daily average number of a shifting population like the prison population and compare it with a stationary population like the outside population.

4968. I think you made some comparison also between the insane prisoner and the insane paupers?—Yes, I think that the pauper classes can be shown to produce a great deal more insanity than the others. I am speaking now roughly from memory, but I believe the ratio of insanity in the general population is about 30 per 10,000, and the ratio of pauper insane and idiots to paupers of all classes is about 10 per cent.

4969. (*Mr. O'Connor.*) Have you checked that from the Registrar-General's return?—No, that is from the Commissioners in Lunacy's report, but I have not been able to get hold of one within the last few days, and I am quoting these figures from memory, but I know there is an enormous difference.

4970. (*Dr. Bridges.*) In speaking of the pauper class you are speaking of the population of the county lunatic asylums, are you not?—Yes, and the Commissioners of Lunacy, as far as I recollect, give the per-centage of pauper insane and idiots in ratio to the pauper classes.

4971. Is not it the case that the population of what are called the pauper county lunatic asylums is not really paupers—most of them?—No.

4972. A very large number of them—I should say at least half of them—are of the non-pauper class?—Yes, but they are of the labouring class largely. That depends on where the lunatic asylum is.

4973. I mean statistics based on the ordinary current roll of pauperism would be greatly misleading, would not it?—It might be, but the criminal classes are largely recruited from the lower orders.

4974. (*Sir Algernon West.*) Could you undertake more labour?—No, I think with our small number we have as much as we can do.

4975. That is with your stockings, your tailoring, and your washing?—Yes.

4976. And I may take it from your evidence that in approving the system of Star prisoners you really approve of classification?—Yes, certainly.

4977. (*Mr. O'Connor.*) How many convicts have you now at Woking?—I think it is 207 this morning.

4978. Do you know the total number in the country?—No, but roughly speaking, I think there are about 40 or 50 more in the local prisons, but I do not know what the number is now.

4979. You would have abundance of room for them at Woking?—Yes.

4980. And when the prison is removed to Aylesbury there will be abundance of room for them also?—I cannot say what the accommodation at Aylesbury is. I believe it is somewhere about 300, and if so, there probably will be.

4981. As I understand it now, women who are sentenced to two years are sent to local prisons?—Yes.

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4982. And those sentenced to three years are sent to convict prisons?—Yes, they would come to Woking.

4983. But the first nine months of a convict sentence is served in the local prison. Is not that so?—Well, it has been modified somewhat recently. Within the last few months we have been receiving all the London women almost immediately after conviction, but in some of the country prisons they still continue to do the nine months: for instance, at Knutsford, at Leeds, and one or two other places.

4984. Generally throughout the country that is the system, is it not?—Yes.

4985. And for solitary confinement?—There is no such thing as solitary confinement now. There is separate confinement.

4986. I mean in the local prisons?—I do not know the system of the local prisons.

4987. Was not there once a prison set apart as a reception prison, namely, Millbank?—Yes; I have been at Millbank and also at Pentonville. That was a reception prison. It was a general, receiving, and distributing prison.

4988. And there the first part of the sentence was performed?—Yes; there were only males at Pentonville.

4989. For some reason or other certain local prisons have now been selected for the first nine months of the service such as Leeds and Knutsford and some others which have been mentioned, Durham, I think, being among them?—Well, we get very few female prisoners from Durham.

4990. Wormwood Scrubs was one?—These London women did do the first nine months at Wormwood Scrubs, but now they are coming on to us.

4991. Did not some convicts do their first nine months at Aylesbury?—I do not know. They would be male convicts; not any female convicts.

4992. All the London women now do their first nine months at Woking?—Well, I do not know whether that is a settled rule, but we have been receiving them lately, and some I have received from Holloway without going to Wormwood Scrubs at all.

4993. Would not it be attended with economy if the first nine months of service was performed in the convict prison rather than in the local prison?—I do not quite see where it would make a difference.

4994. It would not cost any more money?—No. It would be only the expense of removal, and that would be just the same at the beginning of the nine months as it would be at the end.

4995. The system which is now in vogue of sending convicts to local prisons for the first nine months is limited to certain particular prisons?—I am not quite certain about that, but I think they had what they called district prisons. They took prisoners from a certain distance round, I think. I do not know about that for certain.

4996. At any rate with regard to some of the existing prisons the system would not suit. They could not apply the system to all prisons?—No, I think not. Not to very small ones, I think.

4997. Was not Stafford once a receiving prison?—Yes, Stafford was a receiving prison before Knutsford.

4998. Did not they spend a lot of money in getting it ready?—I do not know.

4999. Did not the governor of Stafford object to receiving them for nine months?—I have never been in the local prison service and I do not know.

5000. He got rid of them. They were sent to Knutsford?—Yes, they were sent to Knutsford. That I believe is quite correct.

5001. The women who are at Woking earn remission of their sentence?—Yes, one third.

5002. And some of them are sent, or used to be sent, to homes for the last portion of their service?—Yes, to refuges.

5003. From your experience would you say that was a good system?—Yes, I think so. We select the women for it. Only suitable women are sent to refuges, and a woman who has once been to a refuge is not allowed to go again if it is found the refuge treatment has no effect upon her, or she has returned again to prison from a refuge.

5004. Do you see any reason why a regulation for women sentenced for three years should not answer for women sentenced to two years?—I do not know anything about two years' sentences as I have never been in a prison where a two years' sentence has been carried out.

5005. You say as far as you have been able to observe the system of removing women for the last portion of their term to homes or refuges is attended with good results?—Yes, I think so. It is not quite the last portion of their sentence. It is the last portion of their minimum time.

5006. After that they are free?—No, they are on licence.

5007. But they are outside?—Yes, but they have not completed their sentence.

5008. But that is the last portion they serve in a state of detention?—Yes, they serve it in the refuge instead of serving it in the prison.

5009. What I want to know is this: As far as you can say, or as far as you have been able to judge, is there any reason why that system which answers for long sentences should not also answer for shorter sentences, like two years?—Three years' women do not go to refuges. The shortest sentence women that go to refuges are the five years' sentences.

5010. Why should not the system be extended to women who are sentenced not only for three years or four years, but to two years?—It would leave hardly any imprisonment. You see a three years' woman is licensed at two years. If she were to spend the nine months before that in the refuge she would only have a little over a year in prison.

5011. Wherein consists the advantage, then, of the system as applied to women of longer sentences?—Well, we get to know more about them.

5012. But the feature which you said was advantageous was their presence in a home or a refuge instead of a prison?—Yes, and we consider we ought to keep them long enough to earn, as we call it, the privilege of going to a refuge. If they do not go through their classes, and conduct themselves properly and earn their marks, and so on, we should not have them long enough to know much about them, I think.

5013. How long does it take you to learn sufficient about a prisoner to know whether she ought to go to a refuge?—A woman very often will go through her separate confinement very well, but in association we find she is quite different.

5014. Does the advantage, then, attach to a long sentence of five years or to the transfer from the prison to the home, where the sentence is a five years' sentence?—I have really hardly thought that matter out so as to be able to give an opinion straight off.

5015. But if the advantage attaches to the transfer to a home why should it be apparent only in long sentences?—Well, the incidence would not be equal, because supposing they went for the same time you would be giving the short sentence women a great deal larger proportion off their time than you would be the longer sentence prisoners.

5016. You think imprisonment is a good thing?—I think it teaches them habits of order, and it weans them from drink—a large proportion of female convicts are drunkards.

5017. Is there a strict discipline in the refuges?—I do not think it is so strict as ours, and there is more unrestricted association.

5018. Do not you think it would have a better educational effect than the present system?—I do not think they have any education at all in the refuges.

5019. Do not you think the discipline of a home or a refuge, such as it is, would have an equally good educational effect with the prison discipline?—No, I do not know that it would.

5020. Would not the governors of most local prisons be rather glad to be relieved of the convicts?—That I do not know. I have not spoken to any of them about it.

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5021. At any rate you would prefer to have them from the beginning?—Yes.

5022. Another thing I want to ask is as to this hour of conversation which is allowed to women. Do you think that does any harm?—No, I do not think so. I think it would if you mixed up old offenders with young ones.

5023. But I mean managed in the discreet way in which it is now?—No, I do not think so.

5024. It would be a great infliction on the women to deprive them of it?—I think they would be very much disappointed if it were taken away.

5025. It would be cruel?—I do not know about cruel, but it would be thought a hardship.

5026. It would be an infliction?—Yes.

5027. You yourself would think so?—Yes, I think it would be so thought by the prisoners.

5028. And the longer their detention——?—The greater they would feel it.

5029. (*Chairman.*) Are you of opinion that continuous sedentary work for women is a good thing?—I have never found any ill effects from it. Ours is not continuous sedentary work. When a prisoner gets up in the morning she has to put her cell in order; after that they go to chapel; then they sit down for an hour or two; and then they have their exercise. Then again, so many are taken out every day for cleaning the wards, and that sort of thing, for part of the day. And there are various other interruptions, so that they are not sitting down the whole day long.

5030. I gather that laundry work is the best work which is suitable for women?—Yes, I think so.

5031. Have you any lady visitors?—No, there are none appointed.

5032. Do you think it would be desirable to have them?—Well, I doubt it very much. It is so difficult to get people of the right sort.

5033. If you could find them of the right sort, do you think it would be desirable?—I think if you could keep out the sentimentalist and faddist it would act very well.

5034. You do not find the sentimentalist and faddist existing among the present visitors?—No, I do not think so.

5035. With regard to the hours of talking, there is no supervision of groups is there?—Yes, there is an officer with them all the time.

5036. With each group?—No, within the ward.

5037. They cannot hear what the different groups are saying?—Of course, if they were talking about something they did not want the warder to hear they might prevent it.

5038. In fact they might talk about anything they liked as long as the warder was not within earshot?—Yes.

5039. Do you think it does any harm?—No.

5040. Should you allow any three women to associate?—Well, occasionally we find it is advisable to separate one woman from another, but only very occasionally.

5041. But you think the system works quite well?—Yes, I think so, as a rule.

5042. With regard to insanity, have you paid any attention to the general statistics of insanity in local prisons?—No, I have not, except those I saw in the paper that Mr. Morrison has given.

5043. But still, from your experience of convict prisons, you would be able to check these figures to some extent, in your mind?—Yes.

5044. Could you tell the Committee your general impression?—No, except that I think it is not fair to take the daily average number as the basis for calculation, because it varies so much according to the length of sentences. One man with a year's sentence gives the same daily average as 12 men with a month; each gives a daily average of one. If the one man became insane, or only one of the 12, the per-centage would be just the same.

5045. Have you ever in your experience known insanity to be produced by prison life?—No.

5046. Have you ever known a case?—No, I cannot recollect one. I have never known a case. I have known cases occur in prison which had something probably to do with the prisoner's own vicious habits in prison, but it had nothing to do with the imprisonment.

5047. (*Mr. O'Connor.*) You have a number of Catholic prisoners at Woking?—Yes, about 70.

5048. There is a chaplain?—There is a Catholic priest.

5049. He is chaplain to the place?—Yes, he is on the staff.

5050. Do you have Catholic prisoners, or prisoners coming from other prisons, who, after they reach Woking, ask to have their religious register altered? Yes.

5051. Do you find among those cases, cases of people who have been registered as Protestants in local prisons, and who want to be registered as Catholics at Woking?—Yes, we have found it to be so.

5052. Have you any reason to believe that that is due to the fact that in local prisons there are Protestant chaplains where there are no Catholic chaplains, and that the Protestant prisoners go to prayers in chapel every day while the Catholic prisoners are in their cells, and the prisoners register themselves as Protestant in order to get the change of going to chapel rather than remain in their cells?—I have heard that the prisoners have said so.

5053. The prisoners in Woking?—Yes, but I have only their word for it. I do not know whether it is true or not.

5054. But they would be the best authorities on that, would they not?—They may be, but prisoners do not always tell the truth.

5055. (*Sir Algernon West.*) Women on being released from prison might go into some institution between a prison and perfect freedom to test them for a year if such a thing as a laundry could be found for them. I think you have had some ideas about that?—I think we ought to have State assistance for prisoners on discharge.

5056. And if they work satisfactorily after being subjected to the temptations of out-door life for a year, that on a certificate to that effect they would get places easier than they do on coming direct from prison?—I believe the Catholic Refuge at Finchley does that now. When a woman goes to the refuge at Finchley she goes for nine months, and then if they will not stay any longer than they are compelled the nuns will not give them a reference, but if they will stay there for two years and show they intend to lead a better life the nuns will assist them.

5057. But during those two years they have comparative freedom?—I would like to see workshops provided for them, where they could redeem their character and earn a living.

5058. And at the end of that time a certificate from that workshop would probably get them employment?—Yes.

5059. (*Mr. O'Connor.*) Have you seen the Finchley Institution?—No, I have never been there, but I have talked it over with the priest.

5060. It was at Finchley that I learned from prisoners the fact about the change of religion for the purpose of getting out of the cells?—Yes.

The witness withdrew.

At this stage of the proceedings the Chair was taken by Sir J. E. Dorington.

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Miss ELIZABETH LITTLE called and examined.

5061. (*Miss Orme.*) You are the matron at Strangeways?—Yes.

5062. How long have you been there?—36 years in October.

5063. And always as matron?—No, I was 10 years as warder, six years as deputy matron, and 20 years as matron.

5064. Then you have knowledge both of the system before 1877 and now?—Yes.

5065. Have you any opinion as to the system you worked best under?—I think I have worked pretty well under both.

5066. Do you think the general arrangements now under the present system are as good for women prisoners as they were under the old system?—Yes, I think so.

5067. Do you have large receptions at Strangeways?—Yes.

5068. About how large?—I have had as large as 64, but that, of course, is a large reception.

5069. (*Sir J. E. Dorington.*) On one day?—Yes, that is the largest I have had this year.

5070. (*Miss Orme.*) What is about the average?—About 20 I should think, or over 20.

5071. How many reception cells have you?—Six. There are five and one, which is rather dark. There are six boxes.

5072. Can you describe to us what is your system when the prisoners come in first. Do you put them into one room altogether or do you put them into separate boxes?—Into separate boxes as far as we can.

5073. Supposing 64 come in together?—Then we should have to double them and that kind of thing.

5074. Then do they wait in the room together?—In cells. They have to be put in the different cells and one in each box.

5075. But when you have a large reception like that, I should think you have to have some of them actually waiting together?—There are not cells enough. It is really too small.

5076. Are they in separate cells or together?—Together. We cannot avoid it.

5077. Do you find it possible to keep anything like order when a number of them are together?—Well, it would be better if it were larger; that is certain. Certainly, I think the reception cells are too small in number.

5078. You would like to have more reception cells so that you could have each one in a separate cell?—Yes, I would.

5079. Have you any system, such as they have in Glasgow, for putting them into one set of cells before they have the bath, and another set of cells after they come out of the bath?—I have not.

5080. Then you would like a number of boxes for them first, and a number of cells for them after they have had a bath?—Yes, I should.

5081. But how many should you say would really be advisable?—I should think quite 20.

5082. With regard to the visits of the doctor, he of course, during a heavy reception like that, sees them the next morning?—Always the day they come in.

5083. Even when they come in late?—Even when they come in late. He has to be sent for if he happens to have gone away and he has to return and see them.

5084. Does not that make it a very hurried affair. The doctor cannot give very long to each one?—I think he has ample time to examine them.

5085. You do not think that is too much hurried?—I think not.

5086. Then with regard to the punishments for prison offences, what punishment do you generally use?—The governor who punishes usually gives bread and water, and very, very seldom the handcuffs.

5087. Do you find the handcuffs are bad in their influence?—I do not care a lot about handcuffs, but sometimes if they will tear up things and repeat that kind of thing you are obliged to have some restraint.

5088. Do you find dietary punishments at all good for them? Do you approve of them?—I am not very fond of dietary punishments.

5089. But you are obliged to use them?—We are obliged to use them a little; that is certain; but we do not use them a great deal.

5090. What is the best form of punishment you have? What do you most approve of?—I wish we could have something not to take away the diet so much. I am rather against that.

5091. For instance, do you find that withdrawing them from associated work is a good punishment?—Yes.

5092. That has a good effect on them?—Yes, because they like to get back to the laundry and washhouse. They are brought out if they misbehave themselves in any way, but I have very little trouble in the laundry or washhouse.

5093. Do you have much trouble with women generally as to breaking the prison rules?—Very little indeed considering the number I have.

5094. And you have had some very difficult cases, have not you?—Yes, some very difficult cases indeed.

5095. What do you attribute your success to?—I think they like me. I think I have got at their hearts somehow or other, and I think they would be sorry to offend me. I ought not to say it, but I feel they like me; they trust me, and would be sorry to offend me.

5096. Should you say the prisoners who break the prison rules are just a small number of those you have, or are they pretty well spread over the prison?—It is just a small number of them.

5097. Who break the rules over and over again?—Yes.

5098. I suppose you very often find there are those who come back to you a good many times?—Yes, but I have very few of them.

5099. How large a number of the female prisoners do you think a good active matron can really look after?—Well, I think she ought not to have more than 200.

5100. Then what should you recommend in the case of a very much larger number in one prison? Should you say there should be a deputy matron?—I think so.

5101. Above the position of a warder?—Yes; may I say that before I was appointed matron I was deputy matron. In the magistrates' days there was a deputy matron, but after that there was a chief warder.

5102. And you think in a large prison a deputy matron is the best plan?—I do. I think it is quite essential.

5103. How long do you generally go away for, for your autumn vacation?—I am allowed six weeks, but I have seldom or never taken it. This year I went away for a month. Perhaps I go away for three weeks as a general rule.

5104. What is the reason for your only going away for such a short time?—Well, I think really we have not a large staff.

5105. And you do not care to be away?—I do not care to be away so long, because I am rather short-handed.

5106. You do not feel quite at ease as to whether things are well conducted while you are away?—I feel there is a lot of responsibility on my chief warder.

5107. So that while you are away you do not get the full benefit of your rest, because you are still anxious about your work?—Yes.

5108. But if you had a deputy matron you think that would not occur?—I think it would be all right.

5109. You do not think there can be any help by having someone specially to take the duty for the period while the matron is away?—I scarcely think it would answer so well to take someone from another place as to have a person on the spot who was accustomed to the place.

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5110. Then with regard, not to the matron herself, but to the other warders, do you think it is a good system to introduce temporary warders if there is over work?—I do not.

5111. You do not get much help from them?—I would rather have one well-trained warder that four or five temporaries; simply because the prisoners do not heed them or respect them the same as they would a well-tried officer.

5112. And I suppose it rather upsets your discipline if people of that kind are introduced?—Yes.

5113. Then do you think in the case of a prison like this, where you have the large number of receptions you have and the rapid change, that the staff is sufficient?—No, I do not think it is sufficient for a large local prison.

5114. Are your warders ever kept working over the hours they expect to work? Are they sometimes kept later than usual?—Not much later; I try to avoid that as much as I can. Of course those that are on duty have to work very hard.

5115. Have you a good Protestant chapel at Strangeways?—Not very large.

5116. Have the prisoners to sit quite close to each other?—Very close.

5117. Then I suppose they exchange some little talk?—Yes, I am afraid they do do some little talking in chapel.

5118. Do you think it is a matter of great importance to discipline, to have the chapel large enough to have the prisoners separated?—I do.

5119. Could that be met by having a service twice a day, and half of them attending each time?—Yes, it could be done by having a service twice a day.

5120. Would you approve of it?—Yes, I should not mind that myself.

5121. You would rather have that than have the prisoners sitting quite close to each other?—I would. I think it would be much better.

5122. What exercise do your prisoners get? Do they go out every day?—Every day when it is fine, except on Sundays.

5123. Not on Sundays?—Not on Sundays.

5124. Is that because part of the staff is away on Sundays?—Yes, it is. One half as nearly as possible is away, but of course if they do not go on Sunday they go on week-days.

5125. What sort of exercise do the prisoners have?—They walk round rings, round circles.

5126. That is all?—That is all.

5127. Should you approve of their having simple form of arm exercise, extension exercises as they are called, for the younger ones so as to give them some different exercise from walking?—I have not thought about that.

5128. Have you any opinion as to the effect the food has on their health; for instance, the first-class diet?—I think the first-class diet is too little.

5129. And do you find them refuse it?—Occasionally they do, when they have been having drink; and I have so many come in for drink. They generally leave it the first day or the second.

5130. What modification should you suggest, just in a general way, for that?—I should give them gruel instead of giving them the stirabout for dinner, and instead of giving them bread and water morning and night I should give them gruel for morning and night. I should divide the bread into three parts, and let them have a warm meal morning and night.

5131. I think you have no suggestions to make as to the treatment of infants in prisons. You think the present system as good as can be?—Yes, I think it is rather nice. They have their little cradles and they seem very happy there.

5132. In your prison the mother who has the charge of an infant does work besides?—Yes, she does work, but we do not task them; some of them that have a baby will do ever so much work. They like it when the baby is quiet and the little thing will sit in its cradle.

5133. Then they do not work in association?—Oh, dear no.

5134. With regard to the work that you have in your prison, which is the best?—The laundry work I like the best.

5135. How many have you now employed in it?—About 46, as near as I can tell you.

5136. Will you tell the Committee the sort of laundry work you do?—Yes.

5137. It is not merely rough laundry work, is it?—No. Private families, magistrates, judges, members of Parliament. I am doing at present for Mr. Justice Wills. He brought his work to me when he came on circuit, and I have sent it to London to him. I have done it also for Mr. Justice Day. They take a very great interest in this work, which earns over 1,000*l.* a year at it. Besides teaching the prisoner something, they like it. It is teaching them something; they think it is nice work, and I believe it raises the standard of life altogether. It is something interesting, to give them other but prison work to look at, and they take an interest in doing it prettily.

5138. How long does it take you to teach them to do that good work, for instance, ironing?—Well, for shirts, I dare say they take a couple of days.

5139. Do you mean if a rough woman, a vagrant, comes in, you could teach her in two days?—I would not put her direct on to shirts.

5140. How long has she been in the prison before she becomes a skilled workwoman?—Not very long.

5141. About how long?—We give her some plainer work to commence with, and then better work; we give them better work as they go along.

5142. And how long does the training take?—Well, I think I should give her a week.

5143. Really?—Yes, and then I think she would do it.

5144. Then even your short sentences are able to do this work?—I have some short sentences there now. I cannot help myself.

5145. And they are doing this laundry work?—Yes.

5146. And you find it really very good for the discipline of the prison that they should have that to do?—I do, indeed, because they like it, and they think it a privilege, and it makes them behave themselves.

5147. Do you say you could really train them to do the ironing in a week?—Yes.

5148. Then you have a very good laundry have not you?—Yes, very good indeed, it is very nice; the Commissioners had a new laundry made for me.

5149. When was that?—Some years ago, and then our late inspector got the men to do the washing in order that I might undertake more profitable washing, and both he and Admiral Hornby gave me great assistance.

5150. Have you any other industries?—Yes, we have mail bag making, sewing, knitting, and making surplices for the English prisons.

5151. (*Chairman.*) For the chaplains?—Yes, they are sent to London and to every part of England, but my hands have to be taught. They are just my own women.

5152. (*Miss Orme.*) Not by sewing machine work?—No, it is all beautiful hand work; and lovely they are.

5153. What warders do you put in charge for these industries over the different branches of needlework, laundrywork, and so on?—Just the warders whom I select for the purpose.

5154. Do you find that you can get warders that are suitable for the work, or do some of them have to be trained?—Some of them do not know it, some of my warders have not known how to knit when I wanted my prisoners taught knitting.

5155. Have you any suggestions to make as to that? Do you think there is any system by which any persons instructed in a particular industry you want taught could be sent to you?—I think it is a great thing for them to be asked whether they could knit or

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make shirts or do that sort of thing; but I think that is not asked in the regulations.

5156. They send you a very good warder as regards character and all that, but she has not got the particular training you want?—Not always.

5157. And then you have to do it yourself?—Yes.

5158. What is your opinion of the effect of very short sentences on female prisoners, do you think it has a deterrent effect?—I scarcely think so.

5159. Do you think they get at all improved?—No.

5160. Do you think there is any advantage in sending a woman to prison, say, for a week, and then letting her out again?—I do not think so.

5161. I suppose you get them back again over and over again?—Yes.

5162. Would you describe the way in which they come back again and feel that the prison is their old home?—They really do. Some of them do not like to leave it. They have expressed to me that they would rather remain there than go out. Several of them have done so. They get perfectly comfortable inside and it is not so bad as they thought even as first offenders.

5163. And when they come in they seem to know pretty well their way about, do not they?—They do.

5164. Do you find they always state that they belong to the same religion?—No, they do not, they change; sometimes they say they are Protestants and sometimes Roman Catholics; they change their religion very frequently.

5165. Do you know any reason for that?—I do not know because the Protestant and the Catholic priest have their alternate days. We had some question as to their religion; and there is now a Catholic service on alternate days.

5166. (*Sir J. E. Dorington.*) You have a Catholic priest?—Yes, and they have their services on alternate days.

5167. Alternate days with the Protestant service?—Yes.

5168. So that it is exactly the same whether they are Protestants or Catholics so far as attending services is concerned?—Yes, it is now.

5169. (*Miss Orme.*) You have no idea why they change about?—They do not change so much as they did, but I think it was really to keep in the chapel when we had the Roman Catholic service less.

5170. They professed to believe in that which had the service more frequently?—Yes.

5171. Do you find that they receive many visits from their friends?—Yes, they do when they are due. Untried prisoners, of course, can have their visits daily.

5172. But as to the prisoners under sentence, do their friends come and see them as often as they might?—I do not think so.

5173. Then you do not think there is any necessity to increase that privilege and have the visits more frequently?—I do not know about that.

5174. Do they take the opportunities they have of writing letters?—Yes, they like to write the letters. That is a great deal to look forward to; that is where the marks come in, they do not like losing their marks and it helps them to get their marks to get the letters and so on.

5175. Would you be glad to extend the privilege of writing letters? Would you like them to write more than they do at present?—I should be glad if they could be more helped in that way.

5176. Have you ever had any lady visitor in your prison?—Never.

5177. Have you felt a wish for that?—Well, I heard from the governor I was with so many years, Major Preston, who had them to deal with, that he did not get on at all well with them. He said there was a kind of bad feeling between them, the prisoners, and the officers. I do not know whether I should do right to repeat his words, "I have not had the experience, "but I think we should want ladies that thoroughly "understood it."

5178. Then you have Prisoners' Aid Societies in Manchester?—Yes.

5179. Do you think they are of great use?—Yes, lately there has been more done for the prisoners, but I do not think they have done so much for them.

5180. What is the practice?—The governor sees them and hears what the prisoner has to say. He hears their requests whatever they may be. He enters them upon some kind of form and sends them to the "Discharged Prisoners' Aid Society" and he gives the prisoner a letter to go there and see what they want, for instance a dress, a bonnet, a pair of boots, or whatever it may be. He gives them a note to whatever effect he can.

5181. But they do not see a member of the Society before they leave the prison?—No, it is the governor that does this.

5182. Would they be permitted to be in communication with any of the Aid Societies they liked? Do they know about the existence of more than one Society?—They know they can be helped. I have various applications every day for help and lately it has been more so.

5183. Applications from the prisoners?—Yes, for help. They have been recommended to the Society and helped.

5184. From your long experience do you think that the effect of industrial schools or reformatories on girls is generally good?—Well, I have had these girls come back again, and sometimes I have thought a few of them were rather more naughty.

5185. You speak of reformatories; but I suppose you have often had prisoners who have also been in industrial schools?—Yes, occasionally.

5186. Have you formed any opinion as to the effect upon them of training in an industrial school?—No, I have not in industrial schools, I was really speaking of reformatory girls.

5187. Do you find that many of your untried prisoners ask you to give them some occupation in their cells?—Yes, they do, to pass the time away, they say; they volunteer it; they would rather have it.

5188. Should you approve of their having regular occupation? Do you think it is a mistake to let them remain in idleness if they can work?—I think occupation does a great deal of good for everyone. I think it takes them off themselves. I am glad when they ask for work. It takes them off thinking about other things, and, perhaps, things that are not beneficial at all.

5189. We should be glad to hear from you any suggestions you wish to make as to any point that has struck you in the treatment of prisoners; for instance, I should like to ask you about this: The matron of a large prison, a first-class prison, does not wear uniform, does she?—I wear uniform.

5190. Do you?—Yes, I do. I was ordered some little time ago to wear it according to a uniform pattern, but it would have been degrading to me to have worn it, though I believe I should have had to have done so, only for Sir John Hibbert.

5191. As a general rule should you say that the position of a matron and her influence over the warders and prisoners would be superior if she were not what is called a uniform officer?—Yes.

5192. You are strongly of that opinion?—Yes.

5193. When you say you wear "uniform" you mean uniform of your own choosing?—Yes, they give me the material and I have it made up in my own way as I had always had it done, only I was found fault with a little time ago.

5194. You think it would have a weakening effect over your prisoners if you were dressed exactly the same as your chief warder?—Yes, I do not think it is right because I would not have the same influence over them.

5195. (*Mr. De Rutzen.*) May I assume that your idea would be that it would be necessary, so far as you can, to so far impress people who have been once in prison that they should not come again?—I do not quite follow you, sir.

5196. One of the great things, I suppose, is to deter prisoners who have gone through the degradation of being sent to jail from coming there again?—Yes, certainly.

5197. Now a great many of your prisoners come very often?—Yes, they come very often, indeed.

5198. And express rather a pleasure at returning?—A few of them do, and they have said so; but really they seem to have no home at all.

5199. They have no home outside?—Yes, that is so.

5200. And they think a prison is better than no home at all?—They say it is better than the workhouse, they say so frequently.

5201. And when they have to choose between two evils, the workhouse and the prison they have told you they come to the prison for choice?—I do not think they have told me that.

5202. Well in effect they have?—Yes, they seem to say it is better than the workhouse, several of them have said it is very much better than the workhouse.

5203. You have, I hear, a great many people come in every day?—Yes.

5204. And amongst them women on remand?—Yes.

5205. Now sometimes some of them are put in cells if you have got room, and some are waiting in the room if you have not got room in the cells?—Yes.

5206. Is there any difference made between those who come on remand and the others?—Yes.

5207. Do you know at that moment which they are?—Yes, we know what we are receiving.

5208. And are you careful about putting those who come in on remand separately from the others at once?—Yes, I think we are pretty careful about that: we are pretty careful about the remanded and untried prisoners.

5209. (*Sir Algernon West.*) I am afraid from what you have said that you have not much belief in the reformatory effect of a prison?—Well, they come back again sometimes, I have thought, rather naughty girls, after they have been in a reformatory.

5210. I do not mean the reformatory school, but that there is no effect really from the prison discipline. Are you a believer in the reform which is worked on prisoners by being in prison?—Well, I think as regards the laundry work, it does good.

5211. You are very much in favour of laundry work, but, I think, this is the first time we have heard of any fine laundry work being done in prison. Do you employ skilled instructors at your laundry work?—No, they are just my regular officers.

5212. They teach the fine work; you have given us instances of several judges and others they have worked for, but would the way the washing is done satisfy ladies?—Yes, we do washing for ladies and beautiful, lovely washing it is.

5213. And only taught by the warders?—Yes.

5214. And warders who had no previous knowledge as you say?—Some of them may not have had, but they get some knowledge of it when they come there.

5215. Seeing the good effect of this finer washing would you be in favour of prisoners earning some wages on their own account?—I think it would be a great encouragement to them.

5216. You know they do so both in Belgium and Holland?—No.

5217. They earn slight wages, half of which goes to the prisoner?—I think it would be a great encouragement to them.

5218. And with that they are entitled to purchase luxuries for themselves in prison or to send it to their friends. Would you be in favour of that?—No, not to send luxuries to them.

5219. No, they may either send what they earn at the end of the week to their friends, perhaps their wives—well it would be the other way with you—or they may spend this small sum in purchasing white bread or little luxuries of that kind; and, in the case of male prisoners, tobacco, and so on. Do you think that would do?—I do not think that would do in prison, but I may be mistaken.

5220. Would you be in favour as an encouragement of enabling the female prisoners to ornament their cells and have a looking-glass or something of that kind?—I believe some prisons they have looking-glasses.

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5221. Do you make any distinction between married and unmarried women, women who have to go back to their homes and those who have to earn their livelihood?—Yes, with those that have to earn their livelihood.

5222. You do make a distinction?—Yes.

5223. You really do make a classification in your prison and judge from your intelligence that one sort of work is better for one woman than it is for another?—Yes, you can tell.

5224. Would you be in favour of a much more extended classification of prisoners according to whether they are first convictions or people who have come back three or four times?—I really think that first convictions should be kept as much as possible to themselves. I think first offenders should.

5225. And I am afraid you would come to the conclusion that people who have been there three or four times are really hopeless?—Well, I should think they would come again; and they do, I am sorry to say.

5226. You have a governor and deputy-governor at Strangeways, have not you?—No, a chief warder.

5227. Will you kindly explain to me what is your position when the governor is away?—I have to look after the prison; only the chief warder comes to deal with the reports if there are any.

5228. The chief warder takes the position of the governor?—Yes.

5229. And you are in the same position to the chief warder as you are to the governor?—Yes.

5230. (*Sir J. E. Dorington.*) When the governor is away are not you the head of the prison?—I think almost the only thing he does is that he takes the reports of prisoners, or of officers, if there are any to be heard.

5231. You are not responsible for the prison, as a whole, if the governor is away?—No.

5232. You think the chief warder is?—The male chief warder, he deals with any report by prisoner or officer.

5233. (*Sir Algernon West.*) And, therefore, really your position to the chief warder is the same as it is to the governor. Do you think that a proper arrangement?—No, I do not think it is quite the thing. It would be different if there were a deputy-governor.

5234. How many prisoners are there altogether in Strangeways?—There are 800 odd men, and I have had 400 women several times lately; but I think it was 361 when I came away. I have had pretty well up to 400. It is a very large prison to manage.

5235. (*Miss Orme.*) It is 1,115?—I have 362 certified cells.

5236. (*Mr. O'Connor.*) What have you to say about young girls who are sentenced for the first time?—Do you mean juveniles?

5237. Yes?—You mean that would afterwards be sent to a reformatory school.

5238. Whatever might happen in that way, but speaking of girls, say, under 17 years of age?—Juveniles ought not to come to prison at all. If they are going to a reformatory, there ought to be some way of sending them direct without coming to prison at all. I have a feeling that any young girls of 13, 14, or 15, that have to go to reformatory schools, should go direct, and not as they do now, come into prison for three weeks or a month, and then go to a reformatory school, perhaps, for five years afterwards.

5239. What is the age of the youngest prisoner you have?—Do you mean that I have had?

5240. That you have now?—No, I have not any juveniles at all now. I have them at 17 and 18, but not what I call young children.

5241. You have some of 17 now?—Yes, and 18.

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5242. You have one of 17 now?—Yes, I think I have.

5243. Do you think that is an age at which girls ought to be sent to prison?—Well, I think 16 is a fair age.

5244. But you have not anybody at 16?—No, I have not. Well, I do think 17 is rather young.

5245. Have you any girls waiting to go to reformatories?—I have not any at present, but there are some who have to undergo say a fortnight or three weeks' imprisonment and then go for five years to a reformatory.

5246. Have you had any during the last month?—Yes. If it can be arranged to send them direct from the Court in any way I think it would be better. I wonder whether anything could be arranged in Court so as to remand the girl in any way so as to let her go direct to the reformatory.

5247. At any rate you think it is a bad thing to send girls to prison?—Yes. I have always thought it better to send them direct to a reformatory if it could be done. If there was any middle sort of place it would do. I was wondering whether it could possibly be arranged at the Courts where they are tried.

5248. Do you know whether *any considerable* proportion of the girls who come to you as prisoners have been laundry girls?—No, I do not know.

5249. You do not know that laundry girls furnish you with an undue proportion of prisoners?—No.

5250. Do I understand that in your opinion it distinctly raises the tone and improves the character or helps to improve the character of prisoners to give them work of an increasingly good kind as they behave better?—Yes, I do think it raises the standard of them altogether.

5251. The utter want of occupation is bad?—I do think so.

5252. You think the prisoners ought always to have some occupation?—I do.

5253. And that occupation should be as advanced and as cheerful as possible?—Yes, I think that.

5254. And in the discretion of the governor or matron to put a prisoner back in the scale in case it was necessary as a punishment?—Yes.

5255. (*Dr. Bridges.*) You have, I think, about 400 prisoners, or something of that kind, under your care?—Yes.

5256. You said, I think, that you would, if you could, separate first offenders from the others?—Yes, I should like very much to do so.

5257. How many first offenders have you now in your prison and under your care as matron?—Not very many that have not been in prison before.

5258. Have you 30 or 40?—I might have 30, but scarcely that *many*.

5259. It would not be much more?—I was calculating on the number of receptions this year, which is over 6,000 women; and out of that number there were very few that had not been convicted before, perhaps there were 1,000 or so that had not been convicted before; that is to say, that 6,000 odd passed through my prison in the year, about 1,000 of whom had not been convicted before.*

5260. So that when you speak of separating, if possible, those first offenders, it would be a very small class indeed that would be so separated?—Yes.

5261. Quite a small class?—Yes.

5262. Are your cells for women all filled now?—Yes, and I have been more than filled. I have had to double some.

5263. During the present year?—Yes, during this present year. I have 362 certified cells, and I have had 400 prisoners. Of course I have 21 in hospital, and then I have room for the association of eight in an associated room.

5264. Do the 362 certified cells include the hospital cells?—No.

5265. Then you have 21 hospital cells?—Yes.

5266. You were speaking about associated cells?—Yes, I have a room which will associate eight, which is sometimes used by the doctor for mental cases that we have to have officers sit up with.

5267. Have you any in your cells in addition to that associated room. Have you in some of your cells had more than one prisoner?—Yes.

5268. Has that happened frequently this year?—Yes, several times this year.

5269. Then in every sense of the word the place has been overcrowded?—Yes, I have had too many prisoners. I think, really, the day Mr. Gladstone came I was obliged to double some; 6,883 passed through the prison this year, and I could not help it.

5270. So that in such a condition as that, anything like setting apart a special ward or a special department of the prison for first offences, becomes a difficulty?—Yes, I am too crowded to do it.

5271. I suppose in reference to any classifications in prison, you must have a certain number of empty cells?—Yes. Might I make a suggestion that has just come into my head?

5272. Yes?—I have thought, sometimes, when the prison was quite full, whether they could not be sent from the courts to other prisons, quite as near to Manchester as the courts from whence they are committed. I wonder if that could be done, and then it would not keep us so crowded.

5273. Of the women who come under your care, you have told us that a great number have come to you very often indeed?—Yes.

5274. Are those generally cases of drunkenness?—Many of them. They generally tell me it is drink that has been the cause of their coming.

5275. Have you also cases of systematic thieves who come over and over again?—Yes.

5276. Those are not necessarily drunkards?—Well, they say it *was drink that first caused them to steal*; they fall back on drink as the first cause, and when they do steal, they say they would not have done it unless they had been tipsy.

5277. You do not know whether that is quite a true statement?—No.

5278. I suppose you have some of those whom I may call habitual drunkards?—Yes.

5279. Do some of them strike you as not having all their wits about them. I am not talking of the time when they are drunk, but after they become sober, have you any that seem half-witted?—I have not so many of that class. I think they get right in a day or two, but some are not as bright as others, especially if they have drunk a lot.

5280. You have not many of the class that you would call feeble-minded?—No, not many.

5281. With regard to the question of washing on which you have given us such interesting information, can you say whether many of the women who have learned this skilled laundry work, earn a living by laundry work after they leave the prison?—Yes, I have heard so. I have been told by one or two that come back again that they met with some friends and got some drink, and that they have earned as much as *1l.* and *30s.* per week; and they told me that they had not the slightest difficulty in getting the work, but that they would take them into the laundries, without character, if they could do the work.

5282. And they had learned that in prison?—Yes, they had.

5283. Have you ever heard any complaints made that the skilled laundry work you do in prison takes the bread out of the mouths of the hard-working people outside?—I have never heard it so said myself.

5284. That complaint has not come before you at all?—No, it has not.

5285. (*Sir J. E. Dorington.*) Have you ever represented to any of the inspectors that your prison is overcrowded?—I think the inspector must have known it. He knows the number of cells I have.

5286. You have not made any complaint about it yourself?—No, I did *not*, because that of course would be left to the governor.

* See Col. Garsia's evidence, 11,702. Females received 6,515, of which number 1,043 had not been previously convicted.

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5287. It has been the practice occasionally to remove prisoners from one prison to another?—Yes, a transfer.

5288. Has that been the case with your women?—Yes, I have had transfers.

5289. You have had 50 or 60 taken away from your prison?—Yes, and transferred to Knutsford, Liverpool, and Preston.

5290. I suppose you object to having your prisoners in association?—They get on very nicely in the laundry.

5291. I mean in the sleeping rooms and dormitories?—Yes, I would rather have them in one cell if it could be done. At present I happen to be a little lower in numbers.

5292. To-day, at present you have got one cell vacant?—Yes, but I do not suppose I have more.

5293. You said you objected to dietary punishments very much, why do you do that, is it too lowering for them?—I do not like to see the prisoners lowered too much.

5294. It is too punishing?—Yes. I am happy to say we have very little of that where I am.

5295. But you have punishments occasionally?—Yes, we have occasionally, but very little.

5296. I want to get your exact reason why you object to this?—I think it lowers the constitution. I think considering the way they live outside it weakens the constitution.

5297. They are not fit to have a lower diet?—No, I think they are not.

5298. And the governor comes to you every day?—Yes.

5299. Are your warders resident in the prison?—Yes, all of them.

5300. So that you have got them all under your own hand?—Yes.

5301. You say you would get over the difficulty as to the chapel by having two services, but would that interfere with the order of your prison?—Yes, it would with the labour.

5302. A certain quantity of your warders would be on duty in the chapel when you wanted them elsewhere?—Yes.

5303. So that that would hardly work very well would it?—I was thinking it would not, because if we had two chapels a day it would take up so much time.

5304. It would get over the difficulty of the overcrowding, but it would make difficulties in the prison and you would *want more* warders?—Yes.

5305. Supposing your prisoners were habitually transferred to another prison and sent 50 miles away, would there be any grievance to the prisoners in it?—Some of the prisoners like to stay; they do not like to go. It is really rather amusing but they say "do not "send me from my own prison, matron," when they are going away.

5306. Does that apply to you or to their own locality?—I do not know, but they pretend it is me, though it may be their own locality.

5307. A prisoner in my county jail was most unmanageable and we tried to find out what was the matter. Apparently it was that she was out of her own district and when we satisfied her about that, she became quite manageable. I ask you if that is a common case, and whether it would be establishing a grievance among prisoners if they were sent to a distance?—It might, I think.

5308. In that case it would not be possible to carry out the transfers on a large scale?—No.

5309. But you have transferred?—Yes, we have been obliged to.

5310. Where do you transfer to?—To Knutsford, Preston, and Liverpool.

5311. They say that they prefer the prison to the workhouse. Is it that your diet is better?—Well, they seem to like the diet, but I think sometimes they have more chance of quarrelling with others in the workhouse. They are kept in more order in the prisons and they disagree sometimes in the workhouse. They have told me so. They have better chances of quarrelling.

5312. The prison is more orderly?—Yes.

5313. And therefore they like it better?—Yes.

5314. I suppose the bedding would be about the same in both?—Yes.

5315. And the diet not much different?—Not much different, I think. I think the diet is pretty good except the first class diet.

5316. You get about 1,000 first convictions every year. Do you think a large number of those return to you?—Yes, I am afraid so. I think they do.

5317. You think the number of prisoners who come on a second conviction is a very considerable proportion?—Yes, I think it is really.

5318. You have got about 5,000 a year who are old offenders apparently?—Yes.

5319. But they may have been eight or ten times, and that multiplies their number very much?—Yes, besides they may have been in another prison, so that one cannot get at what is really a first offender.

5320. (*Sir Algernon West.*) Cannot you tell from your great experience a person who has been in prison before by the way she falls into the ways of the prison?—One could have a little idea of it.

5321. (*Sir J. E. Dorington.*) Do not you find a woman who says she has never been in prison before sometimes knows all about the prison, and therefore you can judge by that?—Yes, I can find it out that way.

5322. I should have thought you would have been tolerably correct in your judgment whether a person was a first offender?—Yes.

5323. In that respect your statement is probably nearly correct, that you have about 1,000 first offenders and about 6,000 that have been in prison before?—Yes, I think that is about it. I think that is what the governor said to me.

5324. (*Mr. De Rutzen.*) Will you just tell me this, how many days in succession have you ever had your cells overcrowded?—I could not exactly say that.

5325. Have you ever had it for more than a day or two?—Yes.

5326. For how long?—I should think I have sometimes had them doubled for three or four days.

5327. But every time you had your cells overcrowded, I suppose you would report it to the governor?—Yes, the governor knew it.

5328. Have you found that they have been detained for any length of time after you have reported the fact that your cells were overcrowded, or has it been immediately rectified by sending away a certain number of the prisoners?—Well, I do not think so, not quite. I do not think they have been sent away exactly at once.

5329. Then, perhaps, you could tell me for how long a time together you have known the cells to have been systematically overcrowded?—Well, it has occurred several times.

5330. (*Sir J. E. Dorington.*) Has it gone on for a week?—Not for a week in succession.

5331. (*Mr. De Rutzen.*) For two or three days?—Yes, I should think so. We have had a few doubled for two or three days.

5332. (*Sir J. E. Dorington.*) Then have you been relieved by transfer or discharge?—By discharge.

5333. (*Mr. De Rutzen.*) And a transfer from time to time as the numbers increased?—Yes.

5334. Do you find that on certain occasions. You have a great influx of prisoners into the prison?—Well, if there is anything particular going on in Manchester it might be so sometimes.

5335. You get a great influx sometimes?—Yes, we have done sometimes.

5336. And a sudden influx?—Yes, I think we have sometimes.

5337. And then, I suppose, upon that being reported to the governor with reference to the state of the cells, some orders are given to transfer?—Yes, certainly.

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5338. (*Miss Orme.*) I have just one question to ask you. Your warders have one mess all to themselves, have not they?—Yes.

5339. They all mess together?—Yes.

5340. Who cooks the food?—A prisoner.

5341. Do you approve of prisoners who are on prison diet cooking *ordinary food?—No, I think* it would be much better to have a person told off for that, other than a prisoner.

5342. An officer to do the cooking?—Yes, I do.

5343. Do you think it rather an aggravation to the prisoners?—I do, although there is an officer about there generally; still I think perhaps it is a little *temptation to them.*

5344. Do you think it is a matter of sufficient importance to recommend *the appointment of an officer* specially to do the cooking?—I do. I think it would be really a good thing.

5345. (*Mr. O'Connor.*) I see by the last report that the reception *ward on the* male side is actually now in course of enlargement?—Yes, it is.

5346. How is it they do not enlarge the reception cells on the female side?—I do not know I am sure.

5347. Did you make any application or did you have any opportunity of doing it?—I think it is quite well known that it is too small *for the receptions.*

5348. How often does the inspector go to Strangeways?—Once a month.

5349. Has he ever been *there when* there has been doubling going on?—I am not quite *sure about* that. I could not be positive about that.

5350. I see from this report that you had 26 *women* under the age of 21—would the observation that you made about the young girls extend up to girls up to 21?—No, I think not up to the age of 21.

The witness withdrew.

At this stage of the proceedings the chair was taken by Sir Algernon West.

Miss M. J. Bell.

Mrs. MARY JANE BELL called and examined.

5351. (*Miss Orme.*) You are matron at Holloway, are you not?—Yes.

5352. How long have you been there?—For three years on the 1st of July.

5353. As matron?—Yes, as matron.

5354. Will you tell the Committee where you were *before in the prison* service?—I was at Walton Prison near Liverpool.

5355. In what *capacity?—For five* years as chief warder, and before that as warder.

5356. You have never acted as deputy *matron* anywhere?—No, I have not. The chief warder is next to the matron at Walton.

5357. In Holloway you have not very much opportunity of teaching women any work, have you?—No, because their sentences are so *short* that we have not got them with us very long.

5358. Can you just tell us roughly what proportion of very short sentences are in as compared with the whole number of your prisoners?—At this time we have not any prisoners whose sentence exceeds three months, but previously to the last month we had some long sentence prisoners.

5359. About how many have you for seven days, generally speaking. Just give me a rough idea of it?—For about a month and under, I should think I have 150.

5360. *With the class* of prisoners you get—these London prisoners—do you find that you can teach them any work during that *period?*—No; I do not find that they are very anxious to receive instruction, because they do not take an interest in it when the sentence is so short.

5361. What do you generally employ them on?—*There are those that pick* oakum, that is, those who cannot do anything else, those who cannot do needlework. Then we have *some who make mail* bags, mend bags, and make mattresses for the War Department.

5362. Which do you think most suitable for your prisoners?—The mail bag *making* is easier.

5363. They take a very short time to learn that, do not they?—Only a few days; that is if they are at all expert.

5364. They cannot spoil it much?—Yes. It wastes a great deal of time if they have to undo their work. It is very difficult to undo.

5365. Do they spoil their material?—No.

5366. That is much more popular, is it not than oakum picking?—Yes, those who can use the needle like it very much.

5367. *Do you find* there is a very great dislike to the oakum picking amongst prisoners?—Undoubtedly there is; but I think it is a dislike to work in any form, more than in particular a dislike for the *oakum* picking. I think it is really that they are inclined to be idle. I think those that are idle *at oakum* picking would be idle at needlework.

5368. But I thought that at Holloway the dislike to oakum picking was really a cause of want of discipline and of prison offences?—Not in that sense. Not many *attempt* to choose their work, but many fail to complete their task of oakum, and get reported.

5369. Do not they *stuff it down* their ventilators?—They do.

5370. What punishments do you generally *employ?*—For light offences a day's close confinement. They have neither exercise nor chapel then. Sometimes we *give them two days* No. 2 punishment diet. When the punishment is dietary, it is generally No. 2 punishment diet, but that is *not* very often.

5371. And which of these *punishments do* you think on the whole the best, the dietary *punishment* or the confinement in the cell. I mean which is best for their character?—Where a prisoner is receiving a *fairly good diet I think* dietary punishment is the best, but where a prisoner's diet is lower, I do not recommend the loss of diet at all.

5372. Do you find locking them up *in that* way and not allowing them to go to chapel, or take exercise has an effect on their mind?—I think they consider it a great privilege to go out of their cells, and therefore it is to *some extent* a punishment. More than that, when they are deprived of exercise, or chapel, because of misconduct, I think it *makes* them careful as to their behaviour in future.

5373. You have very little opportunity of punishing *them* by withdrawing them from associated work?—Scarcely any, because as a rule the prisoners employed in association, that is, *in* the kitchens or the laundry, very seldom commit themselves.

5374. They are the well-behaved ones?—Yes. Of course they are selected from the best-behaved.

5375. But if they did break the prison rules it would be a very salutary form of punishment to take the privilege away?—Yes.

5376. Then I suppose you find the associated work very popular with them?—Yes, to *give* [illegible] prison *of their cells.* takes hard-working

5377. Do you give them work to do in [illegible] so said cleaning and that sort of thing about the prison Yes. They like that very much.

5378. They come to you in a very wretched state of health, do they not?—A very large proportion of them are in bad health.

5379. From drinking chiefly?—I should say it is from drinking and from their mode of living.

5380. And when they first come to you they do not take much food?—Well, I do not think except the low No. 1 diet, that they refuse very much.

5381. But as to that first diet?—The No. 1 diet *is* very much disliked.

5382. The stirabout?—Yes; a great deal is refused.

5383. And *they* not only refuse it, but it makes them insubordinate, does it not?—They have troubled the doctor a great deal *for* a change of diet. That has been a cause of a considerable portion of the insubordination.

5384. And then if the doctor refuses have not they sometimes been violent?—Yes. In fact at one time it was quite the custom if the doctor did not increase the diet at dinner, to knock their window glass out.

5385. Do you *think* that was the sole reason for it?—I thought that was the sole reason for some of it, not for all, perhaps not more than half of it, but it was a reason for some of it.

5386. What is the general number that you receive *in a day from* the police courts. What is your average?—Our average is about 50 or 60.

5387. And what is about the highest number that you had last year should you say?—I had 78.

5388. Do they come to you late in the day?—Yes, they do. Usually they begin coming in about half-past three, and sometimes they come as late as half-past eight or even later than that sometimes. We receive up to ten o'clock.

5389. What time would you really feel the work is over if they come in as late as that?—The reception work is, as a rule, not over very much before 10.

5390. And sometimes later than that?—Yes, sometimes it is later than that.

5391. What is about the latest you have ever had it on hand?—It has been as late as half-past 11; I think once it *was a few* minutes before 12 o'clock.

5392. You begin work at six in the morning?—Yes.

5393. Would you explain to the Committee the arrangement of the hours that *your* warders have as to a long day and a short day and the break in the afternoon?—The officers take turns in doing long days' duty, the evening duty. Those officers who are for duty in the evening come in at six in the morning and they go off at four o'clock and come on again at a quarter before six.

5394. That is one-and-three-quarters hours' rest?—Yes, and they may be on duty until 10 o'clock if it is a busy night, and then they may be able to have a little *rest and get* a little supper. But if the duty requires it of course they have to do it. It is their turn to do that every *fortnight*; the *other* days they go off at 6; three days out of every four the officers are on duty till 6 p.m.; the *fourth day till* 10 *o'clock*, or later if required.

5395. Then those that go off at 6 *do not* have that one-and-three quarters hours in the afternoon?—No.

5396. It occasionally happens, does it not, that a warder who is on duty until 10 sleeps in the prison and is liable to be called up by prisoners ringing the bell through the night?—Yes; the officer who has gone off duty and come on again at 6 would do this. They take it in turns. That is the object of sleeping in, and if there is any occasion to get up they get up.

5397. And answer the bell that rings from the cell?—*Yes.*

5398. Your warders all sleep out as a general rule, *do not* they. You have *none in the* prison?—We have *one* in each wing; the others sleep in their quarters [illegible] distance?—[illegible] that warder who has the night duty

5308. In [illegible]6 one morning and she is on duty with out the periods of rest all through the day, and she then stays in the prison through the night instead of going home?—Yes.

5400. And the next day she comes on at 6 in the morning?—Yes.

5401. And stops until 6 in the evening?—Yes.

5402. Do you consider those hours too long for warders who have to exercise moral suasion over disorderly prisoners?—I do. I think if an officer conscientiously does her duty it is a strain upon her mind perhaps more than upon her body.

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5403. Have you noticed that it has had any effect upon the health of the women who have been working under *you*. Have *they* shown any bad effects of overwork?—No, officers have been off duty sick, but it has not been attributed to that in every case. It is chiefly colds.

5404. Do you feel the strain yourself to be very great in managing a prison of this sort?—I certainly do. I at times feel very anxious; and at all times when on duty there is a great deal of responsibility, and one cannot help being anxious.

5405. Should you say from what you know generally of prisons that it would be a wise plan to make special arrangements in prisons of difficulty like Holloway where you have a varying class to deal with?—I think the hours of duty are the best to go upon.

5406. Do you think the duty should be rather shorter *in prisons of special difficulty like Holloway* and Liverpool than in prisons where there are small receptions and more regular work?—Yes. I *think it* is very trying on the officers where they have short sentence prisoners, they are very much more difficult to deal with. I would like to say at the same time that it is not very often officers have had duty after 10 o'clock, but it has occurred. Just shortly after my coming I think (I do not know what took place before) it was occasionally so; but perhaps for two years now there has been scarcely a time when it has; but just lately there were four occasions when the officers were on duty later, and we have given them an equivalent for it afterwards.

5407. Yes, but you do not give them any equivalent for that night duty when they stay in the prison all through the night. That *is in the regular course?*—Yes.

5408. (*Dr. Bridges.*) I think *you told us that* you received sometimes 50 cases daily?—Yes, I think it averages about that.

5409. And your extreme number is how much?—We have received as many as 78. I recollect that number.

5410. You have a certain number of mental cases, cases of insanity, that have been removed?—Yes.

5411. I see according to the report that there are 29 such cases that have been removed from the female side of Holloway?—But they are chiefly remand cases. They are remanded to inquire into the state of their mind, and we have them a week while they are under observation. We have had convict prisoners who have been sent to asylums.

5412. But the number of convict prisoners who have been sent to asylums is comparatively small?—Yes.

5413. They are mostly remand cases?—Yes.

5414. And cases that remained under observation for a few days?—Yes.

5415. The number of convict prisoners amongst whom insanity has shown itself has been very small?—Very small. There have been only a few cases to my knowledge.

5416. With regard to diet, you have a considerable number of cases of women who have been in repeatedly with short sentences?—Yes, we have.

5417. You mean people going out on a Saturday and coming in again on a Monday, and so on?—Yes.

5418. In those cases if they were put on No. 1 diet that No. 1 diet would be practically continuous during a long period of time?—It would; but the doctor's attention is called to such cases so that he may, if he thinks it necessary, in his opinion, give them a higher *class diet*; that is if they come in within seven days after having gone out on No. 1 diet. If they come in *within seven days the doctor's attention* is called to it so that he may, if necessary, give them a higher diet so that it *would not* be continuous.

5419. As a matter of fact then, by the intervention of the doctor the diet is generally altered?—Yes, it is altered when the doctor thinks it necessary.

5420. Does that alteration as far as you know take place frequently; are there many cases in which the

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doctor has thought it necessary?—Yes, there are a fair number of cases.

5421. What is it, about half?—Yes, I should say so.

5422. You mean in about half these continuous cases the diet is altered, and in the other half the doctor thinks it necessary to leave it as it is?—Well, I think not half. There are not very many who are put on extra diet for that reason.

5423. If you were asked to make suggestions about improvement would you be in favour of altering No. 1 diet?—Yes. I was anxious to see an alteration in No. 1 diet and very gladly welcomed an alternative diet recently introduced.

5424. Will you tell me what the alteration should be in your opinion?—A pint of gruel for breakfast with six ozs. of bread; a pint of gruel for dinner with five ozs. of bread; and the same for supper; that is three pints of gruel in the day and one pound bread.

5425. Gruel made with two ozs. of meal?—Yes, two ozs. of meal.

5426. You think that is better for their health?—No, because they will not eat it if they do not want it.

5427. You think perhaps it is rather calculated to encourage them to come to prison?—They do not eat all the bread.

5428. I suppose a great many of these cases come in with a very bad condition of stomach from having been drinking too much?—Yes, there are a great many cases of that sort, and I think that kind of food is not palatable to them.

5429. (*Sir Algernon West.*) Your experience is of a considerable number of short terms?—Yes. They are shorter than at Liverpool.

5430. But on the general question of discipline you would not be able to give evidence so much as on this particular prison?—I was thinking of Holloway specially.

5431. We have been told at Holloway there have been times when that has been very much overcrowded. Has that been so during the time you have been matron there?—On one or two occasions since I have been there there were some prisoners in a room; eight, I think it was.

5432. You mean in an association room?—Yes.

5433. Because there was not room in the cells?—Yes; it was just after I went there.

5434. How long ago would that be?—It would be quite three years ago.

5435. Your prisoners, during the sessions at London, go to Newgate?—No, they go down to the court daily and return.

5436. There are no female prisoners kept at Newgate?—No.

5437. You have had a good deal of experience of oakum-picking?—Yes.

5438. We were told by a witness that he had seen people rendered absolutely useless when they went out on account of their fingers having been bleeding with it. Have you seen anything of that?—No; but I have seen a good deal of oakum-picking. I have seen them pick 3 lbs. for a daily task. Of course, the finger is marked with the tar, but they can easily get it off. I have heard prisoners say they could not take up laundry work for that reason, but it would wash off in half a day.

5439. I should like to ask you if you have any general suggestions to make?—As regards the treatment of prisoners?

5440. Yes; generally whether your experience has led you to think that anything can be improved on the present system?—As regards the treatment in prison I do not think there is any improvement needed. They seem to have everything that is in reason.

5441. But what we are considering is whether there should be a greater classification of prisoners. Have you any views about that?—Yes, I have. In fact I feel very sorry that first offenders have to see the other portion of the prison at all. I think if it is possible there should be a separate prison for them.

5442. Would you give us your opinion as to what age you think a girl should cease to be considered as a girl?—I think from 16.

5443. Do not you think that 16 is very young?—It is young, but I think they have all womanly instincts at that time.

5444. And you would like to see first offenders and people who have been there two or three times entirely separated?—I think after a prisoner has been a second time it is not much use doing anything for her in the way of classification in prison, I mean not otherwise.

5445. When they have been there two or three times, you think it is practically a hopeless case?—Yes, I think it is equal to 10 times as regards classification.

5446. And you think you would have great hope of first offenders, and that hope would be increased if, in Holloway, they could be put in a separate part of the prison?—A separate prison entirely, if possible.

5447. Would you be in favour of the abolition of prison altogether for young girls?—I would, very much. I think, in fact, I feel sure, that young people have, in many instances, the fear of prison taken away when they come out.

5448. I suppose your experience is that the first turn of the key in the prison is the most terrible part to everyone; they get accustomed to it afterwards?—Yes, after the first day.

5449. Then you would be opposed to imprisonment for juveniles at all, but you would put your age not higher than 16?—I am afraid I do not quite follow you.

5450. You are opposed to girls being put into prison at all?—Yes, I am.

5451. I want to ask you whether you think that should not be extended to rather more than 16 years?—Yes; I think, perhaps, at 16 they are practically children. I think, perhaps, 18 or 19 would be better.

5452. We have just had some very interesting evidence from the matron at Strangeways, who says she thinks the prisoners benefit very much by having a better class of work to do, such as fine washing. She thinks it is an improvement and a reward to do fine washing?—Yes, I think it would be an improvement where they can do it.

5453. But you would like to see a separation in the work between young women who are likely to have work when they go out, and married women who are likely to go back to their homes. Would you like to see a distinction between the work given to those classes of women?—I do not know. I have not thought about it.

The witness withdrew.

The proceedings were adjourned until Thursday, the 15th of November 1894, at 12.

ELEVENTH DAY

Home Office, Whitehall.

Thursday, 15th November 1894.

PRESENT:

THE RIGHT HONOURABLE SIR ALGERNON EDWARD WEST, K.C.B. (CHAIRMAN).

JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.
JAMES GRANVILLE LEGGE, Esq., *Secretary.*

Miss FRY called and examined.

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5454. (*Sir Algernon West.*) I think you occupy the position of honorary secretary to what is called the "Elizabeth Fry Refuge"?—Yes.

5455. How long have you held that honorary secretaryship?—I have been there about 10 years.

5456. Would you kindly tell us what were the objects of that refuge when it was first started, and whether those objects are still carried out?—Its object was to receive female prisoners, not of the lowest stamp, but those who had been servants, who had committed thefts and so forth. It was started after the death of Mrs. Elizabeth Fry, in memory of her, to carry on her works so far as possible, and it has been working ever since that time, which is now nearly 50 years ago.

5457. When you say it is "to take in women who are not great criminals," how do you distinguish them?—Well, we received them chiefly from the London prisons when there used to be more prisons than there are now. They chiefly come from Holloway. I myself visit Holloway Prison and see cases which I think will be suitable, and Mr. Merrick, the chaplain there, who knows well the work of our institution, selects those he thinks suitable, and they are sent to the "Elizabeth Fry" Refuge.

5458. Do you receive any gratuities from the State for keeping these women?—Yes, we receive 1*l.* with each woman.

5459. And that is all?—That is all, which does not, I need not say, pay their expenses, and we keep them about six months.

5460. Will you tell me how many prisoners you have at the present time?—We can take 32 women, and, as a rule, we are full, but sometimes we have, of course, a vacancy.

5461. Those women have all been convicted of crime and sentenced to imprisonment?—Now comes the subject. Of late years they have brought us remand cases from the police courts, which have been brought by the missionaries, or sometimes sent upon the recommendation of Mr. Merrick from the remand side of Holloway. During the past year, 1893, we received 91 women altogether into our home, of whom 28 were remand cases, and the bulk of the remand cases do not do well. They are very troublesome in the home, and when they go out to service, which is the means we have of helping them, they do not do well, as a rule. Of course there are exceptions. I think out of that number, 28, as far as we know (and we do know pretty well, because Miss Reynolds follows them afterwards) four only have done well, and we feel often that they would have been much better for having a month or two months in prison.

5462. Do those who have had a term of imprisonment, as a rule, do better?—They do far better.

5463. Could you tell the Committee at all, the proportion of women that you think are really living honest lives after leaving your refuge?—Do you mean in a year, or do you mean altogether?

5464. Well, will you tell us first in a year?—I have got our report of last year. According to present knowledge 56 are hopeful, 27 doubtful; as to eight we cannot say. That is out of 91 who were received.

5465. In fact that gives a much larger proportion of well-doers than the remand cases do?—Yes.

5466. As to the remand cases how do they get off their term of imprisonment?—In the present day they are very anxious to avoid giving sentences to what they call first offenders.

5467. (*Mr. De Rutzen.*) May I ask Miss Fry if she can form any opinion as to what the charge originally was, or whether the women were principally drunken or disorderly people?—No, by no means—small thefts.

5468. (*Sir Algernon West.*) And the magistrate has taken advantage of the First Offenders' Act to send them to you?—Yes, and very often we feel (without much disrespect to the magistrates) without much judgment, that those women who have been troublesome, though they may not have been actually taken up, are sent to the home when really they want punishment; and after punishment our experience is that many of them are very anxious to turn over a new leaf. Another thing, I think, is that in the present day at the police courts, there are such a number of people who are after the women, so to speak. There are the missionaries, and various ladies who come to them, and so forth, so that they think they are worth anything to them, and that everybody wants to get them; so that when they get to the homes they are saucy, and unwilling to submit to the rules, and they give our matrons far more trouble than those who had had a sentence.

5469. Mr. Trevarthen told us that he was extremely anxious that every boy who went to Redhill Reformatory should have purged himself by imprisonment before he went there. What do you say about that?—I am not sure he is not right. If they are really put to the disgrace of the prison (speaking of those that I see in Holloway myself,) and the sentence, they desire never to come again. I mean to say if they really wish to do better it makes them feel the necessity of behaving themselves, and when they go out to service of behaving themselves also. But, of course, many of these cases really come from drink. There is no doubt about that; and I am sorry to say that those are the cases of which I may say not one out of 20 certainly reforms. They will go on very well for three or four weeks, and then they always invariably go back to drink, and sometimes in our home they will ask to be kept longer because they feel themselves they cannot keep from the drink, and we have kept them sometimes for a year, or two years. Of course, while they are there, they are all right; but at the end of that time, or soon after they get released, I am sorry to say they almost invariably go back to the drink.

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5470. These women are all voluntary inmates of your refuge?—Yes.

5471. Even the remand cases?—Yes, they are practically voluntary, but I feel that they ought to be sentenced to a certain length of time. You see they come to us for six months. I do not say they ought to be sentenced to our home, but they ought to be sentenced to a home where they are kept for a longer term.

5472. Is there anything punitive in your discipline, that is to say, is your discipline disagreeable to them?—Oh, no, not at all. They are as happy as the day is long I believe, and those that have tried to do well almost invariably say when they go out how extremely happy they have been. We have excellent matrons *to whom they really become attached, and they come* back to see us over and over again after they have left, and we give them a reward at the end of the year if they remain in their situations and have a good character. I think there is nothing of that sort at all.

5473. Do you think you find the general public ready to take cases that are recommended by you as being likely cases?—Yes, I think our cases are rather favourites with the class of people who take the servants. There are a certain class of people, not of a very high social position perhaps, but people who are anxious to help in philanthropic work, and rather in that way than any other, people who keep one servant. I should never recommend them to take these girls where there was more than one servant, but only in cases where they work rather with the mistress.

5474. Would you recommend the extension of a refuge such as yours, supposing you are aided by the State?—Yes, I think so. Undoubtedly it is a refuge which has a good character, though perhaps I say it that should not; but people like Mr. Merrick, and people who know about it, look upon it as one of their first refuges. We were for a long time rather pressed to take convicts for the last nine months. You know they are sent to a home for nine months before they are set at large.

5475. What has been your experience with regard to the convicts who have served their time and come to you for the nine months?—Well, there are some who have done well. It entirely depends upon the nature of their offence. Of course we have the power of sending them back and then they would have to finish their term. Therefore we have a great hold over them while they are in the refuge, but of course it is not a good thing for the other women to have people with them who have committed burglary—say fifty times—and all that sort of thing.

5476. From the startling statement you made to us, that not one out of twenty drunkards reformed, would you be of opinion that there should be a reformatory *to detain such women*?—Certainly.

5477. You are very strong about that?—Yes. At Holloway some times there are women who have been there fifty or sixty times in the year for a week. What on earth is the good of that?

5478. Have you in your mind at all any idea if these women were sent to a permanent home for habitual drunkards how that would be paid for. Have you any idea that it could be made self-supporting in any way?—I think they could to a certain extent, because we are self-supporting to a certain extent, though we depend on subscriptions as well, but they can do laundry work and needlework; and such things as that, of course, are remunerative. I should say after they have been taken up for drink five times, or whatever number you like to fix, that they ought to be sentenced for not less than a year to an inebriate home where they are treated for it as a disease. It is no use for less than a year.

5479. And even if so, after those terrible statistics you have given us, I suppose that is not much?—I should like to say two years.

5480. From your great experience, will you give us any general opinions you have before we pass to the detailed questions which Miss Orme and other members of the Committee will put to you? Will you give us any general opinions you have as to the improvement of these women beyond what you have said as to habitual drunkards?—I do not think I can. Of course there are the remand cases as I told you. I do not know that there is any other particular improvement that I should suggest.

5481. (*Miss Orme.*) What sort of industry do you teach the women in your homes?—Laundry work, and, of course, they do *all the work of the house*, cooking, parlour work, house work, laundry work, and needlework. We make some of the Government shirts for the navy, and we make all our own outfits, and we take in needlework. We often have orders *from ladies for needlework for giving away* and that kind of thing.

5482. And I believe the women make their own dresses?—Yes, everything that is used in the home. We give them outfits when they go to service, and it is all made by them in the home.

5483. Do you consider the sort of needlework they do will be particularly useful to them as domestic servants?—Certainly. They do plain needlework of all sorts. They have to mend their things as well.

5484. Have you skilled instructors?—We have what we call a workroom superintendent, a person who is able to see that things are properly given out and properly made, and who is responsible for them.

5485. What sort of work do you think is, on the whole, most suitable to teach these women with a view to their earning their living afterwards?—Of course for our class of women, especially house work, because they are *intended* to be servants. I think it is not a good thing their being taught that which leads them to laundry work. There is nothing more pernicious to the women than going to the public laundries. There is no question about that. They are sometimes a drunken set and a bad set, and they earn perhaps a 1*s.* a day and go home. But some of these girls like it because they have their liberty in the evening.

5486. Should you say that criticism applies equally to the finer sorts of washing, such as ironing?—Where they are done at those public laundries it is the laundry itself which is the bad place.

5487. For instance, we find that some women in the provincial prisons are educated very carefully in fine laundry work and ironing?—Yes.

5488. Then, I suppose they may get good places as laundry maids in private families. That you would approve of?—Thoroughly.

5489. You do not think the temptation to go into the common laundry and live in their own homes would be a bad thing?—If they wish to be disreputable, of course. There are a certain number who prefer the laundry work, because they can go out into the streets and do what they like after their work is over, and they have their shilling perhaps in their hand.

5490. So long as these women are with you they never go outside your door?—Yes, there is generally one who is occasionally sent out to post, or anything of that sort.

5491. For errands?—Yes.

5492. But you do not license them out as girls are licensed out in reformatories?—No, they never go outside the gates.

5493. Is it your opinion that that is the best possible plan?—Well, of course, we could not exactly trust them out. We should not know what they were up to.

5494. If you had women in your house, say for two years, do you think it would be possible for some months before they leave you to let them go out for a day's work so as to try them on their own responsibility?—I do not think we could work that with our present house and our present staff and all that sort of thing. There are homes which receive them for longer periods, say for a year, two years, and so forth; but we only keep them now for six

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months, and therefore many of them are willing to come to our home who are not willing to go to one where they would be kept for two years. You can hardly wonder at it.

5495. From your experience of such women should you say it would be a good thing to have a home where they could be gradually allowed their liberty instead of suddenly leaving absolute seclusion?—Of course that is the plan with the convicts when they let them come to these homes for nine months, although they are not allowed out; they have a great deal more indulgence and comfort so to speak than they have in a convict prison, but with regard to the other women they are not like women who have not had their liberty for a long time. A convict prisoner has perhaps not been at liberty for 10 or 15 years, but these women have not had perhaps more than a three months' sentence, so that they are used to public life, so to speak.

5496. I believe you have had cases where they get on very well with you, but almost immediately after leaving your home they have been tempted to drink?—Yes.

5497. Convicts?—Yes and the other women too.

5498. Do not you think you might obviate that difficulty by giving them a certain amount of liberty before they finally leave you, by letting them go out for a day and seeing whether they return without going into a public-house?—Well, I do not think we should be very willing to try it in our home.

5499. Do you think it would be a good plan in a home organised specially for the purpose?—Yes, I think that might be. Of course constantly they would get drink when they went out, and we cannot tell what other harm they get. That is where it is. You cannot tell what company they get into if they are out by themselves for a day.

5500. So that you think it would be a dangerous experiment?—I think very dangerous.

5501. I believe you have no convicts in your home now?—No, not at present.

5502. To what do you attribute the fact that you have none now when you used to have some?—Partly, I think, because we have been rather disagreeable about it. The last one or two they suggested to us, I think we said were not suitable for our home and we sent one back who misbehaved herself and so forth, and we are not altogether sorry that we have not got them. At the same time we have never had any notice of anything of the sort. I may also say that there are much fewer convicts.

5503. Because of the short sentences that are now being given?—Yes, there are much fewer convicts.

5504. Have you had any complaint from some of the women as to their not having the benefit of a home like yours when they have only a three years' sentence?—No.

5505. Has that matter come before you?—No. Do you mean convicts.

5506. I mean the convicts sentenced only to three years. They do not get any period at the end of their time in a home?—I did not know that.

5507. How long do you think really a young girl ought to be in your home in order to have any material benefit done to her—I do not mean an habitual drunkard?—Well, to go through a real course of training and so on, I should say certainly not less than a year.

5508. But you think it would be of advantage to her probably to be with you longer than that?—I think in many cases it would if they would stay, but being a voluntary home we cannot say they shall stop a year, or they would say, "we will leave to-morrow." However, we insist on their giving us a week's notice, and I think only one left in the whole year of her own accord.

5509. Supposing these girls were sentenced to remain with you for a certain period, what should you consider a really beneficial time, so that you might have a chance of making respectable servant girls out of them?—I think a year would do it. I think some would think it unfair if others were sentenced to less time. I think if some were actually allowed to go out at the end of six months, others would consider it unfair. Those who were kept in for a longer time would consider it unfair to them if they were being kept longer under the same roof and in the same home.

5510. I mean to say supposing you could say what sentence a girl ought to have to remain in a home like yours compulsorily, in order that you might have the best chance of turning her out a respectable servant with a chance of getting good wages?—Well, I should say a year.

5511. Have you had any girls in your Home that you have known to have been in industrial schools?—No, not that I know of.

5512. Or in reformatories?—No.

5513. So that you have no practical experience of the effect of these institutions?—No.

5514. What do you think is the effect of imprisonment on a woman who goes into Holloway, say, for the first time. What do you think is the effect on her mind?—Well, according to what they express, if they are really not low women, I think the shame of the thing makes them intensely anxious never to go back again.

5515. So that the first imprisonment is really a wholesome thing?—I think so.

5516. You have, of course, a good deal of conversation with those that you visit in Holloway?—Yes.

5517. Do you think that the arrangements for religious services and visits of the chaplain, and so forth, are the most beneficial that could be suggested for women?—Well, in the first place there are such an enormous number of women that, of course, the chaplain can give a very short time to each of them. They have to attend the services daily.

5518. You mean the prisoners have?—Yes.

5519. Do you think those prison services have much effect on them?—Well, I am not prepared to say that I think they have.

5520. What form of religious worship do you have in your own home?—We have the clergyman. He is not a High Churchman. You see we profess to be undenominational. We have had a City missionary, who has held services on Sunday and in the week days, and a most excellent man he is; we have had him ever since the foundation of the home, but I am sorry to say that now he is getting very old and past his work, and of late we have had the clergyman of the parish, Mr. Morecombe, who is also, I think, a nice man, and he or his curates have taken a service one evening in the week. Then the City missionary comes on Sunday, and some lay person comes in the afternoon, and gives them a little reading and so forth.

5521. Then, of course, you have daily prayers?—Yes, by the matron.

5522. And all that is arranged to be carried on in an undenominational form?—Yes.

5523. Do you think it would be an advantage in large prisons like Holloway to have female scripture readers?—An admirable thing.

5524. In addition to the chaplain?—I should think so.

5525. I believe you are a member of the Prisoners' *Aid Society*?—Personally, do you mean.

5526. Yes?—No, I do not think I am.

5527. Have you had much to do with those societies?—No, I have not.

5528. So that you have no opinion as to whether they are working usefully?—No, I have not.

5529. You say you find employment for women chiefly in domestic service?—Yes, I might say solely.

5530. Then, what do the women who learn laundry work with you do? Where do they go?—Into the small places, where they have to do laundry work generally.

5531. Even in London?—Yes.

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5532. Do most of your girls go into London service?—Yes, or the suburbs—those endless small places which there are, such as at Dalston, and that sort of place.

5533. You said you thought an habitual drunkard's home could be made almost self-supporting?—Well, perhaps, almost self-supporting is too much to say; but certainly they could earn a good bit of money.

5534. But supposing the women were sent for, say, two years, would it not bring it much nearer self-supporting than yours?—Yes.

5535. Because they would get more skill?—Yes, that is our difficulty in our laundry work. We keep them such a short time, that by the time they are good ironers they go away from us.

5536. But if you had none but women who were in for two years, you could make it pay much better?—Yes.

5537. Do you get as much work as you want?—Yes.

5538. From private families?—Chiefly.

5539. You have a good drying ground and a large laundry, I think?—Yes.

5540. How many hours a day do your inmates work?—Well, I do not know that I can tell you that exactly.

5541. But about?—I think they have their breakfast at 8, and then they leave off at 6, I think.

5542. Then they stop for dinner?—Yes, and they have an hour in the garden after dinner. Then in the evening they are read to, and so on.

5543. They do not work again in the evening?—Not at laundry work.

5544. And you never have over hours in case of a sudden order for laundry work, do you?—No, except very occasionally.

5545. Then really they do not do nearly as long a day's work with you as if they were in a laundry?—Well, I suppose in a public laundry they stop work at 6 o'clock, do not they?

5546. I wish they did?—I do not know anything about that.

5547. If you worked them for the regular labour day they would pay better than they do now?—I say we stop at 6, but I am not prepared to say that if the laundry work were not quite finished that they would not have to go on for another hour; I think that is so.

5548. Do you give them anything in the way of instruction?—Yes, they learn to read and write, and have a little schooling.

5549. What time in the day is that done?—That is done in the work-room. I cannot tell you exactly at what time of the day.

5550. And, so far, that interrupts the work?—Yes, it interrupts the needlework.

5551. And those who are working in the laundry?—I do not know what happens to them.

5552. It does not interfere with their day's work?—No.

5553. (*Mr. De Rutzen.*) I have in my hand a book which gives a list of the reformatory and refuge unions; does the one I have marked refer to your refuge?—(*the book was handed to the witness.*) Yes, that is ours, only it is not a year, it is six months.

5554. This is for 1892, and therefore there is a little difference now; but is the accommodation the same now as it was then?—Yes.

5555. I see the accommodation is put down at 31?—Yes.

5556. And it is the same now?—Yes.

5557. And the age at which you receive them extends from 16 to 40?—Yes.

5558. And the class of case you receive is females on their discharge from metropolitan prisons and from country prisons; fallen women not received?—We do not profess to receive fallen women.

5559. There appears to be a mistake here. It says they remain for a year?—That is a mistake.

5560. They remain for six months?—Yes, perhaps, sometimes longer, but very seldom.

5561. There may be an exceptional case of a year?—The exception is anything longer than the six months.

5562. That is the exception?—Decidedly.

5563. You say that a great number of them are remand cases?—That is a thing that we have fallen into of late.

5564. Just allow me to ask you this. I think I heard you say that there were 28 remand cases?—Yes.

5565. And there is accommodation for 31?—Yes, and there were 28 remand cases in the course of the year.

5566. How many pass through your refuge in the course of the year?—Last year there were 91.

5567. And 28 of those would be remand cases?—Yes.

5568. Now you say the remand cases are generally made up of small thefts and drunken cases?—Yes, drunk and disorderly cases.

5569. The small thefts which would come to you would be cases which must naturally be dealt with under the First Offenders Act?—Yes.

5570. And the others, the drunken cases, have not been sentenced?—No.

5571. How do you receive them; you have a quantity of prisoners to choose from?—Well, these remand cases are brought to the home from the police courts by a lady who is there—one of these missionary ladies, or by the male missionary from the Police Court Mission. The magistrates say to them, "Well, you may take that woman to a home."

5572. Without mentioning Miss Fry's home, or anybody else?—Yes, they do not know what home.

5573. They are simply told that if a person expresses a wishes to go to a home they are discharged?—Yes.

5574. But are you made aware whether they are bound over in any recognisances to come up if called upon?—No, we are not.

5575. Not you or anybody from your home; but do you know whether the people whom you receive are bound over in any recognisances?—They are not, as a rule.

5576. You gather that from what they tell you?—Yes; well, from what the police court missionary tells us when he brings them.

5577. Nobody is sentenced to your home, it is purely a voluntary home?—That is not correct. These remand cases are told that if they have not a sentence they are to go to a home, but they do not say you are to stay at the home six months, or whatever it may be, but it is simply that they are sent off to a home and left.

5578. I suppose they are all aware of the fact that there is no possibility of detaining them?—Yes, they know it perfectly well.

5579. Every one of the women who go to you know perfectly well that they have a perfect right to walk out any day they please?—Yes.

5580. And the law does not allow anything else, does it?—No; therefore, you see, practically these remand cases, if they choose, can get off scot free.

5581. But if in so very few of the remand cases you are able to do anything for them, may I ask why you take them?—Because we do not like to refuse them.

5582. You have any number of cases to choose from. I daresay when you go to Holloway you are only able to take a certain number?—It is not so. Of course there are an immense number of women in Holloway who do not wish to go into a home, and of course, when I go there once a week for an hour or so, I see, perhaps, eight or nine women out of 800 or 900.

5583. And if you did not take those your home would be more or less empty?—Yes.

5584. And if you did not take these cases you you would have nobody in your home?—We should not have so many.

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5585. Then you take these really because you cannot get others?—Yes, we do; we take them if we have room for them.

5586. I suppose the lady, or whoever she may be who communicates with you with reference to these persons is very well known to you?—We know her by name, I do not know her personally. You see, we are there once a week, when the Committee meets, and any case that has been brought to us during the week we see on the Wednesday. The matron has a certain amount of discretion in her power, and anyone she has taken in from the police courts we see on the Wednesday.

5587. But if you have only accommodation for 31 you must surely refuse a good many?—Yes, at times we do; at times we are quite full, and we send notice to the prisons that it is no use sending anybody else.

5588. Of course it is purely voluntary. You from time to time turn away people?—Yes.

5589. And take those whom you think you can best deal with, I suppose?—Yes.

5590. Now I understand you to say that in your visits to Holloway you see people from time to time undergoing a week's imprisonment over and over again?—Yes. I do not very often see them.

5591. But you said just now, "What is the good "of a week to a person who goes there time after "time?"—Yes, but I do not often see these cases.

5592. I thought you made that remark?—Yes, we sometimes have them brought to our home, we will say sent by Mr. Merrick, whom I may never have seen.

5593. Do I gather from what you say that anything in the shape of a short sentence to an habitual drunkard is equally futile as a week—anything up to a month, say?—I should say so, most decidedly.

5594. Therefore, sending them for a week is really much the same as sending them for a month, as, whether it is one or the other, neither will work any reformation?—I think not.

5595. You advocate rather that they should be sent to prison prior to any other steps being taken, and you ground that upon saying that the shame of being in the prison is likely to stop them from going there again?—Yes.

5596. Do not you think that the shame of being brought up, say, to a police court, and being locked up in a police court might not very well have the same effect?—No, I think not, because I think the discipline of the prison is one of the things that affects them; and the food does also.

5597. Do you go this length that you think everybody should—— ?—Be locked up?

5598. Yes?—Well, I think the generality of them certainly would be better for being locked up.

5599. Whether it is the first time, the second time, or the third?—Yes, I speak from experience in our home when I say that those that have not been locked up are unruly and unwilling to submit to the discipline of the home, which is not at all severe.

5600. And that every person, whether brought up for the first time or the second time, should undergo imprisonment?—I think so certainly.

5601. Then under those circumstances I should rather assume that you do not agree with the "First Offenders' Act"?—Well, as far as I understand the "First Offenders' Act," I do not; but I am not prepared to say that I do thoroughly understand it.

5602. The "First Offenders' Act" is for the purpose no doubt of providing that a person should not be sent to gaol for a first offence if possible and to save him so far as possible from that. You do not agree with that?—No, I do not.

5603. You think that nothing short of imprisonment pure and simple is likely to deter a person having once committed a crime from doing so again?—I should say so, as a rule. Of course there are exceptions to every case. There may be cases in which a woman has accidentally got into some trouble through influence or something of that sort.

5604. But your idea generally would be the other way taking it all round?—Decidedly.

5605. Do you find that it is difficult to get women who have been discharged from imprisonment to submit to go into a home?—I think those who have any wish to return to respectable life know that it is almost the only means of their doing so.

5606. But do you find many who are willing to go to a home after they have undergone a short imprisonment?—Well, a good many are.

5607. Then they would be the people you want?—Those are the people, pure and simple, who originally our home was intended for.

5608. Then why did you change your practice?—Chiefly because Mr. Merrick sent us these remand cases. We have worked with him for so many years, and if they do not know what to do with them, they are told that they must either go to a home, or they must be imprisoned; therefore, they are sentenced to go to a home.

5609. Then you have really changed your practice against your better judgment?—We have, so to speak, fallen into it.

5610. Against your better judgment?—Yes, rather against our better judgment.

5611. I have just one other question to ask you with reference to the people who have been convicted of drunkenness. Of course I am not speaking now of voluntary homes for drunken people?—No.

5612. But would you be of opinion that for drunken people, that is to say, for habitual drunkards, there should be a sort of special home?—Yes, undoubtedly. You see one great difficulty in all inebriate homes at the present day is that we cannot send a woman there without paying for her. There is many a woman we would gladly send there, but we cannot offer to pay for them.

5613. But they are taken in only voluntarily?—Of course they are only voluntary homes.

5614. I am talking of a place where they can be sent to?—Yes, that is what is wanted, I think.

5615. (*Dr. Bridges.*) I think you said that you had in the course of last year 91 admissions?—Yes.

5616. Can you say approximately how many of those 91 were cases connected with drunkenness?—Well, a good deal is caused by drunkenness that we know only the result of. There were 61 for theft, two for illegal pledging, two for assault, two for manslaughter, six for attempted suicide, 16 for miscellaneous offences, one for forgery, and one for breaking windows; but then you see drunkenness is so much at the bottom of many of these things.

5617. How do you connect drunkenness with theft?—That they steal to pawn for drink. Illegal pledging is from drink also.

5618. Would you say that out of those 91 prisoners there were a certain number who were not drunkards?—Yes.

5619. How many of them do you think?—I do not know that I can tell you that.

5620. I meant rather from your conjecture. How many of those do you think were not specially addicted to drink?—Well, from what I have heard, of course I can only give a very rough guess. You see we have 91 cases, and I might say, perhaps, that half of them had nothing to do with drink, but at the same time I feel we cannot by any means always get to the bottom of it. There are some cases where there may have been drink at the bottom of it without our knowing it.

5621. Have you had much to do with young girls?—No. We do not profess to take them under 16.

5622. Can you trace the more serious thefts of which they are convicted to a previous habit of petty pilfering?—I think very often. I think very often they have a habit of petty pilfering, and taking anything that comes in their way until at last they get caught.

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5623. Have you noticed, in cases that have come before you, whether they were vigorous healthy women?—No.

5624. Were they broken down and rather depressed and exciteable women?—I should say as a rule they are not what I call strong healthy women. They vary very much. A good many of them are strong healthy women when they are out in service afterwards.

5625. Would you say a considerable proportion of them are?—You see they come to us impoverished by the prison diet.

5626. I will come to that afterwards; but taking their constitution, as far as you can form a judgment of it, would you say that a considerable proportion of them were rather undersized?—Yes.

5627. And with rather poor constitutions?—Yes, I should say they were.

5628. You anticipated a question I was going to ask you when you said that they came to you impoverished by prison diet?—Yes.

5629. That is the diet on which prisoners are placed during the first period of their imprisonment?—Yes, the short sentences. We have a very liberal diet in our home.

5630. Have you seen reason to think that the separate confinement to which they have been subjected in prison has had a depressing effect upon them?—No, I do not think so, because I think they all manage to communicate enough to keep their spirits up.

5631. You spoke of the difference between the remand cases which have not been in prison, and you contrasted them with the cases that have been in prison. You said that the remand cases were more rebellious and more troublesome to deal with?—Yes.

5632. Am I to take it that the prison life has had physically a sobering effect upon them?—Yes.

5633. That may be connected partly with the low diet?—Yes, and I think the discipline to which they are obliged to submit in prison has been very good for them. You see many of these young women are naturally without any sort of discipline of mind or self control. They are undisciplined altogether.

5634. But the principal discipline to which they have been subjected during the period of their sentences is the dietetic system?—Yes, and the separate and silent system; because they must be strictly obedient to the prison rules and so forth.

5635. You were beginning to speak about the diet that you give them in your home. Can you at all compare that with the scales of prison diet with which you probably are familiar?—Well, our women have meat—I am almost sure I am right in saying that every day they have a good dinner; and they have tea and coffee for breakfast, and that sort of thing. Instead of having the gruel stuff they have in prison they have bread and butter, and all that sort of thing—what I call good ordinary diet.

5636. Such as a general servant would have in after life?—Yes, exactly.

5637. You spoke of a garden. Have you much ground round your home?—Our home has been originally a good gentleman's house in Hackney, which had a good garden at the back, of certainly an acre and a half. We have sold part of that, which is now, of course, built over, but we have retained a piece which I should say is three times the size of this room.

5638. A space of three times the size of this room, then, would be the space in which they would take exercise?—Yes, but we use it also as a drying ground.

5639. If you occupy a space such as you have described as a drying ground, there would not be very much room for exercise, would there?—Well, probably they would not take their exercise at the time the things are out drying.

5640. What is your rule as to exercise?—I do not know that I can say for certain, but I think it is for an hour after their dinners that they go out. There is plenty of room. The amount of washing is not sufficient to prevent the women walking about perfectly amongst it.

5641. And at the end of the six months, you would say, you send them out in a better physical state than they come in?—Unquestionably, but I think a great number of this class of women are not very bright mentally.

5642. Many of them are rather below the average standard of intellect?—Yes.

5643. (*Miss Orme.*) What is the largest size that you think a home of this sort ought to be, in order that the matron may know the women she has under her?—Well, I feel that our matron has quite enough to do. We have a matron superintendent over all; we have a laundry superintendent; we have a work-room superintendent; and we have a younger woman who is downstairs in the kitchen, and so forth; and I think they have got as much as they can do. Then of course they have to receive the ladies, I mean the ladies who come for the women, and they have to take them to their situations, and to see them off by train if they are going home, or whatever it may be; so that they have outside work as well.

5644. Of course great moral influence is exercised by the matron over the prisoners?—Yes.

5645. How many women do you think can be beneficially put under one matron, so that that moral influence may be sufficiently strong?—I am sure I do not know.

5646. Should you care to have your home, for instance, larger, under one matron?—No, certainly not. I think our attendants have quite enough to do, and I think our matron exercises a most excellent individual influence over them, and has a marvellous knowledge of the women, and I can suppose from custom she is able to take a very correct view of them.

5647. You think about 30 is as many as one woman can really influence in that way?—Yes.

5648. When you get places in domestic service for these young women, do you think that it prevents your chance of doing so, if they have served a term of imprisonment?—No, I do not think so.

5649. You do not think it affects those employers you have told us of; those ladies who keep one servant?—They do not mind.

5650. They do not mind whether they have been in prison or not?—No, they come to us because our girls have been in prison. It makes no difference to them whether they are remand cases or whether they have been in prison.

5651. You do not think there is any particular disadvantage to a woman in after life in having served a short term of imprisonment?—Of course the ladies who take them know all we know about them, but our agreement with them is that if they do well with them, it goes no further, and that when they have lived there for a year or 18 months, and regained their character, the next lady who has them is not told that they have been in prison. The thing is over then. You cannot have it stick to them all their lives.

5652. You think, in the first instance, when you find them the place, it is no disadvantage to the women to have been actually technically in prison?—So many ladies say that the girls they get from the common registry office are worse than our girls.

5653. You do not think there is any popular prejudice against taking that class of women into service?—Not among that class of people.

5654. (*Sir Algernon West.*) You talk of the shame which comes upon these women the first time they are sentenced to a gaol?—Yes.

5655. Do you think that shame rapidly works off, and that with a second or third conviction the shame ceases altogether perhaps?—Yes, I think it does wear off.

5656. Then do you think that preliminary shame is the only deterrent to imprisonment?—Yes, and I think they really dislike the punishment.

5657. Then do you think there is any reformatory element in the prisons?—Well, of course there is the teaching of the chaplain, and of some of the warders. Some of the warders have a most excellent influence over the women. There is one whom I especially know in my work, who I consider takes the greatest pains with the women.

5658. In what prison is that?—In Holloway. She is really the attendant of the chaplain. She always attends him when he sees the prisoners. He never sees them alone.

5659. You said that you attended your refuge once a week at a committee meeting. May I ask you how that committee is framed. Is it all philanthropic ladies?—Yes.

5660. Would it be a fair question to ask whether it works satisfactorily and well?—I think it does, quite.

5661. You do not find these ladies are perhaps a little too sentimental?—I do not know about gentlemen, but it is always the case with ladies' committees that there are one or two, or perhaps three, who rather take the lead in it, and practically do the work. The others help as far as they can, and especially in our individual committee; we have one lady who looks through the laundry books, and another who looks through the needlework accounts and sees about the buying of the materials and so forth.

5662. And you think really that it is a good practical working committee?—I think it is.

5663. (*Mr. De Rutzen.*) Would you allow me to ask you another question. What number of your inmates take their discharge after a short stay, and perhaps against the wish of the matron?—Very few; for instance, last year only one left of her own accord. That is all. One left to seek work. That was practically leaving of her own accord; she thought she could get work outside.

5664. That included the remand cases?—Yes.

5665. And they all stayed?—Yes.

5666. Of their own accord?—Yes, but of course these remand cases whom we get situations for, that is the bulk of them, either run away, or steal something, or get tipsy, or come to no good.

5667. Then they did not stay?—Yes, they stayed with us for their six months, but after that we give them up, and when they go out and get at liberty they do these things.

5668. Do you know, as a matter of fact, that a great many at these different homes do not stay, but they simply accept an offer of being taken to a home to elude punishment?—Yes, I do not know about other homes. I have no knowledge at all of that.

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5669. I dare say you have heard that that is one of the drawbacks you have to contend with; that you have no power to keep them against their will for a day or an hour?—That is what one feels.

5670. Do you think that there ought to be some compulsion to make a person who has voluntarily accepted a home, and undertaken to stay for six months, do so? Do you think that there should be some compulsion as to that?—I do.

5671. The same as in an inebriate home?—I certainly do.

5672. That if a person binds herself to do a certain thing and does not do it, she is to meet with some punishment?—Yes, I think it ought to be said to them, "Instead of sending you to prison I send "you to a home for six months."

5673. And that there should be some means of enforcing their staying there for that time, and if they do not do it something should be done like bringing them back to the court where they have been sent from?—Yes, certainly.

5674. (*Dr. Bridges.*) I would ask you if you have any medical supervision of your home?—Yes. In the first place we have a certificate for those who have been in prison at Holloway, from the doctor, that they are in good health, that is to say, that they are free from disease; but we have our own doctor who attends voluntarily, though, of course, we give him a small present. He comes and sees every new case that comes in, and he visits the home once a week, and sees that they are all right; that is to say, if there is anything wrong with them the matron tells him.

5675. Has he his attention specially directed to what you were mentioning as to the rather feeble character of the mind of any of them?—Yes. He has often remarked it himself, and we occasionally have sent them to the London Hospital as out-patients, if they have had anything that we felt required it.

The witness withdrew.

Miss Reynolds.

MISS REYNOLDS, co-Secretary with Miss Fry, of the "Elizabeth Fry Refuge," called and examined.

5676. (*Sir Algernon West.*) Miss Reynolds, you have heard what Miss Fry has told us?—Yes.

5677. Is there anything special which you wish to say, further than Miss Fry has told us?—Miss Fry has practically endorsed my views in all respects. My work is to see the women when they are out; her's when they are in prison. I see them when they are placed out. I entirely endorse all she says about the remand cases. They do so very badly in service.

The witness withdrew.

Mrs. Meredith.

MRS. MEREDITH* called and examined.

5678. (*Sir Algernon West.*) We understand that you have devoted the greater part of your life to the study of this question of prisoners who have been discharged after their sentences?—Yes, and to a knowledge of the prisoners generally.

5679. Will you tell me how long you have been engaged in that good work?—For more than 25 years. Since Colonel Henderson came home from Australia. That is the time I began to know something about it.

5680. Will you tell the Committee what prisons you undertake mainly?—Only the convict prisons. When the convicts failed us, we have had something to do with other prisons.

5681. Now there are no convicts within reach of London. They are at Woking, for instance?—We do not mind that. We applied to have Woking visited latterly, because we cannot get at the convicts.

5682. When you fail to get convicts you send for the other prisoners?—We set up a mission at the prison gate, and we send a lady to the gate.

5683. Will you give the Committee your experience in the work you have undertaken?—I do not know exactly what to tell you. You see the convicts are a class in themselves.

5684. But you do not confine your labours to the convicts now?—We only employ prisoners now. We find the rest get into employment, and we do not bother with them.

5685. Are you in communication with the Prison Commissioners?—Yes.

* For an account of the various institutions created and superintended by Mrs. Meredith, *see* Appendix V.

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5686. And you hear of cases that go to Portland or Woking? Do you go to Portland or Woking?—No; we have nothing to do with men; we are a Discharged Prisoners Aid Society for the female prisoners.

5687. It is really limited to that?—Yes. The other thing we do is out in the street. I may tell you about that, I think, because that you can interfere with. When we found the convicts diminished in numbers and that there was great competition for them, and also when we learned from the women that they were repeatedly getting short sentences for drinking and getting put by for a couple of days, when they came out of Millbank we set up a mission at Millbank Prison gate, and there one of our sisters, dressed in the garb of the sisterhood, met the women coming out. There were some of their acquaintances generally there. They were not convicts, but only short sentence women, and they were asked if they wanted employment, and were told that we could give them employment for as many days as they chose to take it.

5688. What is your experience as to the number that take the employment under your mission?—We require 80 women a day, if not 100. We can give work to 200 a day; but we cannot get the women.

5689. And what do you get now from Woking? It is a very limited number from Woking, is it not?—We do not get them from Woking. They go to the Prisoners Aid Society. They will not all go to a Prisoners Aid Society, because they have to work. We will not compel them to work, but if they stay with us they must work.

5690. What is the result of your work? Is it at all self-supporting?—It is very encouraging all along.

5691. What is the work: sewing, or what?—Not at all. It goes on much better than formerly because it is greatly increased in importance. We set up a laundry for them. We cannot get enough labour to supply the labour of the laundry, and we are obliged to employ a few paid hands besides; but our takings will give you some idea of our business. Our takings average from 100*l.* to 150*l.* a week. The business is enormous and too fatiguing for us ladies, so we got the services of a good man who took the financial department off my shoulders. That is Lord Rookwood. He took it off my hands. The fault is that we cannot get hold of the prisoners in sufficient numbers for our work.

5692. Is your laundry self supporting?—Yes, quite. It is not profitable because the labour is so unprofitable.

5693. But you do not require any aid either from the public or from charitable contributions?—It was established at a very heavy expense—some 6,000*l.* or 8,000*l.*, which we did not get from the public, but which we want to get from the public. We want to clear it off. We want to get our money back. It is a fine large business and we want to get it taken up properly.

5694. How many women are now employed in your laundry?—There were 78, I think, to-day.

5695. And have they all passed through periods of a convict sentence?—Well, I hope so. I will not be sure of that, because when we have not enough prisoners we have to get others.

5696. Do you find any objection on the part of what I may call free labourers to work with women who have been convicts?—Not a bit. In fact we prefer the convicts, if we have the choice.

5697. They have all worked in the convict prison at laundry work?—Yes.

5698. Do they live in your institution?—No; that is a principle which I have always opposed. We can give them no shelter whatever, but we appoint them to certain lodging houses with families that we get to take them in, and we guarantee to pay the price of their lodging. We make it worth while with families to take them in, and so we quarter them all round our neighbourhood, and that neighbourhood is not remarkable for drunken cases in the morning.

5699. Are your convict women perfectly free and at liberty to go when they have done their work?—Certainly. I am sorry to say I wish I had some control over them.

5700. By that I gather you would like, at the expiration of their convict period, that they should be bound over to you, so to speak, for a year?—I do not know about that, but I should like to have police supervision to keep them from going wrong when they leave she laundry. They have no one to watch them. The best safeguard is that we keep them at work till they are tired, then they go out and go home to bed. They go home to bed and they come in the morning, and if they are not there before 8 in the morning at prayer time we do not give them any work at all, but we turn them out.

5701. What are your hours?—From 8 in the morning until 7 o'clock in the evening.

5702. With an interval for meals?—Yes, we supply the meals, we do not let them out of doors, and we do not let them have drink of any description.

5703. How do you supply these meals—from what fund?—We have a fund we collect money for which is called the Prison Mission Fund. People give to it with a desire for their conversion. We get more subscriptions for that than we should for a business like a laundry. It would be absurd to ask for subscriptions to that.

5704. Their hours are from 8 in the morning until 7 o'clock at night and after that they are perfectly free?—Yes.

5705. Do you find a large proportion of those that you employ leave you?—We find them all attend to our orders. When they have gone we know nothing of what they do. We have had some for 10 or 12 years or longer who have had no breakdown and no imprisonment in between, but as long as we find the work and make the women feel comfortable so long there is no more going to prison.

5706. Do you find many of these women give way to drink?—We do not wish to part with them. We wish to keep them and they rather wish to stay.

5707. Could you give the committee the figures of those you employ?—We have statistics that we publish annually, but these are only convicts. There were only 28 convicts in the last six years, and that with the tremendous number of convicts there are; at this date, to-day, though there is that number of prison women in the laundry out of the 78 there are only 12 convicts.

5708. Therefore the great proportion of your working *women* are prisoners that have been in prison?—They have been generally in Holloway; formerly Millbank.

5709. Do you find any difference now in the conduct of the convicts from that of the prisoners?—Oh, yes, convicts are well trained to obedience and order, and you have got something to work upon; but as to the others, no. As to the others, if they take two or three days' work, it is as much as they will, and then the fluctuation of that prison mass is a great nuisance.

5710. And the convicts have been disciplined, you think, by their convict imprisonment, to good order and discipline?—Yes.

5711. And in many cases it has broken them from drink?—Yes, in a great many cases, but in many cases the lengthened imprisonment will not cut off the drink.

5712. Would you be in favour of establishing inebriate homes to which habitual drunkards should be sentenced?—Yes, if you can keep them long enough.

5713. What would be your suggestion as to that?—Five years, nothing shorter.

5714. You think it would take five years to wean an habitual drunkard to be a sober woman?—I do not know that it will do it, because I have seen them after they have been 15 years in a convict prison, and a woman will come out and the next day will get

drunk. In a convict prison they do not receive any medical treatment to stop the career of the drink thirst. In none of our prisons is that done, but if anything they have the thirst more strongly from the aggravation of the prison diet. I make that remark because in France the diet is so much more pleasant and at the same time so much more useful. It is the same in the German prisons, but in our prisons nothing of that kind is thought about.

5715. They do not take into consideration, you think, either in diet or treatment, the effect of a woman being addicted to drink?—No, and in our prisons they get such a monotony of diet. Now, if we get them the moment they come out, they might have a fried herring, or something of that sort, and we give them meat or fish; we do not force a lot of soup down them. The consequence is that they are never made irritable over their food, which is always happening in the convict prisons.

5716. (*Miss Orme.*) Do you find that their living in these lodgings rather than in a home has a good effect upon them?—Very good. I would not put two women to live in a house together under any circumstances. One woman spoils another directly. That is my experience.

5717. Who actually pays for their lodgings?—They actually pay it themselves, because we stop it off their money.

5718. Do you actually pay the money, or do they pay the money?—We pay the money. We could not trust them with 4*d.*

5719. About what wages do they earn?—Their board and 1*s.*

5720. 1*s.* a week?—No, 1*s.* a day.

5721. Besides their food and lodging?—Yes, and they get it paid every night. We close our accounts with our convict women every night. We do not exactly manage in the way that Scotland Yard does. We could not do with having a row over it constantly.

5722. If you pay them 1*s.* a day besides their food and lodging, you are paying them above the market price?—No, we take out the 4*d.* for lodging.

5723. The 1*s.* a day then is the wages and besides that you give them board?—Yes.

5724. And nothing else?—Nothing else. We stop 4*d.* for lodging.

5725. What do they buy their clothes out of?—That is a certain sort of charity. We sell very cheap clothes to them.

5726. What do you suppose they spend the 8*d.* on?—I am afraid it is on beer. That is not allowed by us, but I would not take anybody's liberty from them after they have served a long imprisonment.

5727. But do they not put by any of the 8*d.* to buy their dress with?—I am afraid they get their dress where they can. I do not undertake to know what they do when they leave us. They come at 8 o'clock in the morning perfectly sober, or they are not allowed to come in, and we understand that they come to do a day's work, and they do a day's work. If they never appeared again there is nothing for us to complain of.

5728. You have no clothing club?—Yes, we have.

5729. Do they pay anything towards that?—Yes. It is not exactly a clothing club; it is a penny bank and they put in their money once a week, that is, those who will.

5730. Can you give us any idea whether any of them do save any appreciable sum?—Yes, and they have it out to buy clothes. We sell clothes, and they may buy from us if they like. We have a shop where new and second-hand garments can be bought cheap. One thing we encourage very much is their having a little furniture.

5731. Instead of furnished lodgings?—Yes; but we do not do that until we know them a little; but when we have had them a couple of years and have a little hope for them, if they want to have an unfurnished lodging we help them to a little furniture.

5732. You have told us of the bad effect of the prison diet on women accustomed to drinking. You think the exercise they get in prison is enough for them. For instance, is that walking in the yard sufficient for them?—I would not send them walking in a yard. I have never passed through a convict prison without objecting to the walk as a danger to the prisoners. I think they want more continuous labour of a mechanical kind. They want the open air somehow if they can get it.

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5733. Should you approve of their having extension exercise, or anything of that sort, in the ground within the prison?—Well, I do not know. I do not know what effect it would produce on their minds or their thoughts, or whether it is free from danger.

5734. You have had great experience of the children of prisoners?—Yes, I have 200 of them at present in the Princess Mary Village Homes.

5735. Do you find the parents' instincts are very much inherited by the children?—They inherit the powers of their mother. We want to divert those powers to good instead of evil. Like all criminals, the children are very clever. They do not take education; they will not be educated if they can help it. It is very hard to make them learn anything literary.

5736. What age do they come to you?—We like to take them at birth, but we get them as soon as we can.

5737. (*Sir Algernon West.*) Are you paid for them?—No, the Government gives no pay for the children until they are six years old. According to the Industrial Schools Act, we get no money for a child until it is seven years old, although the magistrates may commit a child to us at any age. We have several at five or six months old, and they remain with us until they are 16. They do very well. The number of our failures is about 4 per cent.

5738. (*Miss Orme.*) What are the principal things you bring them up to?—Domestic service, and anything else they are fit for. One of them is now a certified school mistress.

5739. (*Sir Algernon West.*) May I ask you this question on the same subject? When these children are growing up, do you allow them to see their parents, or their relations?—Once in three months on a proper recommendation.

5740. But if you knew the parents were thieves and bad characters you would not allow it?—Certainly not.

5741. You conceive that you have absolute power to keep them apart?—Yes.

5742. From all your great experience, do you think there is anything of a reformatory element in a convict prison?—I do not know. I do not know what hours they have, for instance they allow for teaching any kind of good morals.

5743. I gather you think distinctly that greater attention should be paid in convict prisons to the food and medical treatment of those who have been habitual drunkards?—Yes.

5744. You said you would give us some figures to show the number of those women you employ in the laundry that stay with you and those that go?—As to the number that stay, well, when we have, say, 80 women employed, that means that we find 80 women in lodging and food, and payment; and it is our experience that they conduct themselves pretty well. If they want to do badly again they go away, and then we transfer to the police our report of them. We give the police a report to say they are not with us, but that they are gone, so that we have nothing more to do with them.

5745. Do you ever take these women back?—Yes, as many times as they have been in prison; but they must have been in prison again before applying.

5746. A woman must have been in prison again after she has stayed away. If a woman has stayed away for a week you would not take her again unless she was imprisoned again?—Not unless she had been sick, or something of that kind. We make exceptions.

5747. The result of your work is perfectly satisfactory?—Yes, I would not alter it in any particular.

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5748. You think it would be a very bad thing for the convicts to live in a home?—I think it would be a very bad thing for the whole country if these women were not allowed to be perfectly free on liberation. They should have employment provided for them to earn their living. I would make attendance on it profitable, and not compel residence.

5749. You would give them partial freedom?—Yes.

5750. Would you limit that to any period?—Yes. According to the nature of the case.

5751. I understand you think that a convict on leaving the prison should have a kind of licence, but should be looked after, and be under control for some months?—Yes, and I would have no money given them on coming out of prison; not a penny of gratuity. I would stop all that.

5752. You have had large experience in these matters. Could you give the Committee any further general ideas that you have. We have got a very large reference as to the administration of local prisons and convict prisons, and we should be glad of any of your suggestions derived from your practical experience?—I am not able to speak from knowledge of the interior of prisons, because the Prison Commissioners do not permit one's knowing anything about them. I complain of the Prison Commissioners that they do not like ladies to go into a prison to find how they could be really useful. When I got my permission to visit the prisons it was from Sir George Grey, and nothing could exceed the freedom of that permission. When it ceased to be so free I ceased to go. When I was told I was to have the matron with me when I was speaking to a woman, and that I must not gather the women together, I said, "Then I will not go any more." When I went to the prisons formerly it was understood that I might have the command for the time for from 20 minutes to half an hour of the whole area where the women were in the large wings of Brixton Prison, say, with 500 or 600 women in them, and that I might address them as they sat in their galleries, and after I had done the women were allowed to make a remark to the matron, who referred them to me if they wished to have any further communication with me, but I did not walk round the cells. Then if any woman wished to speak about her state, herself, or her children, and to tell me what her views were on going out of prison, I saw her the next day in a private cell with no matron there. That was fair play to the women, and fair play to me; but when that ceased I never went again.

5753. Can you tell me how that ceased?—I could not tell you There were changes of officials.

5754. There were orders given you that you were not to do this?—They altered the regulations without communicating with me.

5755. (*Miss Orme.*) At what date was that alteration made?—Well, I go more by the official changes. There was some new heads of departments came on. It was when the Commissioners were first appointed. I had previously nothing to do with anybody but the Home Secretary.

5756. (*Sir Algernon West.*) That was about 1877?—If I wanted to say anything, Sir George Grey said to me, "You must publish nothing about this prison, "but if you have anything to say you must come and "say it to me."

5757. Your idea as to the advantages that would accrue are these, that if you could find ladies who would take upon themselves that very arduous duty, and would do as you did before 1877, it would be advantageous?—Yes, I think so.

5758. You think you could trust a lady to have good sense?—I would not send any lady who had not. The ladies who belong to my association are well trained. I have just proposed to the Commissioners to send two of those ladies, and it has been agreed to send them, but not agreed to give them the old freedom, and the ladies do not like to go. I do not think the ladies like to go through all the corridors to see the women. It will do more good to speak in general terms to a group than to discuss personal affairs with individuals. It is not good for a woman to have half an hour's private interview in her cell with a lady visitor.

5759. Do you work your institution by a committee of ladies?—No, but by an association of ladies who are deaconesses.

5760. It is all, I believe, Church of England?—Yes, our association is Church of England.

5761. But a good many of your convicts are Roman Catholics I suppose?—Yes, nearly all of them. But we have no business to deal with the question of their religion. Our aid is given without distinction of creed.

5762. You were good enough to give us your opinion that women should be allowed to be in a state of semi-independence when they come away from a convict establishment for a time, or from a prison?—Yes.

5763. Should that period, whatever it is, be added to their sentence?—No.

5764. Or taken off their sentence?—Taken off, but I would not shorten their sentences. They are short enough now; I would not give them any remission such as they get now.

5765. Do I understand as to a convict who has a sentence of five years, that you would allow her on good conduct to shorten it beyond what it is now, and that you would take a year off to put her in a state of semi-independence?—No, that was tried and it was a failure.

5766. Then, in fact, you would add a year's semi-independence to a five years' sentence?—Yes, but I would detain her in some neighbourhood: To tie a woman to a neighbourhood, you must assure her that she can get her living there. It would be of no use attempting an impracticable thing, but I think it is practicable; the consignment principle might be adopted. It has not been an utter failure in the Colonies.

5767. May I ask you a general question. Have you any experience of the working of other prisoners aid societies?—Not a bit. There are some who have homes into which they take the women, and associate them together, and attempt to form a family of them. I only know that I do not approve of that system. The women do not benefit each other. It failed morally; pecuniarily it was profitable. My experience is that officials endeavour to retain their situations at any cost. Their evidence as to morals is not always reliable. I prefer deaconesses, who have no personal interests to serve; women trained to work out certain principles.

5769. What institutions are you connected with besides the laundry and the children?—Such as deal with women and children abroad, as well as at home.

5770. (*Miss Orme.*) You were telling us of the way in which you used to address the women prisoners when you could gather them together. Would it meet your views if it were arranged that a lady of experience like yourself could address them in chapel or in one of their large rooms in some prisons?—That would be very good indeed. There are unnatural burdens thrown on the chaplains. I have the greatest pity and regard for prison chaplains; they must be tired of seeing the same faces before them every morning and of reading the same prayers.

5771. (*Sir Algernon West.*) Do not you rather pity the prisoners too who are always seeing the same chaplain?—I do indeed. I think a little variety would be better for both.

5772. (*Miss Orme.*) Then would you approve of ladies from time to time addressing the prisoners?—Yes.

5773. Would you also approve of female scripture readers being appointed?—They are now.

5774. Not in all the prisons?—No, but in the convict prisons.

5775. You think that is an important matter?—Yes; the reader would require special instruction.

5776. In what way?—In order to enable her to convey suitable lessons to the prisoners.

5777. So that you think giving them addresses in the chapels would be preferable to doing it in the cells?—Yes; for example, I offered a temperance lecture by Lady Elizabeth Biddulph, and was refused. Other subjects, similarly moral, could be provided. Ladies of ability, in this way, could do great good. Such a woman as Lady Biddulph would be useful on the Prison Commission, to regulate such matters as visiting, reading, &c., by volunteers in prisons.

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5778. She is an excellent lecturer?—Yes.

The witness withdrew.

The proceedings were adjourned for a short time.

Miss JANE TAYLOR GEE called and examined.

Miss J. T. Gee.

5779. (*Sir Algernon West.*) You are the matron of the Liverpool Prison?—Yes.

5780. Will you tell the Committee how long you have been there?—I joined the service in December 1867.

5781. Also, will you tell us what your experience was before that time?—I was matron at Manchester from the 1st of July 1877.

5782. Did you start as matron, or had you been a warder?—I started as a warder.

5783. When did you first start as a warder?—I was a warder until 1871, school mistress from 1871 until 1874, chief warder from 1874 till 1877.

5784. From when?—From 1867.

5785. Where were you warder—at Manchester?—At Manchester City Gaol.

5786. Then your experience has all been with northern prisons?—Yes.

5787. You have some convicts at Liverpool also, I think?—Yes.

5788. Apart from convicts, how many prisoners have you?—351.

5789. And how many convicts?—None at present.

5790. I think, when I was there, you had a few?—Yes, I had.

5791. Do you think it is a good system to send convicts to a prison on their way to a convict establishment?—I think so.

5792. You do not think it does any harm?—I do not know that it does any harm.

5793. I think you attribute a large proportion of your prisoners to drink?—Yes, I attribute the greatest proportion of them to drink; in fact, in almost every case it is drink. Even if they are in for felony, it has been drink that has been the beginning of it.

5794. Do you at all know what happens to the prisoners when they leave the gaol?—I do not.

5795. Or whether they revert to crime?—Well, many of them do, because they are met at the prison gates outside by their own friends, and taken to drink. There are a great number of them who go out on Saturday morning, and they return again on Monday or Tuesday. Of course they have been met, and they have got drunk; and they are not able to stand it.

5796. Could you tell the Committee at all, out of that 351 prisoners that you have, how many of them have been old offenders?—We have very few first offenders at Liverpool, very few indeed.

5797. The large proportion of them are habitual criminals?—Yes, they are; they are a very low class indeed at Liverpool—much lower than at Manchester.

5798. You, I think, have very short sentences at Liverpool, as a rule?—Yes, very short sentences indeed.

5799. Sometimes for a day?—Yes, for a day, and three days; there are a number for three days, and some for five, six, or seven days, for 14 days, and a month.

5800. Those are the Recorder's sentences?—Yes, some of them are. He often sentences them to one day.

5801. You say they are constantly in the habit of coming back?—Yes.

5802. Do any of them like coming back?—Yes, they like coming back; they say they come home again. Many of them, have no other home.

5803. Will you tell us a little about the labour you have for your prisoners?—Well, we have washing for the prisoners only, and the officers; we do not do any outside washing now, because it is so far away, and there are a great many laundries about. We do a great deal of very good knitting.

5804. That is all for prisoners?—Yes.

5805. You do not work in Liverpool gaol, except for prisoners?—Well, we pick beans now; that is a new thing. They like it very much, too.

5806. That is for women who are not strong enough for the other work?—Yes, the oakum pickers I put on the beans.

5807. You are disusing oakum as much as possible?—Yes.

5808. You think oakum is bad mentally?—Yes, I do not care for oakum at all.

5809. There is no harm in it?—No.

5810. It is not cruel to the women?—No, not at all.

5811. But, mentally, you think it is a very bad occupation?—Yes, they do not feel they are doing any good, I think.

5812. In the face of so many prisoners coming back again at Liverpool, I should like to ask you what experience you have of the prisoners' aid societies? I believe there is a South West Lancashire and Wirrall Discharged Prisoners' Aid Society. Do they do much good?—Well, the magistrates come up every month, and any prisoner who wishes to see them can do so. There is a notice in the cells informing them that they can see a member of the visiting committee if they wish.

5813. You have a very good visiting committee?—Yes, very good indeed.

5814. At Liverpool your committee visit frequently, and take a great interest in the work?—They do.

5815. And they are in communication with the Discharged Prisoners' Aid Society?—Yes, the chaplain is the secretary of it.

5816. Do you find the chaplain's work lapses into the very monotonous work of going round to the prisoners as a matter of course, or is he able to distinguish individual prisoners?—Yes, he is very quick at distinguishing them.

5817. And helping them?—Yes, he takes great interest in the first offenders, especially the young.

5818. Will you tell us how much you are able to separate the young from the old?—I generally keep the younger ones in one ward.

5819. What are the youngest you have?—The youngest we have at the present time is 17. We have only about two of 17 now. We had a reformatory girl in, but she has been sent off to Bristol. She was 14. We have none of that age at present.

5820. Under what age is it you report at once to the Secretary of State?—Under 14.

5821. Do you have any skilled instructors in your laundries?—No.

5822. Who superintends it—one of the warders?—Yes.

5823. And I suppose she is accomplished in that?—Yes, she is.

5824. Are you quite satisfied with your warders?—Yes, quite satisfied.

5825. Are they satisfied?—I think they are.

5826. Do they complain of overwork?—No.

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5827. What are their hours?—From 6 in the morning until 6 in the evening, except twice each week, when they are on until 10.

5828. And do they have any remission of the other work in consequence?—Yes, when they are on 10 o'clock duty they have two hours relief in the afternoon.

5829. And out of that time they have their meals, I suppose?—Yes, half-an-hour and 10 minutes for breakfast, an hour and 10 minutes for dinner, and the same for tea.

5830. When you receive prisoners how late at night is it?—Sometimes we receive as late as eight o'clock, but not very many.

5831. Would the warder whose turn it is to be on duty from 6 to 10 superintend that?—No; if the prisoners have not come in the two reception warders are told off to wait until the last van comes. Of course if the last van is received, and odd stragglers come in from the country, the warders on duty do it.

5832. But if the van has not come in?—Then the reception warders are not to go until they are. They do not take any other night duty on that account.

5833. They are relieved from the night duty?—Yes, and on that account.

5834. Do you think there is any reformatory element in gaols?—I do not quite understand you.

5835. Do you think that the discipline of the gaol really makes women better?—I do not think it does them any harm.

5836. But you will not go further than that?—No.

5837. I will ask you a very broad question. From your great experience, have you any suggestions to make in any way as to an improvement in the way of treatment or discipline of prisoners, diet, or anything else?—I should like to see No. 1 diet abolished. I should like to see them have something warm in the morning. I have thought that for many years.

5838. What is your reason for that?—They come in tipsy the night before; then the next morning they do not feel very grand, and they are given cold water to drink. I think it would have a good effect if they had a pint of gruel. In the old days they had a pint of gruel night and morning, and bread in the daytime. I think that is better than the stirabout.

5839. Are your remarks limited to No. 1 diet?—Yes; I am quite satisfied with the others.

5840. Do you find much waste of No. 1 diet?—Yes; 19 out of 20 women do not eat it.

5841. They cannot eat it?—They do not like the stirabout, and they leave it.

5842. They leave it because they are not in a fit state to eat it?—That is about it.

5843. When the governor is away on his holiday there is no deputy governor?—No.

5844. Then the chief warder takes the command?—Yes.

5845. And I suppose you would prefer his being in command. You would feel that you were behind your man?—Yes, I prefer having a man behind me.

5846. Do you ever have to call in his assistance?—Never.

5847. I think you have very few women under prison punishments?—No, we do not get very many; the prisoners require firmness and kindness.

5848. But your kindness is so great that it appears they all like coming back again?—You must not let kindness mean weakness; I do not mean that.

5849. (*Miss Orme.*) Do you think there is any communication between the prisoners in chapel?—Not if the officers do their duty.

5850. How near do they sit to each other?—About as near as you and I are now.

5851. Not nearer than that?—No.

5852. Then you have plenty of room?—Yes, we accommodate about 200 females in the chapel, and they try to talk if they are not watched; but of course the officers are on the alert, and if there are six of them in the prisoners are not able to talk.

5853. You think, from your experience, it would have a very bad effect if the chapel was so crowded that the women sat close to each other?—Yes, a very bad effect.

5854. You do not approve of that?—No.

5855. Do you separate the first offenders from the others in chapel?—Yes.

5856. And do you think there is any talking going on by tapping on the cell walls?—Yes.

5857. I suppose if anything of importance happened in the prison it would be known to the other prisoners?—I do not know that it would. We had a death last week, and I do not think anyone knew it.

5858. Then you do keep up separation to a certain extent?—Yes.

5859. Should you approve of preachers being allowed to come to the prison, from time to time, to give addresses on Sunday?—Yes, I would, it would have a very good effect; it is the same old monotony, and the same old faces they keep seeing. I know the Bishop of Manchester addressed them a few years back at Manchester Prison, and they were very attentive to him.

5860. You think that had a good effect?—Yes, it was a little change for them.

5861. Would you extend that to allowing a lady if she were carefully chosen, to give an address to the women, say, on temperance?—Yes; it would have a very good effect.

5862. You would like your women to have such an address?—I should, indeed.

5863. Do you think when a young woman is sent to prison for the first time, it has a good effect on her, morally?—Well, it does not do her any harm.

5864. Do you think it has more effect in bringing her back to a good life if she has a short term of imprisonment than none?—I think it would.

5865. Do all your officers take their meals together?—Yes; they have a general mess.

5866. Who cooks it?—A prisoner under the superintendence of an officer.

5867. What sort do you choose for that?—Always a fourth stage prisoner, one that has not been in before, a respectable one. I always mind that. In these positions of trust, I am careful of that.

5868. Can you suggest any improvement on that plan?—I think if officers were to do it alone it would be better. It is rather hard on a prisoner to smell these good things.

5869. Would it lead to a little pilfering, do you think?—It might, if it were not carefully watched, if an officer were not on guard.

5870. You have told us of the hours of your warders. Who are in charge of your galleries during the night?—There is a valve with an electric bell in the guard room. Warders sleep there, and if a prisoner rings a bell they have to go and answer it. They have to go to the chief warder and visit the cell.

5871. The two warders sleeping in that room have been on duty during the day?—Yes.

5872. They do not feel able to rest, I suppose?—No, they feel as though they were on duty. They never know when a bell may ring.

5873. Do you think any of your warders are overworked; do you think the strain is too great for them?—I do not think so. I could do with two more, but I think even with the night work it is not too much at present.

5874. I suppose the strain is very great?—It is very great and very monotonous.

5875. And the mental strain too, if you have disorderly prisoners to manage, as I suppose you have?—Yes, they require checking.

5876. You never call in any male warders to help you?—Never.

5877. Can you give us any instances where you managed a disorderly prisoner yourself?—Yes, only last Monday a prisoner came in. The governor and I were in a cell quite across from where she was, and she began to break her windows. The governor said, "Pop her in handcuffs." I went straight to her, and

I said, "What do you mean by this?" and she said, "Someone has been laughing at me through the windows." I said, "Oh, it is the drink that has been laughing at you; come here." She said, "I will not have those on if you bring all the prison to me." I said to the officers, "Go outside," and then I said to her, "If you will take my advice, you will let me "put them on quietly, or else I shall bring all the "officers," and she said, "All right, matron, put them on."

5878. After a tussle of that sort, I suppose you feel rather tired?—Yes, I am often tired. I did not have any tussle.

5879. I meant a mental tussle?—That is often the case.

5880. Do you do any needlework in the prison?—We make all the women's clothing, all the officers' dresses, the knitting and patching. We have a lot of repairing.

5881. But you do not think knitting is of any use to them after they leave the prison—they could not earn their living at it?—Yes, many of them learn how to finish a stocking off, but that is not very good pay when they get outside.

5882. There is no market for that?—No.

5883. Do you think you could teach them needlework which would pay them better?—Well, needlework is very poorly paid, and we are so crippled with short sentences, that there really is not time to learn them much.

5884. Should you say the chief reason against your doing that which would enable them to learn something in prison, is that they are with you for so short a time?—Yes; we can learn them the laundry work better than anything else, if we have it to do.

5885. When they leave you do they go into public laundries?—Sometimes they do.

5886. Is not that very bad for them if they are liable to take to drink?—Yes it is, and then they return to us.

5887. It is not a good employment for them, is it?—I do not think it is.

5888. What should you say was the best employment for those women who have been in prison several times, if we could do as we liked with them? What is the safest position for them to be in?—I should not like to say.

5889. Domestic service?—No. I would not trust them there. They would fall again.

5890. You cannot tell us what you think would be the best thing for them?—No, truthfully I cannot, although I have thought of it so often. It is all over again.

5891. (*Sir Algernon West.*) Do you think it would be useful in the case of the long sentence prisoners, that there should be some institution where they should have partial freedom, that is, that they should not go back quite to begin the world afresh, after having been under the discipline of the prison?—Yes, that would have a very good effect. You can appreciate that.

5892. And in that case would you let them have some mitigation of their punishment, and then go into this partial freedom?—I would not give them any mitigation; I would let them finish their sentence first.

5893. And then add to that this partial freedom?—Yes.

5894. (*Dr. Bridges.*) Have you a great many hysterical women among your prisoners?—Not many.

5895. They do not often have fits of hysteria?—Very seldom indeed; in fact, I do not remember one for some time now.

5896. Are some of the women under you rather weak-mined and feeble-minded?—Yes very feeble-minded women. They are basket girls who sell fish, and kawk lemons and walk about the streets in that state. They really do not do any work in Liverpool. Laziness is at the bottom of it all.

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5897. I was asking you whether a good many of your prisoners were rather below the common standard of intelligence?—They are.

5898. I do not mean of knowledge, but of intelligence?—They are rather a simple sort of women I may say.

5899. A little silly?—Yes, a little silly; it is the drink.

5900. I see that you wish to tell the Committee that you think drink is at the bottom of almost everything?—I do think so.

5901. But do not you ever have thieves who are very sober people?—Well, we have occasionally, but they have said to me, "Well, I had a drop too much, and then I did it; I should not have done it unless I had that drink."

5902. But to make a regular clever thief it does not do to drink too much?—No, but sometimes it has been the origin of it, and got them into bad company.

5903. How long does it take a woman to become a good laundry woman, to get up fine linen, and to wash a shirt, perhaps?—About a week, not more than that. I mean that they cannot iron a shirt the first thing they do.

5903A. And you think that a week would be long enough for that?—Yes, I think a week would do it.

5904. (*Sir Algernon West.*) Just in continuation of that, do you do any fine work? I mean you have told us that you wash shirts for the prisoners, but when you say it takes a week to make a person learn how to iron a shirt, you do not mean that would be to iron a shirt for people outside?—If we were to teach a prisoner to iron a shirt, she would quite do it in a week.

5905. Really?—Yes; there is not much art in it, if they give any mind to it.

5906. Do you know what are the pecuniary results of your labour at Liverpool? Do you know what you can make? Apart from the washing for the prisoners you do some washing for the outside public, do not you?—No.

5907. That has all come to an end?—Yes, because we had not sufficient customers.

5908. In fact, you have no labour except for the prisoners?—That is all, and mail bag making.

5909. You have said there was a great deal of difference between the prisoners at Manchester and Liverpool. Do you put that down to the length of sentence at Manchester as against that at Liverpool?—Yes, and I think they are more industrious at Manchester, there are more factory hands there; they are not such a loose lot as they are at Liverpool.

5910. Tell me what happens about children. When a woman is going to be confined, she is confined there?—Yes.

5911. It makes no difference to her?—No, she is sent to the hospital.

5912. When the child is born, how long is she allowed to keep it?—For nine months. We have got nice cradles for the children, and if a prisoner is sentenced for longer than nine months, it has to be sent either to her friends or to the workhouse, but it is very seldom that we have to separate them. If it is only a few weeks, of course, we leave it with her.

5913. Have you any lady visitors?—No.

5914. Do you think it would be any assistance to you if you had either a committee of ladies or lady visitors?—No.

5915. You would rather not have them?—I would rather not have them.

5916. You think they would interfere too much?—Yes, I would rather not have them.

5917. You do not think it would be of any assistance to prisoners to have ladies taking an interest in them when they go out?—There has been a lady attached to the police court who takes an interest in them. She comes up for them when they are discharged.

5918. We have had a witness to-day, who talked more of convict prisons, but she said she had given it up, because she was not allowed, as she had been

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previously, to talk quietly and personally to the prisoners, but she was always accompanied by warders and so on, and she thought that useless. If this lady, who is attached to the police court, comes to your prison, is she allowed to visit in the prison at all?—No, she never comes in.

5919. You never have a lady visitor?—No, never.

5920. The inspector goes round every month, I think?—Yes.

5921. Could you tell us whether he places himself in communication with the visiting committee?—I cannot answer that question. I do not know.

5922. Then I have got no further particular question to ask you, but I should like to ask you a general question, founded on all your long experience. I should like to ask you, generally, whether you have any suggestions to make in any way beyond what you have done for the improvement of the treatment and discipline of prisoners under your charge?—I do not know that I have.

5923. You have told us about the diet. You would like to see an improvement there?—Yes, I should like to see that improved.

5924. And the chaplain's services changed?—Yes.

5925. I am afraid you take rather a gloomy view of the result of your prison at Liverpool. You think you are very bad?—They are a low class. I am very sorry to have to say it, but I must say they are an exceptionally low class.

5926. When you say so many of them like being in prison, I suppose that is the habitual criminal. I suppose the great sense of shame attaches to a person when she first comes in?—Yes.

5927. That is the real punishment?—Yes.

5928. That soon wears off?—Yes.

5929. By the second or the third time, perhaps?—Yes; I have no faith in them after they have come a second time. I give them up, then, as they generally come again.

5930. Do you have many who come for the first time and do not come again?—Very few indeed.

5931. And I suppose it goes on increasing after the second and the third time?—We have a woman in now who came in on Monday, and she has been in over 200 times.

5932. Always for trivial offences?—Yes, seven days. When she comes in she says, "Seven days again, matron."

5933. (*Miss Orme.*) Could you give us any instances where prisoners come back to you almost immediately in consequence of some act of their own?—Yes; very often they go out on Saturday and come back on Monday.

5934. That is because they come back drunk; but can you give me any instance where a woman has wished to come back and has proceeded to do some act to secure coming back?—Yes; a very short time ago a man saw a prisoner who had been discharged that morning take her shoe off and deliberately throw it at a window. He said, "What have you done that for?" She said, "To go back to prison again. I have nowhere else to go."

5935. Would your experience lead you to approve of lady visitors coming in with the leave of the authorities, and going about your prison without the warders, and visiting your prisoners?—I do not think she ought to see the prisoners alone.

5936. But you would not at all object to the prisoners being collected together, either in chapel or in the room where they receive instruction for a visitor to give an address to them?—I should approve of that.

5937. Have you anything to suggest as to the way of treating these habitual drunkards. What do you think ought to be done with them?—I think they ought to be put in a place by themselves, something between a prison and a workhouse.

5938. For how long?—For an indefinite period. But you should make them work. I am a great advocate for work. I do not believe in laziness.

5939. Do you think they should be kept there until they are better?—Yes; but I have no faith in a woman that takes drink. I do not think she is ever better.

5940. You say "indefinitely," but you do not mean they are to be put in for life?—No, I would leave them in, perhaps, for two years.

5941. And from your experience of the sort of work they can do, do you think they would maintain themselves?—Yes; I think they would take an interest in it. Washing and knitting is the best work.

5942. And do you think they could really maintain themselves?—Yes, if the washing could be got.

5943. If women of that class were taken out of prisons, would it have an effect on the remaining prisoners?—It might have.

5944. Would your discipline be better and your chance of improving the ordinary prisoners better?—Yes, if the drunkards were taken away from them.

5945. You think it would be a good thing for the prison discipline?—Yes.

5946. (*Sir Algernon West.*) With reference to that woman who has been in over 200 times, do not you think it would have been better if the law allowed her sentences to have been cumulative, so that each time she went in she would have gone in for a longer time?—Yes; it is hopeless when you have a case like that.

The proceedings were adjourned until to-morrow, Friday, November 16, at 12 o'clock.

TWELFTH DAY.

Home Office, Whitehall.

Friday, 16th November 1894.

PRESENT:

THE RIGHT HONOURABLE SIR ALGERNON EDWARD WEST, K.C.B. (CHAIRMAN).

JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., *Secretary*.

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DR. THOMAS CLAYE SHAW called and examined.

5947. (*Sir Algernon West.*) You are, I think, the Principal of the Banstead Lunatic Asylum?—I am.

5948. Will you kindly tell the Committee who you receive. What classes of patients do you receive?—We receive pauper patients chargeable to the County of London, and also occasionally criminal patients from the prisons. We have received patients from Broadmoor whose sentences have expired. We have one man there now. They are all pauper patients chargeable to the county of London.

5949. You divide, therefore, those that are criminal and those that are not, I suppose?—Not in the treatment; not in the wards.

5950. But I mean to say the man who is not a criminal, if he recovers his health, will be let out?—Yes.

5951. And the others you detain as in a prison?—Yes.

5952. (*Dr. Bridges.*) How many years have you been at Banstead?—Eighteen years; since the opening of the building.

5953. Previous to that, I think you were medical superintendent of Leavesden Asylum?—I was.

5954. How long were you there?—I was there seven years.

5955. That is an asylum for imbeciles under the Metropolitan Asylums Board?—Yes. I may say that amongst those imbeciles were a good many people who have been in prison a good many times; just as now at Banstead there are a great many people who are reckoned as pauper patients who have not come to us from the prisons, but who have, I know, been in prison at various times.

5956. In addition to those two appointments that you have had you are, I think, lecturer on lunacy, at St. Bartholomew's Hospital?—Yes.

5957. And you have been so for a long time, I think?—Yes, I have for more than 20 years.

5958. Can you give the Committee any idea of the number of persons at Banstead who have been received from prison?—Yes, 68; 36 men and 32 women.

5959. In the course of what time?—Eighteen years. There are none there at the present moment.

5960. Of those prisoners a large number are, I believe, what they call "remand" cases. I do not know whether you are aware of the system pursued?—No; they are people who have been tried and sentenced, and in a great majority of cases have become insane after detention in the prison. As a rule that is so.

5961. I do not know whether you are aware of the system which is pursued in Holloway Prison. I believe that it is at Holloway Prison from which the larger number of persons come to you, is it not?—Yes, from Holloway and Wormwood Scrubs.

5962. A larger number have come during the last few years from Holloway?—Yes, certainly.

5963. I do not know whether you are aware that of those persons that are sent to Holloway, a large number are sent there as being doubtful cases, to be placed under examination?—Yes, I know that that is the case.

5964. Could you at all distinguish in those 68 prisoners that you have received how many are of that class, that is, persons sent to prison to be kept under observation?—No, I have no means of telling you that.

5965. Have many cases come before you in which you have been made aware, from your inquiries into the history of the case, that they have been considered as sane when sent to prison, and have become insane after imprisonment?—Yes, certainly.

5966. Can you at all give me the figure?—I cannot tell you the number, but I know it is a considerable number who have become insane since their imprisonment.

5967. Being sane on admission?—Yes, being sane on admission into the prison, on committal. By that I do not mean imbecile patients. I do not mean that they have been originally persons of weak mind, but they are persons who have shown distinct forms of insanity after their committal to prison.

5968. Having, as far as you are aware, shown no symptoms previously?—Yes.

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5969. May I ask what is the source of your information with regard to that point; I mean what are your means of finding it out?—I find that out generally from the people themselves by finding out what part of the prison they were in before, and how they were treated before.

5970. Would you mind going a little into detail on that?—For instance, if a patient recovers or improves, or is able to converse afterwards, I ask him what his experience has been in the prison, where he was up to a certain time; and then I conclude (which I think is a very definite conclusion) that his insanity has come on since his admission into the prison. In some cases I certify on admission. It may be he was so on admission into the prison, so that I go by indirect and by direct evidence. The nature of the prisoner's insanity is often a guide as to how long it has lasted.

5971. What kind of evidence would it be that would convince you that a person had been in prison, and had been sane on admission into the prison? What would be the sort of information given by the patient to lead you to think that?—That he had not seen the doctor, that he had been treated in the ordinary way, or that he had been perhaps employing himself, or that he had been allowed out a certain time for exercise, and by his statement of what the condition of things was in the prison when he was admitted, showing that he had a fair idea of what was going on perhaps at the time he was admitted.

5972. In a short statement which you sent to the secretary you speak of a particular girl admitted from Wormwood Scrubs. I will not mention her name; her initials, C. A., are sufficient?—Yes.

5973. She was admitted into prison, and of her you say that you believe she became insane after her reception?—Yes.

5974. Could you furnish the Committee with any details of that particular case? It would clear our ideas if you could give us the details of one particular case distinctly, perhaps?—Well, she was a girl, as near as I can remember, about 17 or 18 years old. She was about the developmental period, which is a very awkward time for both girls and boys or young men. It is the time of puberty, which is a time at which criminal acts, which may mix them up with the police, are very apt to occur. She had been at work, and had fallen out of work, and I have no doubt that she fell into bad health, and I think she stole something. Then she was sent to prison, and was there for a time, and then developed those symptoms which clearly pointed to adolescent insanity, a particular form of insanity which shows itself about that period in girls.

5975. Could you give us any dates of that case?—No, I did not bring the particulars of that case with me beyond what I have stated there. I merely mentioned her case.

5976. Would you have the details?—Yes, I could send you the details.

5977. You take down notes not merely of the symptoms as shown to you, but of the previous history?—Yes, as far as we know it; but I came to the distinct conclusion there that she became insane, and first showed the symptoms of it soon after she came into the prison. I will not say that there was not an incubating stage before, but it is very clear to my mind that she showed the symptoms after she got into prison.

5978. Have any facts come to your knowledge bearing on prison life which would lead you to suppose that the circumstances of her life were unfavourable to her life?—The circumstances of the prisoner?

5979. Yes?—Well, of course, I am very much opposed to keeping people on low diet because they are criminals, or because they show violence, or because they show displays of temper. I am very much opposed to putting them on low diet, or to keeping them necessarily in seclusion, because I look upon these conditions as very often, in the majority

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of instances, resulting from temporary ailments, which is a medical question. I think that if you give them poor diet you increase it. I think that if you lock them up in those rooms for any considerable time, you throw them on themselves; you increase what is called their subject consciousness; you make them creatures of feeling and impulse; you prevent the development of thought and ideas; you stop altogether their object consciousness, that is to say, their relations with the external world, or what is going on around them, such as it is; and thereby you throw them entirely on themselves, making them introspective, impulsive, and incapable of controlling themselves. That is my experience. We very often find with insane people that, if they become noisy, we might put them for a short time in a room by themselves, but we never put them on low diet. We should think it a thing entirely opposed to all medical principles. We should put them, perhaps, if they were violent, for a short time in a single room until they became quieter; that is to say, perhaps, until they have had time to be treated medically, and we take them into the open air to exercise them in company of a couple of attendants, so as thoroughly, if possible, to increase their digestive processes; and we find that very often patients who are rather noisy in the single rooms become quieter in associated dormitories. I had a very striking instance of that the other day. Some patients were sent up to me from the Exeter Asylum, because they had not accommodation for them; they were not criminals; they were said to be very noisy, and they wanted special accommodation at night. We tried them in an associated dormitory, and they have been perfectly quiet since. We find frequently that putting them in a single room tends to foster hallucination, throw them on themselves, and by increasing the subject consciousness to render them mere creatures of impulse.

5980. By "subject consciousness" you mean thinking too much about their own feelings, and thinking too little of what goes on outside them?—Yes; they have no opportunity of thinking of what goes on outside, and therefore their feeling, not being transposed into thought, acts as an excitant or depressent, as the case may be.

5981. I do not know whether you know that strict injunctions are given in all prisons that persons who are suspected of being of unsound mind are kept under observation in associated rooms?—I did not know that they were; I think they ought to be, of course.

5982. That regulation would be entirely in accordance with what you think to be right?—Yes, certainly.

5983. And you are aware perhaps that the medical officer of the prison has the fullest liberty, and indeed it is enjoined upon him to see that their diet is suitable for their case?—That is when they have shown symptoms.

5984. When they are under observation, I meant to say?—Yes, I know that he has unlimited power of ordering what diet he likes.

5985. That being the case, and supposing the medical officer avails himself of that freedom, would you consider, from what you have heard of the subject from your patients, that there was still anything in the prison life that was prejudicial?—Yes. I do not think you get any advantage at all by putting people on low diet.

5986. We assume that, for persons with regard to whom there is such a suspicion of insanity as justifies their being placed in an associated room under observation, the low diet ought not to prevail?—No.

5987. Then, my question was, whether any other circumstance had come to your knowledge with respect to prison life which had led you to think that it tended to promote insanity among persons who had not exhibited any symptoms before?—Yes; I question very much whether they get sufficient open-air exercise.

5988. That would be one element?—Yes, I think open-air exercise is extremely important.

5989. I rather gather you mean that there may be cases in which no sign of insanity has shown itself justifying the person being put into an associated cell?—Yes.

5990. And in which the current discipline, involving confinement, might have been prejudicial?—Yes, I do think so.

5991. And such a case as that which you have mentioned of C. A. is, in your opinion, a case in point?—Absolutely. I think that the ordinary prison discipline applied to a case of that sort would have a most detrimental effect on the girl.

5992. You are of opinion, I think, that prisoners, as a rule, are apt to commit insane acts. In your statement to the Secretary I think you say criminals being, as a rule, either insane persons, imbecile of neurotic taint, or people who have degenerated and become demoralized by toxic agents, such as opium, drink, &c., are more apt to commit insane acts, such as suicide or homicide?—Yes, I do; I do not believe in such a thing as moral insanity without a brain impairment; I do not believe in moral insanity without an actual imperfection of the brain, or a degeneration of it. I do not think you can have such a thing as moral insanity, that is absolute wickedness, if you have a bad person, without some neurotic taint or some nerve affection which renders him incapable of appreciating the condition of things in which he lives with society at the time.

5993. Assuming that is a sound view, are you prepared to go so far as to say that criminals, as a rule, exhibit that neurotic taint?—Yes, I do; I think that if you examine them by psycho-physical processes you may almost universally detect it. Such, for instance, I mean, as examining into the shape of the palate and experiments with regard to reaction time.

5994. Will you explain to the Committee what you mean?—Well, of recent years a series of experiments has come into vogue called psycho-physical experiments, by which you are enabled to test the rapidity with which a person can answer to a stimulus presented to him. It is found in proportion as persons have degenerated or are imbecile, or have had good brains at some time which have degenerated from toxic agents, that they are incapable of responding to these stimuli as shown by a reaction time apparatus, and if you trace the history of those people you will find there is something in their family which is certainly one of the causes of insanity. For instance, you will find there is drunkenness in the father or the mother, or you will find rickets, which is a very frequent case, or you will find some form of epilepsy. If you examine into the early history of one of these children you will find that when a child he suffered from convulsions or night terrors, which are the early elements of physical incapacity, and you will find that as he grew up to the age of puberty, which is from about 15 to 20 years, and which is the age when they are apt to fall into criminal habits, he or she exhibited instability; and you will find that the attacks have been periodic according to the periodicity of the sex. If you examine into their early history you will find that, and you will come to the conclusion that these are people suffering from congenital weakness, which we call a neurotic taint, and then it is very easy to see that they are soon influenced by external causes, by people with whom they come in contact; that they easily fall into bad habits of drink or become demoralized by opium taking or various other toxic agents which they meet with in their course until they come into the hands of the law. That is distinctly shown in all of them; perhaps I ought not to say in all of them, but I am pretty confident that in all of them there is something which can be found out in them which shows a physical disease.

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5995. I suppose your experience of criminals is exclusively derived from what you have seen as a physician to a Lunatic Asylum?—I have not had any prison experience.

5996. Would you not say that there are certain crimes which display a very large amount of sagacity and a considerable amount of audacity of character, and of prudence and rather high intellectual qualities?—Yes, such as foresight and so on; but that is not inconsistent with the insane condition of the patient or with neurosis. We find some imbeciles, and even an idiot patient occasionally, who has highly developed faculties in some particular, but the fact of his having those faculties does not make him able to maintain his position in society, because his brain is not equally balanced all round. He cannot put himself, as we say, in thorough relationship to his environment. The sane mind is the mind of a man who appreciates the circumstances in which he lives, and who is able, by comparing this and that, and by allowing this process to be balanced in his mind against that, to adapt himself to circumstances; that is to say, to bring himself into true relationship with his environment. At the same time it allows for what may be called sparks of genius in some people. For instance some of them may be able to lay plots and even exhibit sparks of genius, and yet they cannot be accepted as sane. On the other hand, some of the greatest geniuses we have are notably the most insane.

5997. Are you prepared to say that all criminals should be regarded as patients?—From my point of view I do, and I must.

5998. Would you say that they should never be punished?—Well, of course that is a very difficult question, but do you mean should have no punishment at all?

5999. Yes?—Well, I think that it ought to be of a very limited character and entirely subordinate first of all to medical treatment. I think that most of these symptoms of violence, and displays of temper, and thefts, and such criminal acts as that, are due to a bad condition of health, grafted on to a bad condition of morals, and in very few instances indeed should I punish them.

6000. A very large part of the criminal lunatics that come under your observation I suppose, are addicted to the use of these toxic agents of which you speak, I mean drink or opium?—Yes, a good many of them, the majority of them. Sometimes it is morphia. At the same time I have had some of those distinctly weak-minded people to whom you referred. There is a notorious case which has been with me for a long time. He was a housebreaker; he had served long terms of penal servitude, and I think it was a mistake ever to have put such a man in prison. He was a candidate for a lunatic asylum for a long time before his imprisonment.

6001. I think you have already told us that in all cases in a prison you would yourself object to prolonged solitary confinement?—Yes.

6002. What do you call prolonged solitary confinement?—Keeping him there and never taking him out for two or three days. I should call that very bad treatment from my point of view.

6003. Does your objection apply to keeping a man in seclusion so far as several hours a day is concerned, and setting him to work for that time, but taking him out to the chapel and to the exercise ground, or to occupying him for the greater part of the time?—Yes, I would do that. I should not object to that provided that it did not go on for too long; provided he had his proper diet, provided he was taken out and exercised, and provided he was made to do a certain amount of work. I think that might be necessary, and I think it is occasionally necessary to put people by themselves, especially when they are violent.

6004. How long would you be prepared to carry on that moderate seclusion of which I have just been speaking?—A man then would be in his cell chiefly for the night you mean?

6005. No; supposing he were at work in his cell during the day?—Then I should think he ought to go out for two hours in the morning at least, and two hours in the afternoon; he ought to have a fair diet, I do not say a stimulating diet, but he ought not to have the simple bread and water diet. If he is able, he ought in addition to that to do some work, and then I think you might watch him and treat him medically, and judge by his condition what to do with him. Then I think you might keep him for a considerable time under those circumstances.

6006. (*Sir Algernon West.*) Do your remarks apply to all prisoners, or are you still talking of prisoners who have shown some evidences of insanity?—No, I am talking of all prisoners.

6007. (*Dr. Bridges.*) Most of the criminal lunatics who come under your observation are, I believe, short sentence cases?—Yes, they are. We have only one long sentence, that is this man who was transferred from Broadmoor after his sentence expired, but being still insane he was sent to us, and is there now. He is an imbecile.

6008. Do you think that that class, the class who come on short sentences are specially liable to be of weak or excitable brain?—Do you mean those who go into prison for the first time, and therefore have short sentences.

6009. No, there are cases of those who have been in prison over and over again with short sentences, for drink, for instance?—Yes.

6010. There is a well known case which is reported in the papers this morning?—Yes.

6011. Do you say that that class is more especially liable to this instability and this neurotic condition of which you speak?—Yes, I do. I think so. I think it is because when they get outside they get exposed to those influences again, and cannot resist them, and therefore come under notice again after a short period for a second or a 22nd time, or whatever the number may be.

6012. Then I suppose I may take it from what you have said that you are of opinion that a great deal of medical observation and attention should be given to all the inmates of a prison?—I do; I think that the treatment of prisoners is very much allied to the treatment of lunatics, and is essentially a medical question.

6013. You are of opinion that the principal officer of a prison should be a medical man?—Yes. I think he ought to be, I think there would not be any difficulty as regards the discipline of the prison, because there are asylums of which medical men have the superintendence, and now in all the English asylums medical men have the superintendence of them. They have the disciplining of a large staff of officers, and, of course, of those people who are mentally affected, as I think most prisoners are. I have no doubt about it. It has been very much better for the insane since medical men were put at the head of establishments of that kind. There was, of course, a time when they were not, and when they were subordinate to a lay officer in charge of them; and I am sure that it has been very much better, both for the management of the place and for the people themselves, since medical men have been at the top. I base it on the fact, which is a pretty well known and acknowledged fact now, that crime is a medical question.

6014. I suppose that you would admit that if you went into any ordinary prison you would not expect to find the inmates in such a condition that you could sign a certificate of insanity for them; I mean such a certificate as you would sign as a responsible physician?—Of course that is a very difficult question. Some of them may have been improved by the prison treatment; some of them may recover, and therefore if you saw them coming out at the end of their sentences a great many might be improved. A great many of them, for instance, are admitted in a condition of delirium tremens.

6015. I mean you would hardly go so far, would you, as to say that the mere fact of a man committing

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a crime, that is to say, such as a burglary, would justify you in saying, "I believe that man to be "insane, and the reason why I believe it, is that he "has committed a burglary"?—No. Of course I should have to examine the person, but I should be pretty confident that in examining him I should come to something which, in the great majority of instances, would justify me in signing a certificate for him.

6016. But you would feel bound to find that from evidence?—Yes; I should have to find it from his physical condition. I should have to justify the thing from the physical condition, and from the history of the man, if I could get it.

6017. And would you not also be bound to find evidence satisfying you that the man was deranged, apart, I mean, from the crime which he had committed?—Yes. I say I should consider myself bound to find evidence of bodily instability.

6018. Of brain instability?—Yes, I include that in the body. For instance, the measurement of the head and sundry other tests, would have to be gone through.

6019. More than that, I mean?—Supposing I could not find any delusion about him?

6020. Yes.—I think to rely solely on delusion is a most dangerous thing.

6021. Would you expect your certificate to hold good in a court of law?—Yes, I should.

6022. Although the man might have no delusion whatever?—Certainly.

6023. And although there might be no evidence of his mental state, except the fact that he had committed a burglary?—But I think there would be evidence.

6024. You would expect to find it?—Yes, I should expect to find evidence that I could certainly put down on a certificate.

6025. With regard to this class whom we should all agree were, if not lunatic, yet at any rate in a weak-minded condition, of whom there are a certain number who have been reported to us as having been in prison, would you say that they require a great deal of medical observation?—No, I do not think they require very much medical observation, but I think that they ought to be seen medically every day. You get to know the patients. Of course they require a very careful examination to begin with. Then if a man is not taking his food you have that reported as a prominent thing, and you come to the conclusion that something is wrong with him. Then you have him weighed periodically, and you judge from his appearance. If he is losing weight you come to the conclusion that there is something radically wrong.

6026. But with regard to the admission of all prisoners, whatever their reported mental condition is, do you consider that they ought to be subjected to an exceedingly close medical examination on admission. I mean with regard to defining what their state is?—That is the right thing to do, I think, but, of course, it is an immense undertaking. Still it is the proper thing to do in my opinion. I have no doubt that a great many people are discharged from prisons at the expiration of their sentence, who would come under the class that you are speaking of now. They come to me afterwards—sooner or later they come to me—or, at all events, a great many of them. I wished to find out in order to tell the Committee how many patients we have in the place who were at one time or another under treatment, but I cannot do it. In the first place they will not tell me, and in the next place I have no means of finding it out. Then I have attendants who have been warders at Coldbath Fields, and other prisons who recognise a good many of the patients as old prison inmates, and I may add that a great many of these people are of the class I am describing, suffering either from a primary kind of insanity, which never shows itself in what is the most prominent sign to most people, that is, in a delusion, but it shows itself in general unsteadiness of conduct, in disobedience when they are young people, in acts of mischief of a more pronounced kind later, and, finally, as they go on through the developmental period they become downright criminal, and then develop into lunacy. So that it is a gradual process.

6027. With regard to your remarks as to exercise I gather that you attach great importance to that?—I do. If we get a very violent patient, as soon as possible I take him out and have him exercised. If we have a suicidal patient I take him out and have him exercised, and we find the very greatest difference directly. There is a very great difficulty in treating the insane comfortably in bad weather. If the weather is such that they cannot get into the grounds, it is bad for them. If we have to promenade them in the corridors they get restless, and you can scarcely go into the wards, they are so noisy.

6027*a*. Have you any distinct opinions, not merely with regard to exercise, but with regard to the employment of persons who are in this unstable or *neurotic state*?—I think it is absolutely necessary for any chance of restoration to a better state of things. We employ them on the land chiefly. I prefer to employ them in the open air when it is possible. Such people as have been painters and carpenters I sometimes employ at their own trades, though generally I prefer a change of occupation for a person who is distinctly insane. It gets him out of a groove.

6028. What would you do with the man who has been a town labourer who comes from the London slums?—I should put him on the land. At some of the asylums where this plan has been much cultivated they put the gentlemen patients to labour on the land with a spade; but where persons are dangerous you would not like to trust them with such things as spades. Then we have them harnessed, as it were. They are not really harnessed, but they practically draw carts about. They go in gangs of about 25. We find it is exceedingly useful. They get open air exercise; they sleep much better; they take their food better; they are more contented, and they are quieter.

6030. I would ask you just one more question on the system of solitary confinement. Whether in the strictest sense, or in the modified sense in which it is usually practised in prisons, are you of opinion that it leads in men to the vice of self-abuse?—Yes, and in women too. Therefore it makes them very much more impulsive. Nothing makes them so inclined to resent what they may interpret as an insult, or anything to annoy them, as that habit, which is very very common if the practice is kept up of seclusion.

6031. (*Miss Orme.*) What sort of exercise would you recommend for women in prison?—Needlework, washing.

6032. No, not work, but exercise?—Walking about.

6033. Walking in the yard, round and round, in the way they do now?—Yes.

6034. Do you think that is sufficient for them, as it gives them no exercise for the arms?—Do not they do the laundry work?

6035. Some of them do, but, of course, that is not in the open air; but you think that slow walking, round and round the yard, is sufficient?—I do not like them going round and round the yard. I should like to have a place for them where it is better planted, but I suppose that would not be right in a prison. I should prefer a more ornamental place than they have, and I do not see what possible harm a garden would do, but I suppose that would be thought against the incidents of prison discipline, and therefore I think the option of giving them prolonged exercise——.

6036. Should not you recommend some lighter form of exercise, such as gardening, for women as well as for men?—Yes; I think, instead of having a plain ugly piece of ground to walk about in which is simply exposed to the sky, it would be better if they could have a garden.

6037. I mean, if they could do gardening, should you recommend light work of that sort for the younger women?—I think it would be the best thing for them if they could do it.

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6038. You think that would be an improvement?—Yes.

6039. With those prisoners who have told you they were sane on entering prison, you have no means of knowing whether they have had some period of temporary insanity earlier in life?—Only from the friends who visit them, and in some instances, *i.e.*, from the nature of the insanity, I have come to the conclusion that they have.

6040. So that it would not be the prison life that has first induced the insanity?—No, but it may have aggravated it.

6041. Is not it the fact that women who have suffered from temporary insanity in that way are very careful to deny it if you talk to them about their early life?—Well, they will generally tell you where they have been. They will tell you if they have been in other asylums.

6042. Then they say they were ill, perhaps?—They do not always recognise that they were ill at the time. It is not that they wish to deny it. Some of them will tell you that they were ill, and that they were very bad, that is in their clearer moments; but a great many of them do not recognise the condition in which they were. It is not that they wish to deny that they ever were so, but that they do not know that they were so. A considerable number come to us and recover, and do not remember at all being ill, and therefore they will deny that they have been ill. Others will say that they were ill, and they know that they were.

6043. So that, for that reason, and also because of them wishing to conceal it, you would get a good many cases where they would not tell you of early periods of temporary insanity?—Yes, certainly we should.

6044. (*Mr. O'Connor.*) The patients you have just spoken about would deny to you that they have been with you before?—Or at other asylums.

6045. Do they forget that they have left those other asylums?—No.

6046. In what condition must they have been when they left them?—They may have been removed or they may have been cured. What I meant was that they do not remember anything of their condition when they were at a place, and therefore they will say they were not insane, but if you came to know that they had been at such and such an asylum they would perhaps tell you that they had been there.

6047. I thought your answer was that they denied in many cases that they were in those institutions?—I meant to say that they do not say they have not been in those institutions unless you ask them directly.

6048. You regard criminality as a physical matter rather than as a moral matter, if I follow you rightly?—According to my view the moral demonstration depends on the perfection of physical structure.

6049. An evil tendency you would attribute to some physical cause?—Yes, from my point of view, that is the only way we have of estimating it.

6050. Would you, on the other hand, attribute to physical causes tendencies which are good?—Yes.

6051. Then good and evil from your point of view are virtually alike?—Of course that is a metaphysical question, but from my point of view that is the only way we can estimate them. We cannot imagine metaphysically what you call the functions of mind apart from brain matter.

6052. I would like to ask you this, whether your psycho-physical tests, if applied rigidly, would not show that everybody was more or less insane?—Well, they show this, that there is a standard according to which, if people are able to come up to the standard, they practically do not get into trouble, and do not get into prison. They are what we call "good citizens," but we find if people are not capable of coming up to this simple standard, they fall off and turn out what we call bad people, or what, in other words, we should call imperfectly developed people.

6053. It is a relative matter?—Yes.

6054. Do you think that the fear of punishment has any psycho-physical effect?—No, I do not think it has, certainly not with the insane.

6055. Have you a paddded room at Banstead?—Yes, several.

6056. Have you a straight jacket?—Yes, we have one, but may I say that during the 18 years that the asylum has been opened it has only been used on one occasion, and that was at the suggestion of the Commissioners of Lunacy. It was against my wish altogether, but I did it at the suggestion of the Lunacy Commissioners.

6057. I suppose you have a certain amount of discipline to maintain in the establishment?—Yes.

6058. And I suppose that the inmates of your establishment are more or less amenable to rewards or punishments, or to the prospect of that which is pleasant or that which is unpleasant?—Yes.

6059. Do you think there is any kind of insanity which requires to be treated by methods other than purely medical. Supposing, for instance, insanity took the form of assault and robbery with violence, do you think that personal castigation might be a good medical treatment for it?—I should not like to say that in some cases it might not be advisable, but we can treat them without it.

6060. Suppose you had a child who in a very low degree manifested that psycho-physical restlessness and unruliness which resulted in his mischievous conduct, do you think whipping might be safely resorted to as medical treatment?—I do not think it would do any harm if it were done under certain conditions, but I do not think it would improve the boy.

6061. You do not think there is any fear of sparing the rod and spoiling the child?—No, I have had them like that, and I know that they are amenable to other influences medically, and also what we should call hygienic and sanitary. Where a father has punished a child I have recognised a disease, and I have been able to combat the tendencies of the youngsters by medical and other means.

6062. At any rate, your experience enables you to say with certainty that a considerable proportion of prisoners are more or less affected in a way which calls for medical treatment?—Yes, I am very strongly of that opinion.

6063. And it may well be that many prisoners are sent to prison in a nervous condition, which, if recognised at the time of admission, would secure them medical treatment?—Yes.

6064. Would you say that in a large prison where 50 or 100 or 150 people are brought in in a single day, it is possible for a medical man to take such a *diagnosis* of each particular case as to be able to recognise the forms of insanity?—No, I do not think it is possible all at once, because I think it sometimes requires a considerable period to find it out.

6065. It may well be then, that a man who is really a lunatic would pass the medical officer on the day of his admission without provoking the least suspicion of the mischief which is in him?—Yes, he might. I find it sometimes—not always—not easy to re-certify a patient on one particular day, because the symptoms of insanity are very often periodic, intermittent, and undemonstrative; and the person who has power one day to conceal a delusion, if he knows the cause of his being there, cannot help the next day demonstrating it if the conditions of his bodily health are not so good.

6066. You set great value upon cheerful occupation in the treatment of the insane?—Yes, of course. With that view we go, I think, to extremes rather. We provide them with theatres and all sorts of amusements, and take them on picnics.

6067. But you think the prison experience goes to the other extreme?—Yes, of course it does.

6068. Let me assume that a prisoner who is mentally affected, though not obviously so, has passed the medical officer on a Saturday night, would you say that it would be likely to benefit him or to injure

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him to have him kept in solitary confinement from the Saturday until the Monday, owing to there being no Sunday exercise?—I think it would injure him, certainly. I do not see what object there is in putting the man in solitary confinement.

6069. But the great majority of prisoners are in solitary confinement?—Yes. To my mind that would be rather a mistake. When I admit a person who is said to be insane, even if I cannot see his insanity, I do not put him in a single room, but on the contrary I put him in a dormitory with two or three others to have him better under observation. I can find out a great deal more about a man in that way than I can by putting him in a single room.

6070. The confinement of all the prisoners and dealing with them in gross from Saturday until Monday is therefore a thing which, *primâ facie*, you would deprecate?—Yes, without getting any exercise on the Sunday, do you mean?

6071. Yes?—I think it is a bad thing.

6072. We have had it in evidence over and over again that in most prisons men are locked in their cells from Saturday to Monday, with the exception of the time for church and for any exercise they have?—It seems to me to be a very wrong principle.

6073. You think it would have a very deleterious effect on the prisoners?—I think so for the reasons I have given.

6074. (*Mr. De Rutzen.*) I have before me the Appendix to the Report for 1888–89 of the Commissioners, and I see in that report that there were a number of 407 prisoners sent to Holloway for the purpose of being put under examination, so that a report might be sent as to their state?—Yes.

6075. Of course I am assuming, and I have a right to assume, that none of them would have been sent unless there was something strange in their manner so as to justify anybody sending them to have their state inquired into?—Yes, certainly.

6076. I notice that out of those 407 cases, there were 215 who were reported sane at the end of seven days, 107 who were reported to be of weak and impaired intellect. A question was put to one of the medical gentlemen, I think, from Holloway upon this, and he said that those persons were not insane, and he had one of his own letters put into his hands, the form of which was, "I see no sign of actual insanity, "but I am of opinion that the man is of weak and "impaired intellect"?—Yes, that rather bears out what I have been saying.

6077. I am putting these figures to you; 85 were reported to be insane. Now what would you recommend should be done in cases where such a large number as 107 are returned to the Court which has to deal with them as not being insane but of weak and impaired intellect?—Of course that is the crux. That is a very difficult question to settle. It is a very expensive question, because there can be no doubt that if these people go out again, at any time if they are unable to get work, or if they are led away to drink, they will go back again to the prison, and that will happen time after time. Perhaps the most economical, and certainly the proper treatment for them, in my opinion, is to have them kept in some sort of an institution. If the Government would have another sort of criminal lunatic asylum on the principle of Broadmoor, for patients who are not of so bad a class as they are at Broadmoor, I should say personally that would be a very good thing. I think they ought to be kept under supervision, or, at all events, under medical supervision for a time, and under certificate until it is considered that some of them have passed that period of life of which I have been speaking, which is so very dangerous to these people of the lower orders, and if you had a little healthy discipline, and they had been taught and instructed, which is possible, in handicrafts, a great many of them might be made useful persons.

6078. I think there is no doubt we may assume that a great many of that number of 107 who come up to be dealt with are dealt with, either by being sentenced or not, and come under the head of prisoners who were in that state; not being reported as insane?—Yes.

6079. Would you let me draw your attention to what I think rather a startling thing. In this same year 1888–89, I see in the Appendix that 59 were reported as cases of insanity from prisons. Now so far as I have been able to test it, it appears that 16 cases of insanity which were sent from prison occurred within 14 days of the imprisonment?—Yes.

6080. Would that induce you to think that the origin of the insanity occurred before the imprisonment, or could have been due to the 14 days imprisonment, or that the seeds were laid before coming into prison?—I should think it is most probable that the seeds were laid before the person went into prison, and that therefore it was most important that the person should have very careful medical attention during the whole of that time. I should think seclusion in a cell of anything like restriction of diet would be calculated to bring on or to expedite and to hasten the development of the outbreak. Fourteen days is a very short incubation period for insanity, except in some particular instances.

6081. That would be 16 out of that number?—Out of 407, do you mean?

6082. No, out of 59?—Yes.

6083. That would leave 43 cases?—Yes.

6084. I do not want to go through each particular case, but assuming this to be true, that 43 of these cases which, added to the 16 cases, would make up the 59, were entered as having been in an unstable, weak, deranged, disturbed, moody, excitable, morose, peculiar, and dull, uncertain, or strange condition of mind on reception, would that, in your opinion, rather point to the possible seeds of insanity having been sown prior to the imprisonment?—Yes.

6085. And not arising out of anything to do with the prison treatment?—No. That probably was the cause of their coming under the action of the law.

6086. Do you know of your own knowledge that for some years there was a great disinclination on the part of medical gentlemen, for certain reasons, to certify as to lunacy?—Yes, and there is now very great reluctance, especially with the better class of persons. In fact, it is almost impossible in some cases to get lunacy certificates, and I think the consequences of that will be disastrous.

6087. That is true as to the better classes, but that also pervades pretty nearly all classes?—Yes, it does.

6088. And in the lower classes because really there is no motive power in a great many of them?—That is it.

6089. And so they pass by neglected and unthought of?—Yes, and I think the evil of it will show itself in a few years.

6090. That is an evil and a growing evil?—Yes, I think it is bound to increase the neurotic condition of individuals, and there are a great many people who think now that there is more of what is called neurasthenia than there used to be, owing probably to the fact that you are stating.

6091. Do you think that may possibly be some reason for the growing numbers which find their way into prisons?—I think it is, and with reference to those imbeciles about whom we were speaking just now, for whom I said some sort of accommodation ought to be provided, persons of that class, if they remain outside and have children, would be sure to have children of a very much more degraded type, getting down towards the animal, and the consequences must be more disastrous to society in general.

6092. (*Sir Algernon West.*) I suppose you attribute a great deal of crime to insanity and drink?—Yes, directly or indirectly.

6093. Should you be in favour of having special homes? When I say homes, I mean that habitual drunkards should be sentenced to an inebriates' home, instead of being sent to prison?—Yes.

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6094. And keeping them for a long time?—Yes.

6095. It is no use sending habitual drunkards to prison for a month, or even three months?—I do not think it is any good.

6096. Will you tell me the shortest time in which you could hope to produce any effect on an habitual drunkard?—I think he ought to stand a test of 12 months. Of course, in our asylums now, or, at least, in very few of them, are intoxicating drinks used, and especially is that so in the one I am connected with, where we have no intoxicating liquor of any kind. They do not have it even as an ordinary article of diet. It has been stopped.

6097. Does that excite or reduce the craving for drink?—If a person comes in whose insanity is clearly traceable to drink, he does not get a drop. We knock him off his drink at once. He has milk, perhaps, and plenty of exercise in the open air, and if he stops five, six, seven, or eight months, he comes to see that he can do without it; and I have the histories of people who came under these conditions and have left, and I find that afterwards they go on without it. It has been a very good thing, indeed, to do away with all alcohol in asylums.

6098. Then you would be strongly in favour of such homes, and you think that they would diminish largely our prison and our insane population?—Yes, I do. I cannot tell you what the exact proportion of those suffering from insanity owing to drink is, but I think it is very much larger than is supposed. I have been recently making some *post-mortem* investigations, and they result in this, that whereas in the general hospitals the proportion of patients dying from kidney disease ascertained by *post-mortem* examination is about 25 per cent., yet in our *post-mortem* examination we find kidney disease amongst the insane to be about 45 to 47 per cent., and I cannot account for this except by assuming it comes from drink. I do not think, for instance, that worry would cause renal disease except to a certain extent, but these are not the classes of people in whom worry occurs. In those cases I have taken considerable pains to examine very carefully the relatives of the deceased, and I find that though at first they have said he has not been a drunkard, still it turns out that there has been a great deal of drinking going on, which no doubt has contributed to the enormous amount of kidney disease we get in asylums. It has not been published, but I shall publish the fact. I am going to use it, and it is at the service of this Committee. These facts refer to women as much as to men.

6099. (*Mr. O'Connor.*) May I ask you if you have taken the trouble to distinguish the cases that have been a long time with you and those that have been only a short time under your treatment. I would ask whether the same proportion of kidney disease presents itself in your *post-mortem* examinations in cases where persons have been a long time with you as presents itself in the case of short-period patients?—Yes; with those who have been a long time with us we do not find so much.

6100. The height of it comes from persons who have been with you for short periods?—Yes, and in cases of general paralysis we find it very often.

6101. (*Dr. Bridges.*) You were asked with regard to the utility of inebriate homes, and the period for which you think a patient should be detained there?—Yes.

6102. Do you make a distinction between women and men in that respect?—I think the women are, perhaps, rather more difficult to cure than the men; but I think 12 months would be a very good time. I do not think less would be of much use.

6103. (*Sir Algernon West.*) I have no more questions to ask you, but I should like if you have anything to tell us that we have omitted that you should do so, because any statement you may make would be acceptable to the Committee?—No.* I think your questions have been so very apt and to the point that I have practically nothing more to say that would interest you.

* Dr. Claye Shaw wrote to the Secretary on the evening of the day of his examination as follows:—

"It occurred to me, after leaving the Home Office, that it would have been better to have availed myself of the Chairman's permission, and have stated that I do, of course, acknowledge a class (limited) where bad *initial training*, otherwise schooling in 'vice,' may cause a young and otherwise healthy brain so to function as to render the person out of accord with the proper social environment, and hence may bring him under the cognisance of the law, or, as it is called, make him a 'criminal.' In such a case, anthropometric observation alone might not detect a physical defect. But such cases scarcely come under the class to which Dr. Bridges alluded, and I only now mention them to save myself from being understood to have meant that every 'criminal' is organically diseased. That such persons ever become 'criminal' is accidental, not necessary, as in those of the true criminal type."

The witness withdrew.

Mr. Richard Gorst called and examined.

Mr. R. Gorst.

6104. (*Sir Algernon West.*) You are the secretary of the National Association of Certified Reformatory and Industrial Schools?—That is so.

6105. Is that a philanthropical school?—Not exactly; it is a combination of the schools. It is an association of the schools really for the purpose of watching the interests of those schools, and for promoting what we consider would be for the good of the schools.

6106. Are you identified with those schools. Do you represent the committee of Redhill, for instance?—Yes; the committees nominate representatives to sit on the council of the association.

6107. And, therefore, you are really speaking the views of the reformatory and industrial schools?—Yes, generally.

6108. I see it was established in 1881?—Quite so.

6109. And the representatives and managers of two-thirds of the schools which are now under the inspection of those are represented on your council?—Quite so.

6110. Have you read Mr. Trevarthen's evidence that he gave to the Committee?—I have had a summary of it.

6111. One of the main points, I think, of his evidence was in favour of raising the age for boys going to Redhill?—Yes; there is a strong feeling amongst managers of reformatories that the age might be now beneficially raised to 18.

6112. That is 18 on entrance?—Quite so.

6113. Retaining them until when?—21, that is their desire.

6114. The present ages being 16?—Yes, 16 for admission.

6115. Up to what age?—To 21, until last year when Lord Leigh's Act was passed which limited it to 19.

6116. Notwithstanding that, you are strongly in favour of the ages being raised from 19 to 21?—Yes, there is a very strong feeling in favour of that.

6117. May I take it that Redhill is a type of other reformatory institutions?—I think you may.

6118. And the best type?—I think so, it is the leading institution of its kind in the country.

6119. Mr. Trevarthen, I think, was very strongly in favour of this—that a boy entering that reformatory should be purged of his crime, that is to say, that his punishment, whatever it was, should be over, and that he should let every boy start with a clean sheet; in fact, I think he said every boy was told when he went, "There is no more punishment for you if you "behave well"?—There is a strong feeling amongst managers that the punishment for a crime should be given, and that a youthful offender should be purged before entering into the reformatory. They do not like it to be regarded that the reformatory is part of the punishment, but rather that it is a training school to fit them for better things.

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6120. Still, you would be in favour of shortening the time of punishment, I suppose, and adding to it the time which it was necessary the boy should remain in a reformatory school?—*Quite so.*

6121. You would not care what that punishment was, or how short or how long it was?—No; the managers of reformatory schools are not so much concerned as to the character of the punishment, provided they get a sharp and adequate punishment.

6122. Would they be in favour of flogging for boys?—I think so.

6123. That would satisfy them without imprisoning them?—I think it would, but they feel that there should be some period intervening between the committal of a youthful offender to a reformatory, and his reception into the reformatory to permit him being cleansed, and to permit of arrangements being made for his reception.

6124. What suggestion would you or your council give for carrying out that, because that seems very difficult, does it not?—It has been suggested that local authorities should be asked to establish houses of detention for juveniles only, and that the county councils should take the control of them.

6125. I suppose your object would be that while in that house of detention the different classes of boys should be sifted?—Quite so.

6126. And that they should be sent to an appropriate place for them?—Just so.

6127. Would you separate criminals and non-criminals?—If possible I would.

6128. Would you put them in the same house of detention previously?—If possible, not.

6129. Would you tell the Committee what classification of boys you would make as between the criminal and suspected boys; perhaps you can define that to the Committee?—That would depend very much on the charges brought against the child, and the known character before being brought before the justices, and the particular class to which they belong. It would be very desirable that there should be a bureau or some official charged with the duty of classifying those cases and selecting the schools suitable for them.

6130. These reformatories are kept up now, to a great extent, by voluntary contributions, are they not?—No, not to a great extent. The chief sources of income are the Treasury allowance and the contribution from the local authorities from which they are sent.

6131. Which is mixed, I think?—Yes.

6132. Are any of these reformatories self-supporting, or nearly self-supporting?—Most of them are.

6133. I mean, of course, by the labour of their inmates?—Yes, a great number of them have no subscriptions at all. They are self-supporting in that they make the Government grant, and the local authority grant, suffice with the earnings from their trades.

6134. How many reformatories are there?—About 50.

6135. Are there too many?—I should not say so at present. There has been a distinct tendency not to send boys and girls to reformatories of late years. There has been a falling-off in the number of admissions.

6136. Could you tell us what is the average of boys who pass through these reformatories who you know are leading honest lives?—I believe from 80 to 86 per cent.

6137. May I ask you if these inquiries as to their honest lives are really carefully made?—I think so.

6138. It is not only a letter to say, "I *am going on* all right"?—No, the system is that they issue a form asking certain questions about a former inmate, and that form has to be signed either by his employer or some responsible person in the locality he lives in, who knows him; possibly a clergyman or minister of religion of the church or chapel he may attend, or possibly the school board official; and very often they are signed by the superintendent of police.

6139. And you think you can really account satisfactorily for an average of from 80 to 86 per cent.?—We have to produce this information and to give chapter and verse for each child.

6140. That really can be relied upon?—Certainly.

6141. Then, your general recommendation would be that in all cases of juvenile offenders there should be a house of detention. How many houses of detention do you think there should be; one for each county, or what?—One for each populous centre. For a large centre like Manchester possibly two would be sufficient, one for boys and one for girls; the same for Liverpool. In smaller towns one house would be sufficient.

6142. You know it has been said that there is great temptation to the managers of these reformatory schools to keep boys up to 21, that is to a greater age than they are kept now, in consequence of the advantage they are to the funds of the school. Do you think there is anything in that?—It might apply in a few cases, but I do not think it is general.

6143. In the case of a boy sentenced from 16 to 21 (which is a long sentence) would not you allow a discretion with the managers to recommend that such a boy, for instance, if an opportunity came to emigrate him, should have the sentence mitigated?—Certainly, if he could be discharged on a conditional discharge that he should not make use of his being sent abroad for getting discharged and then come back by the next ship. That is one of the things that managers of reformatories have to suffer a good deal from.

6144. But if they could really investigate the case, and find it was a *bonâ fide* case of permanent employment, you think a discretion, at all events, should be given to the managers to recommend it?—I should approve of that, but not that he should be finally discharged. The managers should be invested with powers of a conditional discharge.

6145. Something like a ticket-of-leave?—Yes, practically.

6146. Do not you think the fact of a boy going to prison leaves a taint upon him; that is to say, that it makes it more difficult for him to find employment?—Well, opinions in our association are very much divided on that point. For instance, they think that in England it does not deter a child from getting an honest living, while as to Scotland the very opposite opinion is held.

6147. Now, do you think the same objection in Scotland would apply to a boy who had been in a reformatory?—It is of reformatory cases I am now speaking.

6148. The question I asked you was with a view to your statement that the committees would all like punishment for a boy, and that a boy should be imprisoned and punished before he got to the reformatory?—Yes, there is a general feeling that they should be punished.

6149. In addition to that, do you think the fact that he has been in prison before going to the reformatory would operate on employers?—I think not.

6150. The fact that they have purged it by going to a reformatory you think is sufficient to find them employment?—I think it is.

6151. In the paper which you put before the Committee you do make a classification of reformatory schools in this way: "Schools for seniors from 14 to "18 years of age. Schools for juniors from 10 or "12 to 14. Schools for crippled and physically weak "or diseased children." And then you add: "That "a department of the inspector's office be created for "the classification of cases, and for directing the "committing authorities as to their disposal." That is the recommendation of your council?—Yes.

6152. In that recommendation you take the schools for sentences of from 14 to 18?—Yes; that would be on the assumption that the age of admission is raised to 18.

6153. Then you also recommend, I see, that the Treasury allowance should be increased?—Quite so.

6154. Do not you think that they will be able to support themselves by the labour they undertake, and the grant from the local body, and the Treasury grant, such as it is, at present? What reasons have you for wishing an extension?—In the case of senior schools of course there would be an increase in the staff and expenses of management consequent upon the introduction of trades of a more varied and highly skilled character, which would be necessary if you had older boys; and in the junior schools because of the less remunerative character of their labour if the classification I have spoken of were carried out.

6155. Then I understand that your main recommendations are to raise the age, to have a preliminary house of detention where boys can be sifted?—Yes.

6156. And that the existing reformatory schools are satisfactory and produce very good results?—Yes.

6157. And that the cost paid by the country should be greater?—Quite so.

6158. (*Mr. O'Connor.*) Have you any connexion with industrial or reformatory schools in Ireland?—Not very much. I know some of them, and I have been to them; but I do not know much about their working.

6159. Would the observation you made about the fact of boys having been sent to prison not operating against their getting employment refer to reformatory schools in Ireland as well?—No, I was confining my remarks entirely to England.

6160. What is your relation to the schools? Are you concerned with the occupation of the boys, their dietary, their punishment, and the disciplinary aspects of the establishments, or with the pecuniary aspects?—*Do you mean my own personal relation to them?*

6161. Yes, the association of which you are secretary?—Of course we deal with all questions affecting the welfare and interests of the schools.

6162. Can you say if any of the schools within your period have been closed because of unsatisfactory pecuniary results?—I think one or two reformatory schools have been closed of late because of the falling off in the numbers.

6163. Then I suppose there is a difference in the pecuniary point of view between reformatory schools, some being more and some less successful?—Of course the Treasury grant is more to the reformatory schools than it is to the industrial schools.

6164. I am speaking as between reformatory schools themselves; some would be more successful, and some less so?—It would depend on the circumstances of the school, and its situation and its power to make the most of its labour and its industries.

6165. But the fact is, there is a distinction to be drawn between different reformatory schools?—Yes.

6166. Some are more successful and some less so from a pecuniary point of view?—Yes.

6167. Still those are conducted at a profit?—Not exactly at a profit, because money is spent in the development and improvement of the establishment. Sometimes they may save a little on their general fund, but it is generally spent in improving the premises. That is my experience.

6168. Are any of the reformatory schools proprietary institutions in the sense that the owners can, if they like, when they realize a profit appropriate it?—No, I do not think so.

6169. They have no power to do so?—No, I do not know of a single case.

6170. There is no case in which the proprietors if they realize a profit can deal with it as their own?—I know of one or two private schools managed by private gentlemen (that is by one man), but I know the school is very heavily in debt.

6171. I am speaking of schools where a profit is made?—Yes, but I do not know of any such case.

6172. Have you had occasion to require the removal of boys from reformatory schools to asylums at any time?—Well, I know only one case; that was at the North Lancashire Reformatory, where a boy was found to have lost his reason, and efforts were made to send him to a lunatic asylum. That is within the last few months.

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6173. Can you say whether the medical attendants of the reformatory schools have at any time made any reports with reference to the mental condition of the inmates?—I do not know of any such reports.

6174. Have there been any special observations with regard to insanity?—No, I do not know of any such reports.

6175. There is very little insanity, perhaps, in the reformatory schools?—Very little indeed, excepting the moral insanity, which, I take it, is a species of insanity.

6176. You recognise moral insanity as something more than the result of some physical defect?—Quite so.

6177. (*Dr. Bridges.*) Is not there a considerable difference in the results of different reformatories? You spoke of the average of those reformed being about 80 per cent., I think?—Yes.

6178. But there is a large margin of difference on both sides, is there not?—Yes.

6179. I mean sometimes the number of those cured falls as low as 70 per cent.?—And lower, I believe, in a few instances.

6180. Has your association, or have you, formed any opinion as to what constitutes that difference?—I think it is mainly a difference in the material that has to be dealt with, and dependent on the circumstances of their disposal after leaving the school. Some are more favourably circumstanced than others. For instance, in a town like Liverpool you will probably find a greater number of them returning to their old associations, where they would be less able to resist temptation.

6181. I suppose there are differences of treatment in the different institutions?—So much difference as results from the character of the individual in charge.

6182. Is not there a difference in structure; for instance, at Redhill you have classes, I think?—That is a large institution. Most of our reformatories are small places not containing more than from 60 to 100; but there are a few that go up to 200.

6183. Taking those of 100 and up to 200, are all of those placed in detached buildings as at Redhill?—No, I think there is only one other reformatory than that at Redhill that has more than one building.

6184. Would not you think that that might possibly have something to do with the result, and that the greater power of classification that is given by having separate buildings the better the result?—I should think it would be a decidedly good thing.

6185. Have you made any investigations as to the causes of failure. Assuming the failures to range from 10 per cent. to 30 per cent., have you at all examined that?—I hardly understand your question.

6186. You have reported that a certain number of boys who leave you are doing badly?—Yes.

6187. Have you formed any opinion as to what that failure has resulted from?—Well, I think there is a certain percentage of boys who find their way into reformatories who are incurable. You may do what you like with them, but I am afraid we should have to confess we should not succeed with them. Then, of course, the surroundings and after circumstances of a child are answerable for their failure.

6188. Could you tell the Committee at all of what nature the failure is. Has the boy generally got into trouble from theft, or has it been from some crime of violence, or has it been from drink?—The greater number of failures arise from theft; from the crime of dishonesty.

6189. (*Miss Orme.*) Does your association include girls' reformatories?—Yes.

6190. What is the opinion of the association as to the age for girls?—Do you mean on admission?

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6191. Yes; as to a higher age for admission, what should you approve?—Well, the recommendation applies to both girls' and boys' reformatories, and the recommendation is that it should be extended to 18.

6192. And for them to remain until 21?—Quite so.

6193. Should you approve of young women of 20 and 21 being in the same institution as young girls?—Certainly not.

6194. Not even in separate houses in the same school?—If they could be kept distinctly separate without any access to each other, then I should say it would be permissible.

6195. But the separation would have to be complete?—I think so.

6196. Do you make any difference between the age at which you would admit a girl into a school, and the age to which you would keep her if she had been under your management for some years?—Yes; I do not think it would be desirable to admit a girl up to, say, 21. We might keep a girl up to that time for her own good, but I certainly think it would not be desirable to admit a girl up to 21.

6197. Supposing, for instance, you had a junior school for girls, of, say from 14 to 17, you would keep girls until they were 17 in that school?—Not always; we should use the licensing system, and I think it is a system which could be applied with great benefit to girls. It does not follow that because a girl is sent until 17, that she should be kept until 17.

6198. Supposing for her own benefit it was necessary to keep her, would you keep her in the junior school until she was 17?—Yes.

6199. Would you admit a girl of the age of 17 to the same school?—Certainly not.

6200. The age varies according to whether you have had her under your charge for some years, or whether she comes fresh to you?—It would be quite a different thing.

6201. How many institutions do you think you would have to have to separate these classes?—I have not given much consideration to the number of girls' reformatories there are in the country, but no doubt you could multiply the number.

6202. You would have to have several in order to carry out your principle?—No doubt.

6203. You spoke of these houses of detention for juveniles; what would be the benefit of such a place if we could have it in comparison with an ordinary prison?—I do not know that there would be any very special benefit, except that it would meet a growing sentiment of the time, that it is undesirable to send a young child to a prison. It would not be a prison, but it would still enable the authorities to punish a wrong doer before drafting them off to the reformatory school.

6204. But apart from that public sentiment, you do not yourself see any practical difference in a child being kept in an ordinary prison, quite separate from the other prisoners, and being put in a house of detention?—Of course I quite agree with those who believe that it has a damaging effect personally. I am not now speaking for my association, but I think it has a damaging effect on the child's character to send it to prison.

6205. As to the chance of getting employment in England?—Yes, for that reason too.

6206. I thought you said that in England it had no effect?—Now I am speaking in my personal capacity, and not speaking of the feeling of the association, which is decidedly what I have already stated.

6207. Do you know whether the feeling of the association is that it has any bad effect on the child's character to send it to prison, supposing it is kept entirely separated from other prisoners?—It is believed it has not; there is a division of opinion upon that, but the preponderating opinion is that it has not any bad effect.

6208. Have you any reason you can give us why there has been this falling off in the number of reformatories?—I think it is owing to a growing sentiment on the part of magistrates, not to send young people to prison. Up to last year it was a condition that they must go to prison before being admitted to a reformatory.

6209. So that if the obligation of going to prison were removed, you think you would get a larger number of children sent to reformatories?—I think it is very probable.

6210. Can you give us the percentage of girls who are saved in reformatories?—I cannot without the official returns.

6211. Could you let us have that?—Yes.*

6212. (*Mr. De Rutzen.*) I understand from evidence that we have had, that you rather object to being considered penal reformatories, or to being called penal reformatories?—Well, we have not any penal reformatories in the strict sense of the word, and the word "penal" is objected to.

6213. I understand that you rather desire that the offence, whatever it may be, shall be purged by imprisonment before they go into a reformatory?—Yes, that is the feeling in England.

6214. Is that your feeling?—Personally it is not.

6215. Then what would your view be?—I should administer punishment either in one of those houses of detention that I have already spoken of, or by birching.

6216. Before entering your reformatory?—Quite so, that is what I mean.

6217. Of course, if the age is increased up to 18 for admission, these persons would be liable to be sent to reformatories who had committed very grave offences, such as robbery with violence, burglary, and so forth, which is often the case with lads of 17 and 18?—Yes, in such cases as that I do not see that there would be anything else, but a short term of imprisonment prior to going to a reformatory.

6218. That is your view, but you say a great many people think the offence should be punished before the reformatory system begins?—Quite so.

6219. You entertain a different opinion, and I suppose are of opinion that the two must be taken together;—the number of days imprisonment should be coupled with the four years detention in a reformatory. It is all one?—Well, as the sentences now stand, that is not so. They get 10 or 14 days imprisonment, and four or five years in a reformatory.

6220. The Act of Parliament rather stops that at the present time, and makes that, at all events, quite optional, and, in many instances, boys come to you without any imprisonment at all?—Yes, that is so.

6221. It has very recently come into operation, but do you think that that has had any effect one way or the other upon boys being sent to reformatories?—I think it has resulted in an increased number being sent since it came into operation.

6222. Now, taking your view that you would like imprisonment, and that imprisonment should precede sending them to reformatories, where is the difference between reformatories as they exist and penal reformatories?—Well, penal reformatories would be for the drafts from other reformatories of unmanageable cases, where they would require to have a sterner discipline and a better staff.

6223. But would there be any difference. Taking your view that there should be a previous imprisonment, it becomes a reformatory tacked on to a prison?—I do not quite understand the question.

6224. Your view is that there should be imprisonment prior to a person being admitted to a reformatory?—Quite so.

6225. Then that in no sense differs, does it, from imprisonment with a reformatory treatment?—Well, I suppose it scarcely does, if you are exact in the definition of terms.

6226. Then would a penal reformatory for all classes of boys, put under one head, meet your view?—A penal reformatory for exceptional cases.

6227. No, for all cases?—Oh, no, not at all. It is not my idea at all that we should have a penal reformatory for all cases.

* According to the Report of the Inspector of Reformatories for 1893, of the 406 girls discharged in the three previous years, 307 were stated to be doing well, and only 20 were known to have been convicted of crime since their discharge.

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6228. But I thought you said that in all cases you liked to have the offence purged by imprisonment prior to taking them into a reformatory?—Yes, quite so; that is the feeling of our association.

6229. Is not that rather a distinction without a difference. Take the case now of a sentence for burglary, an offence which is often committed by lads of 18. I suppose you would not consider that seven or ten days imprisonment would fully satisfy such an offence as that?—Well, scarcely.

6230. Then it must be the imprisonment plus the reformatory system that follows after it?—Yes.

6231. Is there any power at a reformatory to refuse to take any particular lad?—Yes, it is quite optional with the manager.

6232. It is perfectly optional?—Yes.

6233. Have you known many instances where, even in bad cases, where from some misfortune, some weakness, a lad which has been convicted has been refused at a reformatory. I have an instance in my mind just at the present moment where a boy has not got the use of his right arm, but if in every other way he is fitted for a reformatory, would you take a lad like that?—At present we are debarred from taking him, inasmuch as we have to produce a medical certificate that he is suited for the discipline and training of the Institution, which a boy with a useless arm would not be.

6234. And however bad a criminal he may be, if he is not fitted for industrial training, you say you would rather be without him?—We are not allowed to take them.

6235. Have you any suggestions to make of any kind?—I submitted one to the Chairman just now, which is that we should have a classification, and that there should be schools for that class. It is felt to be one of the weak parts of the system that we have not provision for that.

6236. I was thinking of the possibility, taking your view of it, that there should be a penal reformatory that would be obliged to take cases of that description, whether they liked it or not?—You would destroy the voluntary character of the management if you compelled the managers to take a case that they were not cut out for dealing with.

6237. (*Sir Algernon West.*) Where are the reformatory schools for girls?—There are several in London, but I cannot tell you where they are without referring to the Blue Book.

6238. Are they managed by committees of ladies entirely?—Yes, I think they are in almost every case.

6239. And that is supposed to be satisfactory?—Yes, I think so.

6240. Now I ask you as a general question whether you have got anything more to say that you have not said in answer to the questions that have been put to you, and whether you have any suggestions to make?—Well, I have one or two points on my list, but I am not sure whether the Committee will consider them relevant. One is that at a conference held in London in July last, it was determined to memorialise the Secretary of State on one or two points affecting our schools. One was that many cases of criminal children are now handed over by magistrates to voluntary agencies which are uncontrolled and uninspected by the State: that as a consequence of this practice such children are not subjected to any adequate discipline or training of a reformatory character, and that criminal and non-criminal children are thus brought into close relationship with each other to the detriment of the non-criminal children, and that voluntary homes have no power to detain such cases, and magistrates have no power to commit for any definite period, and that some confusion and injustice arises from the want on the part of the magistrates of a clear understanding of the respective spheres of action of the various classes of schools. Those are points which we had intended to press upon the attention of the Secretary of State, and we suggested that a circular should be issued by the Secretary of State to magistrates, through their clerks, defining the respective spheres of action of those schools. Another point you have not touched upon is, that we ask that powers should be given to managers to transfer without prosecution, and with the consent of the Secretary of State on the recommendations of the inspector, cases from an industrial school to a reformatory school and *vice versa*, so as to secure better classification; and that there should be an extension of the powers of control after discharge from reformatory schools, as is the case now with industrial schools.

6241. I take it that the broad distinction between an industrial school and a reformatory school is, that in reformatories boys have been convicted of crime, and in the industrial schools they have not been convicted?—That is it; but there has been a disposition of late years to strain the Industrial Schools Act, which has somewhat arisen from the idea that it is not desirable to send young persons to prison, and they have strained the Act, and have brought many reformatory cases under the operation of the "Industrial Schools Act."

6242. (*Miss Orme.*) Is not it the case that you have industrial schools that can receive children physically affected, such, for instance, as that at Brentwood?—That, I think, is a truant school.

6243. No, it is entirely a school for children who suffer in some way in their health?—I hardly think it is a certified school. There is a truant school under the London School Board, and I was under the impression that it was a truant school at Brentwood.

6244. Have not you any schools under your institution that receive children who are physically affected?—No, I do not know of any.

6245. There is nothing in the Act to prevent it?—There is one point here about the operation of the Reformatory Schools Amendment Act of 1891. It is felt that its operation has introduced a large amount of uncertainty and some confusion into the working of the Reformatory Act; and it is believed by many managers that it will greatly impair the success of the system, first, by reducing the age of discharge from 21 to 19; and, secondly, by limiting the application of the power of licensing in a great number of cases, which power is considered to be one of the most useful powers possessed by reformatory managers; and, thirdly, by reducing the area of operation of the Reformatory Schools Act.

6246. (*Sir Algernon West.*) What is their power of letting out a boy who has an opportunity of employment; do they possess that power?—Yes, quite so, with a boy whose character justifies his being released on license.

6247. Does this Amendment Act prevent that?—Not in so many words, but it says a young person must leave at 19; and if he only comes at 16 it does not give them a sufficient length of time to have any effect upon his character. That is what is meant. I do not think there is anything more that I need refer to. Except a point which I wished to bring to your notice about the superannuation of officers, but I hardly thought that you would entertain it. There is also a question of a grant in aid of certificated schoolmasters employed in reformatories, which is somewhat of an anomaly.

The proceedings were adjourned for a short time.

Dr. T. D. Patmore.

Dr. TENNYSON DEIGHTON PATMORE called and examined.

6248. (*Sir Algernon West.*) We know you are medical officer at Wormwood Scrubs?—Yes.

6249. How long have you been there?—I was promoted from Woking to Wormwood Scrubs in February 1881.

6250. Was Woking at that time a convict establishment?—It was a convict establishment for lunatics and for invalids.

6251. Were you medical officer as well as governor?—I was assistant surgeon at Woking for two years.

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6252. Then you were promoted?—Yes, to the post of medical officer at Wormwood Scrubs.

6253. How many prisoners have you at Wormwood Scrubs?—We have to-day 1,104.

6254. On an average, how many entrances do you have each day?—I should say, on an average, male and female put together, between 12 and 15; I have not prepared an exact estimate, but, according to the sessions, we have, perhaps, from 7 up to 34 daily.

6255. On these prisoners coming to Wormwood Scrubs, they are always examined by yourself or your assistant?—They are all examined by my assistant or by myself that day, and they are all seen by us both the next day. I see them especially that I may detect any despondency, depression, or insanity.

6256. Do you think you are able to give sufficient time really to investigate such questions as that?—I think that when they are seen that day, the object is to make sure that they are in a condition to sleep that night safely in the prison as distinguished from the hospital; and I consider that we do that. I can then usually detect, and I presume most doctors would detect, whether the man is in a condition where there might be danger of suicide, or of small-pox, or any infectious disease; the next morning I go myself, and my assistant sees them again most minutely. The women I look to myself, but I am talking of men now; perhaps you will take the men first.

6257. Yes?—The men are seen the next morning again by the assistant surgeon, so as to fill up all the records and different documents minutely with regard to their condition, mentally and bodily. Then I see them with the special purpose of seeing that they are not depressed, that they are not insane, and that they are not unduly unhappy.

6258. Your experience, you say, has been directed mainly to insanity. Will that enable you to say whether you think imprisonment is conducive to insanity or not?—I have watched the mental aspect of prisoners very closely, and I have seen nothing in the prison which tends to produce insanity. Much of course depends on the proper selection of the superior officers.

6259. Do not you find that the prisoners on their entering into prison are of a very low type?—I have to deal with two classes in connexion with this question, convicts and local prisoners.

6260. Let us deal with the lunatics first?—I find that a very few prisoners are of a decidedly low mental type, although there are more of a low physical type.

6261. What kind of proportion?—I should say if there is one in 30 of markedly low mental type, it is as much as there is, and I must say the theory of the great degeneracy of prisoners does not apply in my experience.

6262. Do you find many of these people come in from the visible effects of drink?—They are not very drunk when we get them, though, of course, we know they are in for drunkenness, and some of them show it in their faces, but I hardly ever have a prisoner who is reeling. I frequently say to a man, without looking at his paper, "You are evidently in for drink," and he says, "Yes, sir." Another man comes in and I say "Drink again," but they are not reeling with drink.

6263. Can you usually detect an habitual drunkard, granting he is perfectly sober when he comes in?—I think if your mind is specially directed to it you can, but taking (as we do) a lot of men, unless I were trying to detect them I should not know all the habitual drunkards.

6264. A large proportion of those prisoners have suffered from drunkenness?—Yes, but perhaps not so many as you think.

6265. Is it entirely a London population?—Ours is entirely, I presume, a London population; even the convicts, I think, are from near London.

6266. Do you find any marked difference between the convict and the prisoner?—I find the convict, speaking generally, is a remarkably clever, intelligent man. I disagree with those who assert that convicts are mostly very low in type. The convict is a clever professional man, who has chosen his career and does it consistently. I mean, of course, the convict who returns time after time to prison.

6267. Can you answer me the question why convicts go to Wormwood Scrubs at all?—That is merely a Home Office rule.

6268. They do not go to serve their sentence as convicts there?—A few come to us now for a few months only.

6269. You do not know any reason for their being put into the local prisons?—We merely have them sent to us. I do not know any reason for it, I presume it is merely administrative.

6270. Do you think it objectionable to mix prisoners and convicts?—I think you would get better management if you had only one class of prisoner under the same building. The hardened convict needs a firmer rule than the shorter term prisoner; and when the mind is attuned to the one it is not easy to rapidly change it for the treatment of the other, and this perhaps in the space of an hour.

6271. In a paper I have seen of yours, I think you object, very properly, to the terms of classification "first offender" or "first conviction." Do you think any great classification can be made, and, if so, what should it be as to the different classes of prisoners?—I think I may say first that you cannot know a first offender. With regard to the classification, I think, certainly, that, whether they are first offenders or not, when they are young they may be pliable, and, therefore, at some period of youth there should be some classification.

6272. That period of youth, I think, you are inclined to put low?—I think so.

6273. Not higher than 16?—I would not stand to a margin of 16 or 17 actually. Some boys who come in look 16, and they are only given as 14. If a boy looks 16 to a doctor's eye, or if he is 16 in his appearance of strength or development, I think he should be classified as of that age, but if you get a youth who is not developed, then, although he is 17, he might be classified with the others.

6274. You think, therefore, a rigid age is a mistake, and that it ought to be left to the opinion of the doctor whether he should be left in one class or the other?—I think if you classify them according to their actual physical age, from the point of view of the doctor, that you have got a better standard than classifying them by an arbitrary age in years.

6275. Then you would be in favour of juveniles, as classified by the doctor, being kept in a different part of the prison altogether?—In speaking of juveniles, we are talking only of males now. I think if you have juveniles at all, they should not only be in a different part of the prison, but that they should be shut off, if possible, from the others, so that you really might have some relaxation of discipline and extra reformatory influence.

6276. Do you think there is any reformatory influence at all in prisons at the present day?—I think there is a reformatory element. I do not think it probably does very much good among the men, but I think all the officers try to produce it.

6277. Are there any reformatory results?—The chaplains would know more about that, of course. I have spoken to chaplains, and they tell me that "amongst the boys there is some reformatory "influence, and amongst the girls a good deal"; the percentage, I fancy, is much larger amongst the girls than amongst the boys.

6278. As to girls, would you apply the same rule as to allowing the medical officer to decide as to their apparent age?—I think with girls the age would probably be much higher at which you could reform them; and other people whom I have consulted think so too. I think very likely you might separate girls up to 20 with great advantage.

6279. We have heard from some witnesses that there is a great disadvantage from juveniles being

seen at all by adult prisoners, and that they are very apt to meet them afterwards and say, "You have been in prison"?—I have only lately heard so from speaking to the warders, otherwise I do not know that; but it appears that women will agree to meet young women, who have no home, at the prison gates. These girls are then taken under glowing promises to some rooms, and the rest happens which you might expect; so that that answers your question that they should not be seen by the elder women.

6280. In this paper you say you think the association of boys has a greater contaminating influence than the association of men with boys?—If they are associated together so that they can talk, then I think 30 boys together would do each other more harm than one boy mixed up with 50 grown-up men, who will rather ignore him.

6281. Do you think there is a tendency amongst juveniles to try and make themselves out older than they really are, and to think it rather a grand thing to be an adult prisoner?—I have not formed an opinion upon that.

6282. I want to revert to a question I put to you earlier. Do you think you and your one assistant give that attention to all these various prisoners that they ought to have?—I think not; as it is difficult to give all the attention one would wish to special and important cases, when a considerable part of one's time and energy are occupied in sharing routine, and almost mechanical duties, with one's single assistant surgeon.

6283. May I ask what proportion of your day is taken up by what you call mechanical duties?—I will explain my day's duties. I should rather have used the term "routine" than "mechanical." One goes into the prison shortly after half-past 9 in the morning, and then I see all the prisoners who are reported for punishment, and I sign for every prisoner who is reported for punishment, so that after my signature is given the governor has no responsibility as to the effect on the prisoner's health of the punishment which he awards. I certify that the man is fit either for a heavy or a light punishment or for none at all. These are most responsible duties. It is possible that even death might result to a prisoner from an error when certifying a man for corporal punishment.

6284. What kind of time does that take you?—Possibly half an hour.

6285. Not more than that?—One really cannot allow it to take longer.

6286. You cannot spare the time for more?—No, I have to hurry it. Then I go to my hospital, and I sign up papers and read the various night reports and letters from the Home Office. I may have to settle some cases as to the mental condition of prisoners, possibly I may have to certify a man's fitness for corporal punishment and attend the same. Then decide on the diagnosis of some cases of malingered disease. Then I will have a letter perhaps from the Home Secretary as to whether a gentleman who has got into prison, and is somewhat depressed is likely to have his life endangered by further imprisonment, and on my reply depends, perhaps, that man's imprisonment. One may have five or six things to do in the morning which require a very keen description of judgment. After that, I go round my hospital with my assistant surgeon. I have about 50 beds generally in the male hospital, which are not generally all filled. As a rule, one's general average in hospital might be 36 or 40. Having prescribed for those cases, and done any little operations that are wanted—we do all operations ourselves.

6287. You are a surgeon?—Yes. Having done that, I go and see all the men who came in the night before for the purpose I have told you; that is, specially as to their minds, and then I consider that I can tell, as a rule, whether a man is insane or not if I have not more than a few to do; but if I had 30 or 40 or 50 men to do in the time, it would be difficult and perhaps impossible. However, having done that, I go to the female prisoners, and do the entire work of the female prison myself.

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6288. Without your assistant at all?—I consult at times with him on the female cases, but I do the entire female work myself. Then there are punishments to be certified for again, and I see all the casual complainers, which is usually done by my assistant on the male side. I do all the female work myself whatever it is, which requires great care to prevent dissatisfaction, and we know that women always give more trouble to the doctor than men do; if a man will take you two minutes, a woman will take you 10; that would be the morning's work, and would vary, and would take me up to 1 o'clock or half past 1. Of course I should be in and out of the prison during that time, possibly seeing some warders and others who are ill. That would be a routine morning's work, and I think that though one should do the hospital and know everything that is going on, the chief doctor should have two juniors under him, and I do not think he should go round and see each individual, but I think he should see those who are seriously ill, and go round and pick out those whom he may think demand, for any reason, his particular care.

6289. What you call mechanical work is merely visiting the cell to see if anything is the matter?—Yes. The more important duties are general supervision and inspection, with a close observation of the effect of imprisonment on all the inmates.

6290. Have you any strong opinion as to whether the exercise given to prisoners is sufficient or not?—I rather think that ought to be decided on a hygienic question whether an hour a day is sufficient. I should like to see it more myself, when men are working in their cells.

6291. Would you like to see any exercise except that of mechanically going round in a ring?—I think it would do a great deal of good to their bodies and minds, and induce a spirit of obedience and order if they did some simple extension exercises for a short time.

6292. You would not be afraid that drilling might lead to a breach of discipline or insubordination?—I think if you drilled them regularly and systematically it might, but I think if you merely put them to extension exercises, that it would have a very ameliorative effect on the low types.

6293. I presume you would prefer spade exercise and digging if you could get it?—I would prefer garden work and digging for everybody, gentlemen included. They would like it.

6294. And you think women would benefit equally, certainly the younger women, by some sort of arm extension exercise?—I am very much afraid that women would not do it. Women prisoners will not do anything co-ordinately together. I do not think they would do anything in a mass, but I think women would be very much benefited by light garden work of any kind, if it were only by weeding beds, I am afraid they would not do the arm exercises, they would not obey.

6295. Are you in favour of useful as opposed to useless labour?—Absolutely; entirely.

6296. You would like to abolish useless labour?—Absolutely, except for tramps or vagabonds who are utterly idle. I think the useless labour might be kept for them until they asked for useful labour, because often they will not do the useful labour, and tramps and vagabonds, probably, would only spoil things.

6297. Then put in that form it would be a prison punishment if a man practically said, I do not like useless work?—The uninteresting, useless, labour would lead idle men to wish for higher work.

6298. I suppose oakum picking is distasteful?—It is very monotonous, and it has next to no results.

6299. Have you seen cases of bleeding hands from picking oakum?—No, absolutely nothing of the sort. I have seen slightly tender hands at first.

6300. Seeing that you have told us that you are responsible for all punishments, and that you relieve

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the Governor entirely from all responsibility, I will ask you this question. You were the medical officer at the time of the outbreak at Wormwood Scrubs?—I was.

6301. Can you tell us whether, in your opinion, there was anything in the nature of hardships or unnecessary punishments that led to that outbreak?—What led to it, so far as I can make out, and I have enquired very closely, was, some of the rules for locals were a little different from the rules for convicts and the convicts became jealous at the locals having certain privileges; not realising that they were convicts at the time, and that the locals were locals. I am not sure that there was not some little want of proper firmness in the governing for some months before that. There was a Governor who had to be superannuated, as he was breaking up, and there was subsequently some period of unsettlement owing to changes of governors, during which some laxity perhaps crept in.

6302. Therefore you would attribute it rather to laxity than to undue severity?—I am quite sure of that.

6303. We have been told differently?—I am sure whenever you get an outbreak in our prisons, it is from want of judicious severity. All trouble in prison with men or women breaking out is from laxity. If you have got kind severity, judicious severity, with proper humanity, you do not get it.

6304. (*Mr. O'Connor.*) Can you give us the exact date of the retirement of that first Governor?—I could give you that, I say this with great caution, because I know that things were a little weak at that time.

6305. That is before he retired?—I will tell you exactly what did happen. You have the date of the outbreak as it was. I think it was the 19th of December, 1891, when the outbreak was.

6306. The date of the retirement of the Governor is what I want to know?—He last appeared in our prison a good time before that, but he went sick on the 13th of October, 1891.

6307. Is that the superannuated officer?—It says, "went sick"; but that means he did not do any more work, but that he disappeared from the place.

6308. Then he did not come back?—I have got this from the clerks; apparently he never came on duty after that, but I think that weakness, though it was months back, reflected itself months later.

6309. (*Sir Algernon West.*) The great object of my question is that that, distinctly, did not arise, in your opinion, from undue severity and undue punishments?—I am quite sure of that, because when we had Colonel Garsia as Governor, we never had anything of the sort. I was with Colonel Garsia as a convict doctor. We had 700 or 800 convicts, a far more dangerous sort of prisoners, and never had anything of that kind. Two or three years ago we had 1,000 convicts there, and nothing of that kind ever occurred, because we were kind but severe.

6310. (*Mr. O'Connor.*) Was not Colonel Garsia in charge on the date of the outbreak?—I believe he was there for 17 or 18 days.

6311. Was he in charge of the gaol on the date of the outbreak?—He was. He was there from the 12th of December until the 3rd of January.

6312. (*Sir Algernon West.*) And what was the date of the outbreak?—The 19th of December.

6313. Is it your opinion that it would be better to combine the office of governor and medical man, or rather that all governors should be medical men?—I consider that if you could get doctors who have the administrative qualities that military men have it would be better.

6314. It would be an advantage, you think?—If you got them with the social qualities which influence prisoners so much, then a well-chosen medical man has such an immense other advantage in the work that I think such a medical governor would be advantageous in a prison.

6315. What visitors do you have at Wormwood Scrubs?—Do you mean magistrates?

6316. Yes, I mean is there a visiting committee of justices?—We have a large number of justices who visit once a month.

6317. Do they take an active interest in it?—Yes, they take a very close interest. One of their number visits as often as he likes, but always every week.

6318. Is there such a committee for the women's side?—I believe one lady comes, but I know very little of what she does. I was told the other day that she only sees the people that are going out, but I do not think she comes to influence them indiscriminately.

6319. Have you ever had any experience of ladies' committees of that kind?—No, I have not.

6320. Would you be in favour, seeing the number of drunkards that are prisoners, of having a special home for habitual drunkards?—I think, certainly, not in a prison at all, but some enforced detention would be useful.

6321. Will you tell the Committee what would be the shortest time in which any sentence would be likely to do good to habitual drunkards?—I have not read much about it, but from my experience of what I know of them I should say a year would be the shortest time.

6322. Have you any experience of the work done by the Prisoners' Aid Society?—No, it does not come in any way under my knowledge.

6323. (*Miss Orme.*) What are your opinions about the best punishment for women?—I know that they should be very short and very sharp, and the moment a woman is penitent, which they very soon are, the short, sharp, punishment should be instantly stopped. That is, as a rule, but there may be exceptions. I think the handcuffs are very beneficial to naughty passionate young girls. That is as a restraint really, but the restraint becomes a punishment, although they are not really put on as a punishment.

6324. Are you in favour of dietary punishments?—Yes, administered with great care; but I do not like long dietary punishment. I do not think long dietary punishments are advisable. It is much kinder and more humane with all people in prison to punish them severely rather than in a long lingering way.

6325. Do you approve of the diet at present given to the female prisoners?—I think, especially since I have had my mind specially directed to it, that the No. 1 diet that they have for one week may be improved: rather I should say they have it for five days, not for one week. It is generally said that it is given for one week, but it is only five days, because the first day they come in and the day they go out they do not get it; but I think that stirabout which they do not like, and do not eat much, should be improved.

6326. I suppose the amount of punishment necessary for prison offences depends very much upon the influence of the matron?—Yes, very much.

6327. Have you got the care of the health of the female officers in your prison?—Yes.

6328. Do you find they are over-worked or that they have too long hours?—I do not think their hours are too long. I think their life is monotonous and depressing. If all of them lived in prisons which abut on streets they would get out quickly from their work, and would not feel it, but prisons being situated away from the community, as a rule, they do not get out much. In our place when they go off at 8 o'clock they cannot get out. Three nights a week they only get off from 8 to 10, and, therefore, on those three nights they have only a little sad room to be in. Therefore, though it is depressing, I say the hours are not too long.

6329. Some of those female warders have the responsibility of answering bells at night from the cells?—Yes.

6330. Do you consider that if a warder is sleeping in a room like that at the end of a gallery, subject to answering a bell, that she is able to rest at night?—I consider that possibly having to answer the bell at night should count entirely as night duty, and that she should not be on in the daytime, because a person who knows she may be summoned cannot sleep soundly, and I think it is wrong for a woman who has done duty in the daytime to do anything of a night.

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6331. So that you would count that as part of her hours of duty?—I would have a person sit up so as to be more on the alert, and I would have it called night duty.

6332. Would she have very much to do?—She might not have much to do, but I mean to say it would be better if you could utilise her and have her up, and if so it must be counted as night duty.

6333. Do you think there would be anything to do in the shape of inspecting the cells. Do you think it would be at all useful to have her awake?—I think essentially that a woman who has done her duty in the day, should not have to be awake in the night.

6334. Have you formed any opinion as to the effect of prison discipline on educated women, as compared with its effect on women of the uneducated classes?—I think that generally in men and women the educated ones bear it quite as well, if not better, because they are more philosophical.

6335. So that a lady in prison really is not suffering a harder punishment than a working woman?—I have talked to them, and I have talked to men also and inquired about this, and I find that when once they have got into prison the well-educated do not feel it more than the others, as far as an outsider can judge. It is perhaps because they are more philosophical, and can review what has happened and what may happen, and the opportunities of reform.

6336. You do not think the want of interesting books makes it much harder for them?—I think if they did not have books it would be harder.

6337. But are those books which you have likely at all to interest educated people?—In the library we have very excellent books. We can have all kinds of books. The Government does not put any restraint upon it, except that they must not be tawdry love-stories. They can have any books. It simply rests with the chaplain to select them. They ought to have plenty of books, of course.

6338. (*Dr. Bridges.*) Is any of the ground to the south of Wormwood Scrubs Government ground?—It belongs, I think, to the Ecclesiastical Commissioners, but not at all to the Government. It is used now for grazing and things of that sort.

6339. Supposing you had a space of ground round your prison, you would be in favour of utilising that space for prison labour?—I am more than in favour of that. I think it is most desirable to have open-air work for the men, because you cannot get much depression with open-air work, and physical exercise, and sunshine.

6340. That would seem to imply by contrast, as you are obliged to keep the people at work under cover in their own cells, that that work is to that extent depressing?—It is depressing to all people to work indoors without open air, and it must be more so to a person who has got his conscience laden.

6341. Supposing a person had a tendency to some mental disease, a tendency which did not show itself in any marked symptom upon the admission of the prisoner, but one that might be latent, do you think that that somewhat depressing influence of prison labour which you have just spoken of might tend to develop that seed and make it grow?—I do not think prison labour is depressing, but I think it would be an improvement to have open air.

6342. It is depressing by contrast?—I know what you mean. I think unless the doctor is very smart in detecting that, and putting them out to some other work, when necessary, depression might occur; but personally I have been very careful to have an open-air party into which I can slip a man directly.

6343. With the comparatively limited ground at your disposal you are able to organise that?—We have lots of ground for 10 or 20.

6344. What kind of work do you give them?—We have a lot of flower beds, and then they have to clip the grass. We have some acres of grass, I believe

6345. Coming to the general question of insanity, on which I think you have something to say, I should like, in the first place, to call your attention to one or two particular cases, looking on them as illustrating the general system. You, of course, are familiar with the way in which your reports are drawn up?—Yes.

6346. I have here the report ending the 31st of March 1894. I would like to ask you about a male prisoner, who is numbered 4592. Was he a man of 25 years of age?—Yes, I remember the man well. He was 25 years of age.

6347. A shopman?—Yes.

6348. His offence was felony?—Yes.

6349. He was convicted on the 1st of December 1891, and sentenced to 18 months' hard labour?—Yes.

6350. His mental condition on his reception into prison was reported as sound?—I see that.

6351. He was not known to have been previously insane, and after 14 months in prison he displayed signs of melancholia, with eroto mania, and the supposed cause of insanity was sexual excess?—If you will allow me, I will look that case up.

6352. There is another case, of which the number is 9006; a man of 48, of imperfect education, a labourer, brought up for stealing, and sentenced to three months' hard labour in February 1893. Apparently sound on admission, and after two months, dementia showed itself?—I am not quite sure that this first man had been with me the 14 months, so that I cannot speak of it without looking at my notes. This man was, perhaps, not with me all the time. As to the other case, two months is not, I think, at all abnormal, because it is quite possible for a man to come into prison and after two months show symptoms of something we have not seen before. I think even with lunacy experts, that is possible; so that on two months I have no remark to make, but I can give you full reports of this case from my own notes taken at the time.

6353. Yes. Then you have told the Committee that you are exceedingly careful in the examination of prisoners upon admission; and that we have not the least doubt upon. Do you think it possible that in those cases the mere fact of detention in prison, working upon a man, with the consciousness of having committed a crime, might have had an injurious effect upon him?—I have never seen a case, except once, where a man had murdered his brother, I think it was, and he had hallucinations of seeing this creature he had murdered. Possibly, with his crime always on his mind, the solitude of his cell may have been partly responsible for the insanity, but it is not a fair case.

6354. In the two cases I have just read, without referring to your notes, you would be prepared to think there was some other cause for it?—I should be inclined to think that one was produced by extreme masturbation in prison for 18 months, and I am almost sure that the other case had nothing to do with imprisonment.

6355. Judging from the official reports which appear year, after year in which these cases are detailed, there appear to be a good many cases of insanity attributable to masturbation which are attributed in these official reports to it?—I have not said much of that in my report, because I do not think it is always easy to find it out. However, it may be so.

6356. I was going to ask you whether you thought that in such a case as this one of two months, that I have called your attention to, the comparative segregation in his cell, that is to say, the cellular system in fact, may have somewhat encouraged that habit?—If a man was shut up, he would be more likely to indulge in that habit. I think that would apply specially anywhere if a man was shut up. I do not think that applies to prison especially, but to any

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case where a man is working alone, and had a tendency to that habit.

6357. I was only saying would the solitary system do it?—I have not been in the habit of encouraging warders to spy for that, because I do not think it would answer any great purpose, but I can only say I think a man shut up alone would be more likely to do it.

6358. You have some general observations I think you wish to make upon insanity?—I do not believe *much in statistics*, except taken in connexion with facts and great knowledge. I think these statistics are very fallacious when you compare them with the outside population. Suppose, for instance, we take a village of 1,000 people, and you have possibly two people go mad in that village. Now, if you take a prison with a population of 1,000 people, and compare it with the two who go mad amongst the village population and stop there, the whole thing is fallacious, because the village population is stationary for the year, and is only 1,000 in the year, but the prison population is always changing, and is, perhaps, 4,000 or 5,000 in the year; and, as we catch every madman, of course we get more in our 4,000 or 5,000 than there would be in a village with 1,000. We have five times, at least, as many to deal with in one year in the prison; and in other prisons perhaps they have 10 times as many. Where you have men coming and going, as we do with the short-sentence prisoners, we supervise, it may be, 5,000 prisoners; but the daily average is said to be 1,000, and I fancy the statistics show so many lunacy cases, with a daily average per 1,000; but that is not so many lunacy cases in 1,000 men. It is so many lunacy cases in 5,000, perhaps.

6359. May I point out to you that, although that is quite true as far as it goes, yet, in the case of a prison where 4,000 people pass through in the course of a year, each person does not reside a whole year in the prison. Each person, on the average, only resides three months in the prison; and in the case of the 1,000 villagers, each of them resides one year in the village. I am not quite sure whether that is so?—That shows the difficulty of statistics.

6360. (*Sir Algernon West.*) There is a great deal to be said for your point, that you must not compare the 1,000 in a village with 1,000 in a prison?—And I think that statistics are so misleading that I cannot quite see the exact way to read them. The "Daily Chronicle" argues very carelessly on that matter.

6361. Have you any other point you want to mention to the Committee?—Well, I have another point I would like to tell you about particularly:—detecting insane prisoners when they come in. Every medical man knows that a man with the greatest experience may have to give *three or four visits* to a lunacy case before he can detect his delusion. Therefore, that delusion may go on for two or three months, *and it may go on without the* greatest expert detecting it. Therefore, I must not be blamed because sometimes I pass a man, and then suddenly, to our surprise, perhaps three months afterwards, he mentions, for the first time in his life, something which shows his mind is already gone.

6362. That points to the importance of somewhat increasing the medical staff?—I think undoubtedly, because then we would have much longer time to interview each person.

6363. Have you any other point you wish to mention?—Yes, I have one other point which I think ought to be understood. That is, that in prisons we have a large population of people, a great many of whom endeavour to malinger insanity, and we have to be extremely sure that the ends of justice are not defeated by our being taken in by the malingerer. Therefore, I personally keep a man much longer under observation, even though he may not be in hospital; and I watch a man because I am not sure whether he is a malingerer or not for a time, and it will very often take a long time to decide the exact distinction between malingering and insanity where the two are mixed. So that that will account sometimes for your seeing a person not certified for two or three months, because we are watching him, and finally we may detect some slight thing which would have been really overlooked outside.

6364. And, in fact, it is so difficult to detect, that occasionally you require to keep him under your very careful observation for two or three months?—Yes.

6365. (*Mr. O'Connor.*) How many do you say you have in the prison at one time?—One thousand one hundred all but six.

6366. How many women?—Roughly speaking, something under 200 now. At the present moment we have 196 women and 908 men, but we are low at present. Our accommodation goes up to something like 1,400.

6367. How many medical officers have you?—One medical officer and one assistant surgeon.

6368. When you go on leave what happens?—When I go on leave I get an outside man, but it is not very easy to get one.

6369. Do you think that, with your resident assistant and an outside casual medical attendant, the medical service at such a prison as Wormwood Scrubs can be properly done?—I think that that man, whoever that gentleman may be, not being actually responsible for the well-being of the prison, and not being under Government, is not likely to do his work so well as a man who is under Government.

6370. You have as much as you can get through from month's end to month's end?—The two of us.

6371. You, individually, I mean?—I do as much as my own energies will enable me to do, but it is not the number of hours, it is the work I have got to do, and the responsible nature of it which is so exacting, and often exhausting.

6372. Is your assistant fully occupied?—He is, I think, always, but the assistant has not the great responsibility that I have.

6373. The *wear and tear on the system is not so* great?—That is so; therefore more can be given to him to do.

6374. When you are away, and are replaced by a casual medical man from the outside, is it possible that the medical service of the prison is as efficiently performed as when you are there?—I think it cannot be as efficiently performed.

6375. Do you think you have sufficient medical staff with yourself and only one assistant at Wormwood Scrubs?—I think not. I consider that the head medical man should be free to be here, there, and everywhere, without being suddenly summoned to cut a man's *toenail or open a boil.*

6376. In the earlier portion of your evidence you spoke about "firm and judicious," and, I think, "kindly management" in the prison being important from a disciplinary point of view?—Immensely so.

6377. Would you say that, in proportion as administration is firm and judicious, the discipline of the prison will be better?—Undoubtedly.

6378. That with an improved discipline, the record of punishments will be lower?—Undoubtedly.

6379. Will you be inclined, then, to think, *primâ facie*, that, given two prisons with equal populations, one in which the punishments are, say, represented by X, and the other in which they are represented by 2 X, the presumption is that the discipline of the latter is *not so good as that* of the former?—I do not understand X and 2 X.

6380. Say 1,000 instead of X. Supposing you had twice as many punishments in one prison as in the other, you would be inclined to think, *primâ facie*, that the discipline of that prison was not so good as the discipline of the other?—Given exactly the same character of prison, then undoubtedly the larger quantity of punishment would show a deficiency of judicious, humane, and firm treatment.

6381. Have you ever had occasion to compare the number of punishments at Wormwood Scrubs with the number of punishments in any other prison?—I have not had occasion to do so.

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6382. Would you be surprised to learn that the punishments at Wormwood Scrubs are twice as great in number as at other prisons?—I have not studied the other prisons in that respect.

6383. Would you say that the local prisoners or the convicts, as a rule, are the better behaved?—As shown by punishments, the convicts, I think.

6384. Therefore, in a prison where there are convicts you would expect a lower number of punishments than in a prison entirely composed of the worst class of prisoners, namely, the local prisoners?—I should expect less breaches of the rules where convicts are.

6385. Therefore in such prisons as Wandsworth and Pentonville you would expect more punishments than you would at a place like Wormwood Scrubs, where there are convicts?—We have only very few convicts.

6386. But *pro tanto*?—Yes, it is the judiciousness and firmness, and a certain amount of sympathy, which to a great extent, if you get them combined, will lower the punishments; but you must have the firmness, which is as important as the other.

6387. (*Sir Algernon West.*) Do you recollect the case of a prisoner, J. E.?—Yes, I have inquired into that.

6388. Do you know that he left Wormwood Scrubs, after being interviewed by you, in good health?—Yes, in absolutely good health. I am certain of it by that note of mine. That means I saw him privately. I saw he was sound in body and sane in mind. I can give you this* also, which is a little more interesting on the point. There is no doubt about that.

* This was the prisoner's record.

6389. He is in good health?—In good health both in body and in mind undoubtedly.

At this stage of the proceedings the Chair was taken by Mr. De Rutzen.

6390. (*Mr. O'Connor.*) The word there is "interview." Tell me what that means?—"Interviewed" is when I see a man specially out of the ordinary way. I have him in my room and see what condition his body and mind is in. I generally call that an interview. That word "interview" means I have gone particularly into that case, and am satisfied, unless I note anything wrong. I have got here "sane." The weight at that time was 147 lbs., whereas he came into prison weighing 144 lbs., which showed me he had actually gained a little weight, which is a tangible sign he was not wasting.

6391. Why was that word "sane" written?—To show he was sane and well in body and mind.

6392. You came to the conclusion that he was sane?—Yes. There is a little thing I would like to mention also. Another reason, I think, that the medical officer should not be trammelled by too many routine duties is, that I think he should have a perfect means of associating himself with lunatic work outside, and being in touch with lunacy, so that he may keep his mind clear for those decisions he has to make. I think a medical officer should be able to put it in his journal that he has been to Colney Hatch, or somewhere else, and that he should count it as part of his work. He cannot do that if he has only got one assistant to do half the work, and he the other. *The medical officer* should be in touch with the hospitals and their operations, which he cannot be if he has half of the routine work to do.

The proceedings were adjourned until Thursday the 22nd instant at 12 o'clock.

THIRTEENTH DAY.

Home Office, Whitehall.

Thursday, 22nd November 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
RICHARD BURDON HALDANE, Esq., Q.C., M.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.
JAMES GRANVILLE LEGGE, Esq., *Secretary.*

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Colonel GARSIA called and examined.

6393. (*Chairman.*) You are Secretary to the Commissioners and Directors?—I am; and also Inspector of Prisons.

6394. Will you tell the Committee what position you held before you came into the Home Office?—I have been 17 years in the Prisons Department, and previously I was 22 years in the army. I was appointed Deputy-Governor of Brixton Prison in April 1878, for duty at Wormwood Scrubs, with which prison I was connected nearly 14 years. For the first five years I took charge of Brixton Prison whenever the governor was absent, in addition to my duty at Wormwood Scrubs. I became deputy-governor in charge at Wormwood Scrubs except for a few months from December 1879 to July 1882, with all the powers of governor. I was transferred to Millbank Prison for male and female convicts, as deputy-governor in charge in July 1882, and remained there in charge until some time in 1884, when I had to return to Wormwood Scrubs, as Milbank had been converted into a local prison and there was no other vacancy for me. I remained as deputy-governor at Wormwood Scrubs Convict Prison and succeeded to the charge in 1888, which I held until October 1890, when the prison was converted into a local prison for males and females. I was then appointed in November 1890, to be deputy-governor of the local prison at Wormwood Scrubs for males and females, and ordered to take charge of the prison, as the governor had fallen ill during its change to a local prison. That was Captain Kirkpatrick. I was there in charge for two months, until the governor returned from sick leave. I was then appointed Secretary to the Departmental *Committee on the Prison Officers'* Grievances, their hours of duty, leave, pay, and super-

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annuation, of which Lord De Ramsay was Chairman, from March till July 1891, when I was ordered to take charge of Wormwood Scrubs Prison, the governor having again fallen ill. There I remained until about the 18th September, when I was compelled, on account of ill-health myself, to go on leave for three months. I returned on the 12th December 1891, and resumed charge from Captain Schuyler. I was appointed Secretary to the Prison Commissioners, and the Directors of Convict Prisons, which were then two separate bodies, on the 1st of January 1892, and I was appointed Inspector of Prisons, in addition to the office of secretary to the two bodies, on the 1st of August 1892, and I hold those two appointments now.

6395. As secretary would you shortly describe your duties?—My duties as secretary are, that next to the Commissioners I am the working head of the staff of the department, and I represent the Commissioners and Directors when they are absent, and perform, sometimes (not infrequently when more than two Commissioners are absent) some of the work of a Commissioner. I conduct all correspondence in the name of the Commissioners, all papers and documents, except those relating to the appointment and promotion of prison officers. They all pass through me. I have charge of the general register of convicts, of the registration of all documents, the preparation of all standing orders, circulars, general instructions for the administration of the prisons, the communicating to governors of the decision of the Secretary of State on all sentences, petitions, &c. I arrange the distribution of convicts in local and convict prisons subject to the approval of the Commissioners. I am responsible for and witness the opening of all tenders for the supplies to the prisons. I am consulted sometimes by the Commissioners on questions of discipline which they honour me by asking me about on account of my personal experience. I receive all persons calling in regard to applications for appointment and people who are interested in candidates getting appointments or in any other prison matter. I attend all board meetings of the Commissioners and Directors and minute their proceedings. In fact, I am at the call of the Commissioners and of the staff at the secretary's office at all times.

6396. You are also inspector of prisons?—Yes; my duties as an inspector of prisons are these:—It was considered very desirable that the secretary of the department should be in touch with the prisons which was a want felt; and, on the retirement of Admiral Fenwick, one of the regular inspectors, the Commissioners recommended that I should be made an inspector of prisons in addition to the office of secretary so that I should be available for special inquiries in prisons, and in case of the breakdown of the inspectors from ill-health take the inspection of prisons when required.

6397. As a matter of fact do you often go to inspect prisons?—Well, I think I may say for the three years that I have been holding the post I have inspected nearly every prison once each year, and I have generally done it in my holiday. I have taken an inspector's duty of a district so as to keep touch with it, and I have relieved him so as to enable him to get leave. At this moment Major Griffiths is unable to perform his duties through ill-health, and I may have to with the other inspectors on duty inspect his prisons. I may say that as a rule I have gone to each prison once a year.

6398. How many inspectors are there now?—There are now four regular inspectors excluding myself and exclusive of the medical inspector.

6399. Do you think that the present system of inspecting is advantageous?—It has its uses I think.

6400. It is of a certain amount of use?—Yes.

6401. But not much?—I will not go so far as that. I think the inspectors now as at present constituted relieve the Commissioners very much. Briefly I would put it in this way: I would say they assist the Commissioners by inspecting each prison once a month or oftener if ordered. They report verbally as to whether the rules and regulations are properly observed, and as to the condition of the prisons. They have no executive power whatever. They can, in fact, give no orders being merely the eyes and ears of the Commissioners. They do hear applications and investigate complaints made by prisoners in connexion with prison offences. They do, in fact, grant indulgences in the shape of extra letters, extra visits, letters in lieu of visits, and so on, and they are sometimes made the means of communication with the governors. That is their use entirely.

6402. They have no executive power, but to what extent do you think they could be said to have actual authority and practical power?—They have absolutely none.

6403. But as it is known that they can report to the Commissioners directly, and that they will report to them, a word from them to the governors would practically have the force of a mandate?—Distinctly.

6404. And in that sense they would have power?—Yes, and I will go to the extent of saying that the mere fact of their being always *en évidence* to the governor and to the officials of the prisons gives them an immense power, whether they have it legally or not.

6405. Do you think that the system of inspection could be improved?—I think that every system which is regular, where a man goes regularly month after month to a prison, after a time becomes perfunctory.

6406. Would you approve of a proposition to transfer to the visiting justices some of the powers or the powers now held by the inspectors?—I do not think you could encourage the visiting justices too much. I have not had great experience of them, but from my experience I do not think you could encourage the visiting justices too much to take an interest in the prisons. They come, but they will not take an interest where they have no power. One of the chairmen of the visiting committees said to me the other day, "We are called upon to do your dirty work, "because we have no power except on an emergency to "carry out punishment, and thereby," he said, we do "not take the interest in it that we might."

6407. If the power of the inspectors were transferred to the visiting justices, of course the visiting justices would be bound to go regularly and often to the prison?—Of course, the Commissioners being responsible to the Secretary of State for the management of the prisons they could only ascertain the order of the prisons, and that their rules and regulations were carried out by personal inspection of the prisons frequently or by getting some servant of theirs to do so.

6408. But supposing additional responsibility was put upon the visiting justices they would in a sense be *pro rata* responsible with the commissioners for the state of the prison?—I quite agree with you.

6409. Do you think that the giving the visiting justices certain duties of inspection and power to report direct to the Commissioner or to the Secretary of State, would be sufficient to make them take a keen and lively interest in the work?—They possess that now in the prisons. They elect themselves, and I can quote from the Prison Act to show that they have power under the section of the Act which I am referring to. It is section 14 of the Act:—"Duties "of visiting committee.—The Secretary of State "shall, on or before the commencement of this "Act, make and publish, and may, hereafter from "time to time repeal, alter, or add to rules with "respect to the duties of a visiting committee, and "such committee shall conform to any rules so "made and for the time being in force, but sub-"ject as aforesaid, the members of such committee "shall from time to time, and at frequent intervals, "visit the prison for which they are appointed, and "hear any complaints which may be made to them by "the prisoners, and if asked, privately. They shall "report on any abuses within the prison, and also on "any repairs which may be urgently required in the "prison, and shall further take cognizance of any "matters of pressing necessity and within the powers "of their commission as justices, and do such acts "and perform such duties in relation to a prison as "they may be required to do or perform by the "Secretary of State."

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6410. Yes, but then evidence has been given to us to show that the visiting justices, although they have themselves general power, have found that they have so little actual power, and that so few practical duties are cast upon them that they have lost interest, and there is a great difficulty in getting visiting justices to take any interest in the prisons. Is that your opinion?—I believe that to be the fact.

6411. Then supposing more direct responsibilities than are contained in this section 14 were put upon the visiting justices, do you think that it would lead them to revive the old interest which they had before the transfer and to effectally carry out any duties that might be put upon them?—Yes, I am very strongly of that opinion; but in the interest of the prison service I think the appointment of prison officials should be made by the central authority.

6412. Would you go so far as to say that they should have no power to recommend?—No, I think it would be a very good thing to get them to take an interest in recommending. I think where you have candidates for prison appointments if you can get good local people it is better; and if you can get magistrates to take an interest in it and to say what they know of the people (and they know better of them than we possibly can up here), I think if you could get that interest taken it would be an enormous benefit to the prison service, and would doubly insure our not appointing, at any rate, unsuitable people as prison officers. I mean, I think the final appointment should rest with the Commissioners.

6413. Probably the visiting justices would not care to have considerable responsibility thrown upon them unless they had a certain amount of actual control. Would that be your opinion?—I think visiting justices do. I know in visiting prisons frequently I find the justices there. At Wormwood Scrubs I found a magistrate came once a week and took a great interest in the prison. They see the prisoners and they go round. We frequently get letters calling attention to some structural defect, or something of that sort, or telling us where they think improvements should take place. I think they take great interest to that extent now, and I think if we give certain powers that now without legal authority the prison inspectors use, such as that of giving extra letters and visits and indulgences to prisoners where they think it advisable, that no doubt would increase their interests.

6414. Is there any rule as to periodical visits of the medical inspector?—No, there is no definite rule.

6415. Then what governs his visits to the prisons?—He goes to the prisons if he is asked to do so. I must tell you first that from each prison there is a quarterly sanitary report. If anything comes out in those reports showing any defect, or any increase of sickness in a prison, the Commissioners would at once call on the inspector, if they thought fit, to go down and report on what is going on at the prison. He does on his own initiative go round and visit many prisons, but I cannot say that there is a distinct rule as to a periodical visit to inspect the prison as to its sanitary condition.

6416. Of course, if the visiting justices, for instance, made a communication to him and asked him to go down, he would go down?—Yes, he would if the Commissioners suggested it, but what I say is as to the desirability of his going periodically to the prison.

6417. Yes. Do you think it is desirable that he should make regular inspections of all the prisons?—I think it would strengthen the hands of the Prison Commissioners if they knew that the sanitary conditions of these prisons were regularly and periodically looked at by the central authority through the inspector. I do not at all mean to imply that he does not thoroughly fulfil his duties, but it is on the general question I am speaking.

6418. Have you anything to lay before the Committee with regard to the prisoners' complaints?—I would say about the prisoners' complaints that they have great facilities for making them, and if you will permit me I will tell you what those facilities are both in convict and in local prisons. We have by Standing Order these regulations in convict prisons—I will deal with convict prisons first. The governor and deputy-governor of each convict prison is bound, at least, once a week, each to afford every prisoner the opportunity of seeing him and making any complaint as regards his treatment. The prisoner, moreover, is told when he comes into the prison, and frequently told, that if he wishes to have an interview with the governor or deputy-governor he may give in his name and that it is recorded in a book which is put before the governor every morning. He comes before the governor and makes his complaint and the governor investigates it. If the governor does not satisfy the prisoner he has a right to put his name down to see the director at his monthly visit. Then he comes before the director, and if he is not satisfied with his decision he asks to be allowed, or probably he asks before, that he be allowed to memorialise the Board of Directors. He writes on a regular form which we have, a memorial setting forth his complaint. That comes up to the office, and the governor has no choice but to forward it. The director of the prison writes his statement, and submits it to his colleagues, and they decide on this memorial on the evidence before them as to whether the decision of the director was right, and whether it can be upheld or not. If their answer is against it the prisoner then has the right on his application to petition the Secretary of State, and he there sets forth his grievances. It comes before the Secretary of State. He has, moreover, the right to see the visitors to the prison, and in my experience they used to take great interest at Wormwood Scrubs, I mean such men as the Duke of Fife, Lord Henniker, Sir Francis Morley, and others. They always saw the prisoner alone, with a clerk to take down all that he said, and they investigated thoroughly his complaint, which they reported direct to the Secretary of State if they thought there was any ground for it. Those are all means in the convict prisons which a prisoner has for getting redress. I will come now to the local prisons. In like manner the governor there has to see every prisoner every day, and the prisoner has the right to put his name down to see the governor to have a private interview. If he is not satisfied with the governor's decision, in many prisons one of the visiting committee goes round once a week, and as often as they go the prisoner may see a member of the visiting committee. If he is not satisfied with his decision he appeals at the monthly meeting of the board or visiting committee when he goes before the committee and makes his statement, and they investigate it. Then he has the right of petitioning the Secretary of State, and no governor has a power to limit a prisoner as to a petition. He has also got the prison inspector who goes round once a month, and goes round to every prisoner's cell and asks him individually whether he has got any complaint to make. He reports to the Commissioners the result of his investigation. Those are all the rules. I do not know how we possibly could give them any better facilities for being treated fairly, and for having their complaints looked into.

6419. With regard to prison labour are you satisfied with the present arrangements?—Well, I hold very strong views on the advantages of prison labour. My experience was at Wormwood Scrubs, which is a record of prison labour, because I went there when it was only fields, 17 years ago, with a hoarding round it and there I saw it rise. We dug up the foundations and made the bricks. We had simply a hoarding round it. The population rose from 9 prisoners in 1874 to 1,100 that I had in charge, and we built the whole of that enormous place. We built the chapel. Blocks of stone were brought there, and men were trained to dress the stone and

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build that chapel and we had almost every industry there. The result of my experience is that it was an enormous power in my hand for good. The more interesting and industrial work the prisoners have the better they behave, and the greatest punishment I could inflict on a prisoner for scamping his work was to take him from industrial employment and put him to navvy work. Work is an enormous power in the hands of the governor, and the greater the employment there is for the prisoner the less punishment we have. There was an ill-conducted almost incorrigible prisoner there. When I went there first I spoke to him. He was a young man. I said, "Now, you are "young man. You will be going out of prison and "you will have no training. Would not you like to go "out and have some hope to be as good as other "men?" I spoke to him and tried to touch his heart. The man cried very hard and he said, "Punish me "this time, sir, and I will turn over a new leaf." I said, "I am not going to punish you. I am going to make "you turn over a new leaf to-day. I am going to ad- "monish you and teach you a trade." I asked him what trade he would like to be and he said he would be a bricklayer. I had him taught the bricklaying, and he became one of the best behaved men in the prison. He had forfeited all his privileges through misconduct, and I recommended him to be allowed to write to his friends and for them to see him. I took really a great interest in him and watched over him. I had special officers who had capital tact and judgment who watched him, and this man having recovered himself and learnt his trade, I do not believe came back to prison again. That is my experience of prison industry, and I will say this much, that during my years of service in the prison department, I have found no stronger advocate to enforce the necessity of industrial employment than Sir Edmund Du Cane. He used to go to the convict prison at Wormwood Scrubs, and if he found out by any chance that a prisoner was not on industrial employment on the works he would call the governor to account, so that eventually we had to send in a return if a man, after his reception, was not within a few days of his reception employed on industrial work. If he was not we had to explain it.

6420. The whole of the prison was built by convicts?—Entirely. The clay was dug out. When I was there in charge, we built the wall round it. We pulled down hoardings, and what is more, there is a large culvert running from the prison for a distance of nearly a mile down to the lane, in connexion with the drainage, and we made that culvert in the road. It was an open field when I went there. It was done entirely by convicts. I employed from 60 to 80 convicts, with very few officers. I had not an attempted escape, so interested were these convicts with the work they were employed on, under the supervision of a representative of the Board of Works, that they did that work, and I never had the smallest trouble with them.

6421. We have heard a great deal about the dangers of contamination from associated work, but the building of this prison by convict labour of course involved associated labour?—Exactly.

6422. It is not found then to work badly in convict prisons, but rather the reverse?—In convict prisons you see we have classification. We have the first offenders separated entirely from the habitual criminal. We do not suppose that an habitual criminal can corrupt another habitual criminal.

6423. Assuming the classification is made you see no danger in associated labour if it is properly supervised?—None whatever.

6424. With regard to training these men in the work of building the prisons, how is it managed?—Well we had instructors. We had one instructing bricklayer; we had one instructing stonemason; one instructing carpenter, paid people, and a professional foreman of works.

6425. They were not warders?—These were not warders. Then the officers in charge of parties got to know, as time went on, how bricks should be made. There was a brick instructor too, because one instructor went round, and there were eight or ten parties making bricks. He went round and supervised the whole material and took the general supervision while the officer in charge took charge of the prisoners, as regards their security, their custody and their discipline, and he carried out the orders and took an interest in their work, which helped me a good deal under the supervision of the one instructor. That was our system.

6426. Of course it is easier to do work of that kind with convicts than with local prisoners, but do you think, with regard to local prisoners, that a good deal more might be done in the way of giving them associated work than is done at present?—Yes, I think so.

6427. Who is the responsible official, who supervises the general labour, which is done in the prisons?—Do you mean the official at the Home Office, or the Official at the prison?

6428. At the Home Office. I mean the official who would take a bird's-eye view of the work done by each particular prison, so that he might control the industries?—Nominally the Commissioner of the district does that, but it is revised by the store accountant. The store accountant here is the man who has to do the work as to the productive labour of prisons.

6429. Practically the store accountant is the responsible official?—Yes. The Chairman of the Board of course takes an interest and watches over the whole thing.

6430. Is he officially in a position to take an accurate and satisfactory view of the whole question of prison labour, and to exercise proper supervision, he having the necessary authority to give effect to that supervision?—Yes, I think so decidedly. He is not at all trammelled by the Commissioners.

6431. But still he is also responsible for the accounts?—No, there is an accountant besides that.

6432. The store accounts?—He is responsible for the store accounts, but he has a large staff under him.

6433. Do you think that the adaptation of special industries in prison is satisfactory?—From my observation in visiting the prisons I think they are not so satisfactory as they might be.

6434. For instance, it was suggested to us the other day that work was now being done in convict prisons by the long sentence men which was just the work that might be done by men under short sentences?—What is the work?

6435. I think it was coal-sack making?—Yes, I think that is specially suitable for short sentence prisoners, because it is quickly learned and there is no difficulty in learning it, but I do not think it is being done to any extent by convicts. Of course I cannot speak positively.

6436. Evidence was given to us the other day to the effect that this particular industry was suddenly taken away from Lewes, where it was done with great advantage to the prisoners, and given to convict prisoners?—That might have been a very temporary thing. I can assure you that for some little time owing to the reduction of the number of convicts at Wormwood Scrubs doing their separate confinement we may have transferred that industry; and these convicts were transferred temporarily to convict prisons. I do not say that it was the cause, but just casually I should say it was the cause that that industry went with them to the convict prison, but that class of prisoners will no longer go to convict prisons, for instance they will go to Lewes and other prisons; and there they would be employed at the industry which temporarily was given to the convict prisoners. The whole of the convicts in convict prisons are employed at outdoor labour excepting a few weakly, sickly men.

6437. Still you think it ought to be the object of the prison authorities to give to the convict prisons work suitable for the long sentence men and such work as in general could not be performed in the local prisons?—Exactly.

6438. Then do you think that more might be done by a more systematic grouping of prisoners in the local prisons. I mean generally by concentrating the men under longer sentences on the one side and short sentences on the other?—Of course there is a provision in the Act of 1877 which permits that, and reading that Act, and applying it to local prisons, I should say it would facilitate the employment of local prisoners if that was done.

6439. Evidence has been given to the effect that the execution of orders given by Government Departments could not altogether be relied upon as the delivery was unpunctual. Do yo think that would be the case?—I think you would always have that difficulty in employing prison labour, because it is not very reliable. You cannot task the men. If you want good work of that kind done, you cannot task a prisoner. The moment you task the work and say he must turn out so much a day you get bad work, so that all you have to do is to encourage him to do as much as he can and get good work; but if you cannot task him you cannot take a contract.

6440. Would that be met by having a store depôt in London or elsewhere on which you could draw?—Yes; if you were certain of getting rid of your work that would distinctly get rid of your difficulty.

6441. Then if the Government Departments undertook to give you orders and they could not exactly foretell the amount which would be wanted at different times, if you had such a depôt as that you could make your deliveries with more punctuality?—Yes; I also know we had great difficulties. We used to make the boots for the Metropolitan Police at one time, but we used to have such an enormous amount of rejections owing to the inferiority of the work that it became a question whether it paid. It was carried on at a great loss I think and had to be given up.

6442. But boots are still made in prison?—Yes, but only to a limited extent.

6443. Have you anything to say in regard to the system of punishments in local and convict prisons?—I think that the power of punishment the Governor possesses is quite sufficient. Speaking from my own experience, I will say broadly that what you ought to do in dealing with prisoners is to give them the minimum punishment, not with regard to the crime committed, but to deter other prisoners from doing the same thing. I have always found that a great advantage in prisons. I have served under men who always tried to see how little they could give a prisoner for what he had done, and the result of that was that it encouraged the other prisoners, and they said the price, the penalty was so small that they did not mind. They will say, "I know if I go "and hit him on the head and knock him down, I "may get a day's bread-and-water." But what one has to think of in dealing with prisoners and large bodies of prisoners in particular, is how to deter them without being cruel. I also look upon it that a first offence until a man thoroughly knows the rules he is breaking is sufficiently met by an admonition. I think it is best to admonish him, and put before him what he is doing, and having done that then if he still breaks the rules I began with small punishments, and I made it cumulative. I cannot from my experience, both in the army and in the prison department, think that any other system is good.

6444. You have read the evidence of Captain Schuyler?—Yes.

6455. There was an outbreak at Wormwood Scrubs?—Yes.

6446. Have you any remarks to make upon that?—I noticed in Captain Schuyler's evidence that he stated that before he went to Wormwood Scrubs there was an outbreak, and that after he left Wormwood Scrubs—ten days after he left—there was another outbreak, and I read Mr. Morrison, the chaplain's evidence, who says he got his information from Captain Schuyler that the cause of these outbreaks was the severity and cruel treatment of the prisoners. I would like to say a few words, if the Committee will permit me, on these subjects. I have told the Committee my connexion with Wormwood Scrubs prison,

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and first of all I would say that during the 14 years I was there there never was anything that could possibly be construed into an outbreak until what occurred on the 19th of December 1891. There never was on any occasion anything which could possibly be called an outbreak. The prison was always orderly. Of course you have in prisons amongst a mass of prisoners of all classes periods in which there is a little more in the shape of prison offences than at other times; but anything approaching what can be called an outbreak, never occurred in my connexion with the prison, either as a convict or as a local prison, until the 19th of December 1891. On that occasion the so-called outbreak was limited to what I will describe. I will first say that I went away on leave. I had to go away on leave in the month of September. The Governor had been for a long time ill. The Commissioners were put to their wits' end to know how to take my place there, as the chief warder was not quite the man, and he himself asked the Commissioners not to give him such a large charge. They were in difficulties to know who to send there. They had nobody, and could only fall back on the newly-appointed Deputy Governor at Wandsworth, Captain Schuyler, who had been three months, I think, in the prison service, and who had no experience, but who came straight from the army. He came on the 18th of September, and I assert that everything was in perfect order then, the prisoners being under control. The officers were many of them young, but all was going on well. I told Captain Schuyler that he had no experience. I showed him how I carried on the prison, and I advised him to be guided very much by the chief warder, and to go on the same lines and not to relax the discipline. I said, as to chapel, arrangements have not yet been completed for a number of prisoners. I am very overcrowded, and I said a prisoner who abuses the great privilege of going into that building to worship, and who laughs and jeers should be kept out of it, until he promised to behave better. The result is I said we keep out the bad sort and let those who wish to be good go in there and have the benefit of it. I returned to the prison on the 12th of December, and on going there the chief warder told me that Captain Schuyler had reversed everything that I had done*; that he had let all the prisoners into the chapel irrespective of their conduct; that he had stirred up the worst feeling between the prisoners and the prison officers, that whenever a prisoner was reported for anything, he took the part of the prisoner against the officer, and the result was that the officers were in an utter state of discontent, and were on the point of petitioning the Commissioners as to their position there. They had lost control of the prisoners. This last was told to me by the chief warder and by the chaplain, Mr. Merrick, who said I am very glad you have come back, because there is a very bad feeling between the prisoners and the officers. I noticed on the very first day that I had to deal with a prisoner, that there was a very bad spirit. The convicts whom I had to deal with, and who did well in a local prison to the number of 300 showed a very insubordinate spirit, and in looking over the punishment book, (which I will put before the Committee presently) I was struck with the way in which they had been dealt with, the way in which they had been allowed to get out of hand, and the laxity of punishment that there had been. So that though they are a particular class in themselves requiring a firm hand, I really could not punish them as I thought I ought to do. My experience and knowledge told me that if I pulled the strings a bit tighter, it would have the worst effect; so that I had to temporize with them, and within four days I got information from a prisoner, that some time before, an outbreak had been planned by the convicts, (not the local prisoners) to break out in chapel. On Sundays, as you know, half the officials only are on duty, and the number of officers is very much reduced. I understood from this prisoner that there would be an outbreak in the chapel, and the officers, would be smashed. I came to the Home Office and represented this to the

* For memorandum by Captain Schuyler on certain points in Colonel Garsia's evidence and Colonel Garsia's reply thereto. *See* Appendix IX.

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Commissioners and got permission to allow only half the number of prisoners to be in chapel at a time, until they could get them into better order and until we obtained more seat accommodation. I obtained that permission on the 16th of December, and on the 19th, not ten days after my going there, the things that had been told me broke out. What occurred was this: the prisoners were all in chapel; an ill-conditioned man began to jeer, and one of the prison officers held up his finger to check him; on which this young prisoner, a convict got up and rushed to the door, calling on the other prisoners to follow him. At this time I was not in the chapel, because I was attending on the Visiting Committee, who were in the prison. Two members of the committee had come there at my request to hear a report against a prisoner, J. E., whom I shall deal with presently. In my report I stated to the Commissioners what took place. The officers pointed out to the prisoners that they were not to follow this man to the door but to return to their seats. They did return to their seats and they were got to go to their cells. So little noise and commotion had it caused that the two members of the Visiting Committee and myself, who were close to the chapel outside and in the yard, did not even know what had occurred. It was only on the chief warder coming after the prisoners on the way to their cells that we got any information about it at all. I then had a telegram from the Home Office about some business, and thinking everything was quiet, I told the chief warder not to stop the exercise, but in my absence to go on with the exercise. It appears that there was a very bad spirit amongst the convicts, as I said before. Certain old convicts were very discontented at their treatment in the local prison, not being the same as they had been accustomed to in the convict prison. For instance, I elicited that a convict only got a letter after six months, whereas the local prisoner got it after three months. They were discontented about that, and another complaint was that they were not allowed out of their cells as cleaners, cooks, &c. All these were orders from the Home Office, and very proper orders, so as not to mix the convicts with the local prisoners. I was away from half-past one to five and when I got back the chief warder said that the prisoners who had been let out were a bit riotous and men had been at their windows shouting and altogether there was a bad spirit shown. I gave orders for one or two of the ringleaders to be removed to other parts of the prison where they should not excite the others and things quieted down. The next day, Sunday, I took it on myself to stop these riotous prisoners from going to chapel. I exercised all these prisoners in small batches. Everything was as quiet and orderly as possible; you could hear a pin drop. The public did not hear of this until ten days after it occurred. What I contend is that it was a disturbance by reconvicted convicts, that it was not an outbreak, that it was brought about not by my severity but by the laxity of the man who was there for three months in charge and that of the eight prisoners who were charged with having been concerned in this outbreak and who were punished at the convict prisons for it, not one of these prisoners received punishment from me during the seven days I was there or at any other time. In one case I admonished him. In two cases I dismissed the charge as unproved, and in one case, the man being a very bad man, I said he should not go to chapel for seven days. If that is excessive punishment, or could possibly lead to an outbreak, then I am not fit for anything.

6447. Will you hand in to the Committee an abstract of the punishments which were given before this outbreak occurred?—During the seven days I was in charge?

6448. Yes?—I have just casually looked at the punishments by Captain Schuyler, and I find "J. P. wilfully throwing a basin of slops over an officer;" this is personal violence. In the particulars of investigations he says "Proved." The punishment for that was three days stir-about diet. If a convict knows that for three days stirabout diet he can throw his slops over a prison officer and assault him—an offence which by Statute no governor has power to deal with, but which must go before the visiting justices—I say that prisoners will do it with impunity. I only take that as an illustration; but I will hand in to the Committee first of all an abstract showing the lists of all convicts at Wormwood Scrubs prison who were brought before me during the seven days previous to the outbreak.* This is a statement of it. On the 12th of December there were six; on the 14th of December 12; on the 15th of December five; on the 16th of December seven; on the 17th of December seven; on the 18th of December none. The punishments awarded were these; 28 were punished, seven were admonished and two were dismissed. I also have a list of all convicts concerned in the disturbances on the 19th of December 1891, showing which of them were brought before me during that period and how I dealt with them.* I would now say that it has been suggested, as I said before, that a prisoner J. E. had been so brutally treated at Wormwood Scrubs prison that he was removed to Wandsworth in consequence of that outbreak. I will say about that, first of all, that the prisoner J. E. had nothing whatever to do with the outbreak at Wormwood Scrubs; he might as well have been at Wandsworth; he was in another part of the prison; and on the very day that the outbreak occurred he was standing before the Visiting Committee having been reported by me for another offence which he had committed before I resumed charge; that is a charge of trying to break prison by pulling the windows out. The prisoner J. E. was an incorrigible; he was an ex-convict and he had done a sentence of penal servitude, he had been frequently punished, but on my going there in July he said, "I am an old convict, and I like to see convict officers here." I talked to him and tried to lead him to good, and I said, "You are behaving very badly." If you look at the record you will find that in July I admonished him to give him a start, and in July or August you will see that he was admonished as for a first offence.

6449. Yes, that was in July?—That was for picking the mortar out of the brickwork in his cell. He was reported for attempting to break from prison by picking the mortar out of the bricks. I did not want to make a serious thing of it. I said, "You have not had any punishments from me, and therefore I will give you a chance," therefore I admonished him; he was shortly afterwards, I believe, brought before me for making a determined attempt to breaking prison. I ought properly speaking to have made the charge much more severe than it was; then I punished him with three days' bread and water, and 14 days stirabout diet. Had he come before the Visiting Committee he would probably have been flogged for it. The next offence was that when at exercise shortly afterwards with one or two other prisoners, he persuaded some young prisoner to steal behind the officer, when at exercise, and pinion the officer behind, and having got this young man to work behind he pummelled this officer with his fists. It was a most outrageous attack. For that he was brought before the Visiting Committee, and received 18 strokes with the birch-rod. I may say that the Visiting Committee at Wormwood Scrubs, are about the most humane body of gentlemen I have ever met, and it was to them a severe punishment to inflict even one stroke of corporal punishment. They debated for an hour how they could avoid doing it, and one member of the committee was shocked that they had sentenced the prisoner to corporal punishment; but when it was over the prisoner said, "It was not so "hard as my mother used to beat me with her apron "strings." This member of the committee actually went round to the prisoners and told them how deeply sorry he was that they had to sentence them to corporal punishment, but the only cause for it was that he struck an officer. He tried to talk to the prisoners, and I want to say that this was only forced on the committee by the incorrigible conduct of the prisoner. I left the prison, and I see the next reports were during Captain Schuyler's time, when he was reported for incorrigible conduct by barricading his cell door, and refusing to pick his oakum. The first time was on the 24th November, when I was not there; that was for throwing his oakum through his cell window, for which he was sentenced to earn 80 marks in the first stage. The next thing was on the 11th of December which was insubordinate conduct by barricading-in his cell. For that he was brought before the Committee on the 11th of December, the day before I got charge again, and for that he was ordered to be put for 14 days in a punishment cell on No. 1 diet; but on that he would only really get six days on bread-and-water. Then on the 19th of December, which is not the day on which he committed the offence, because he committed the offence on the very day after he was dealt with by the Visiting Committee "When under punishment attempting to escape by "removing bricks from his cell wall, forcing open the "iron window, and breaking three panes of glass;" then repeating the attempt to break prison when placed in another cell. It was for removing the iron from the cell-wall. Then he was brought before the Visiting Committee and Mr. Martineau said, "What do you "think? shall we have to flog him again," I said "Well my experience is that after a man has been once "flogged, flogging has no effect upon him." I said you have very small powers, but if you will give him some other punishment, I will promise to write to the Commissioners pointing out the necessity of sending this man to some other prison. When a prisoner gets into the position, that he thinks he can beat the officers in the prison, he is a marked man; every officer knows him, and perhaps he does not get so good a chance of escaping punishment as by going to a new place. I promised to recommend the Commissioners to order his removal, and the Commissioners ordered him to be sent to Wandsworth prison. He went there to give him a new start; not because we could not manage him at Wormwood Scrubs, but because I thought it might be the means of turning the man to better things. Therefore I suggested it to the Committee.

6450. What Committee was that?—This was the Visiting Committee. Now with regard to the management of the man, his treatment, and the condition of his health.

6451. (*Sir Algernon West.*) We had evidence, I think, about this on Friday last, when Dr. Patmore was here. He said he was perfectly healthy, bodily and mentally?—That was only as to Wormwood Scrubs.

6452. He said he was personally interviewed, and he sent him to Wandsworth, and he said he was in perfect health, mentally and bodily?—I will hand you this to show the condition in which he was when he left Wormwood Scrubs (*document handed in, see Appendix IX.*). I wrote to the governor of Wandsworth, and in reply to that he wrote me this (*for letter handed in, see Appendix IX.*). Not satisfied with that I wrote to the governor of the prison, and the answer was as follows (*for letter handed in, see Appendix IX.*). I will also hand in this minute (*document handed in, see Appendix IX.*).

6453. (*Chairman.*) Mr. Morrison, I think, said that part of the disturbance was due to the fact that there were too many young officers in the prison?—On that point I will say this much, that I personally made a selection. The so-called outbreak was limited entirely to the penal servitude prisoners in the C. hall. The local prisoners are in A. and B. halls, and had no more to do with it than any gentleman in this room to-day. They did not even know it, and they had not the means of taking part in it. It was perfectly isolated, and I say the officers in charge of the convicts were all selected officers of some years' service. There was not, to the best of my belief, a single young officer in charge.

6454. Upon the question of putting convicts into local prisons for nine months, do you think that difficulties arise from it? Do you think it is a good system?—I did not like it at first, and I admit it. But I think that if you have a governor of intelligence who knows how to manage them, and who keeps them apart from the local prisoners that no harm is done.

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6455. What is the object?—That is a matter which was decided upon before I came to the head office.

6456. You do not know of any particular advantage?—No, I do not know of any advantage at all.

6457. It would be true probably to say that the convict element in a local prison would give more difficulty than the local prisoners?—I think if convicts are well managed by the governors that they give less trouble. You have to be firm with them, and you have to be consistent with them, but if they are well managed they have such an incentive to good behaviour by earning marks that they are better behaved than short sentence prisoners who come for a few weeks and have nothing to lose but go out when their sentence expires.

6458. Would not you say there are much better facilities for dealing with convict prisoners at convict prisons?—Much better.

6459. And, therefore, it is a little difficult to see the advantage of putting them in the local prisons?—I see no disadvantage in it. I will go further, and I will say that the discipline of the convict prisons is such, that putting a convict prisoner into a local prison does not specially prepare him for the discipline of a convict prison.

6460. With regard to the training of officers, do you think the system is satisfactory?—The training of convict officers is quite satisfactory, but I cannot say the same of local prison officers. In a convict prison for three months after an officer joins he is under instruction by specially selected officers, and until he has passed three months' probation and is certified by the governor and the other officers who have had to do with his training he is not allowed to take charge of prisoners. This system is also applicable to local prisons, but in the first case there is no difficulty in carrying it out because the prisoners are in associated labour, and to each party there are probably three officers, so the probationary officer may be under instruction and yet be of use, without being put in a position of responsibility for which he is not qualified. In local prisons, except the very largest, the newly-appointed officer is wanted for duty from the day he joins, and he may have to take charge of prisoners without any training whatever. The best is done to teach him, but in the small prisons his instructors may not themselves be qualified to instruct, and I therefore favour a better system for the training of local officers. I think no person should be appointed to fill a vacancy on the staff of a prison until he has gone through a course of instruction at a selected prison and has satisfactorily passed his first probation of three months. There should be a few prisons with selected officers where there should be a number of candidates for prison appointments under instruction, and from these candidates appointments could be made to fill vacancies. The newly appointed officer would then join as a trained officer ready to take duty at once. The candidates under instruction should be supernumerary to the regular staff of our prisons, and the governors and other officers of the selected prisons, which would be schools of instruction, should be specially chosen for the work. In short, I am of opinion that no officer should be put in charge of prisoners until certified as competent by his knowledge of the duties, his tact, temper, moral influence, and fitness, but to secure this there would have to be a reserve of officers trained and in training, and this would cost money.

6461. What sized prisons would you select for that?—The larger prisons like Pentonville, Wandsworth, Liverpool, and Durham. If an officer under instruction showed no aptitude he could be got rid of without inconveniencing the prison, as he would be, by my proposal, supernumerary to the regular staff.

6462. Then you would make two or three prisons, in fact, training schools for warders?—Yes, I would.

* *See* Appendix VI.

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6463. Do you think the same plan would result well in the case of the deputy-governors?—We did have that plan for the deputy-governors. I think it is a very excellent plan. When I joined the prison service all deputy-governors had to go to Millbank to be trained before being definitely appointed.

6464. Was that system given up?—It was done for a long time.

6465. But when was it given up?—I should think it was eight or ten years ago.

6466. Do you know why it was given up?—Well, Millbank was closed, and the appointments became very few.

6467. Do you approve of the practice of sending in temporary officers?—The practice is virtually at an end, temporary officers as regards male prisons being employed only in cases where it would be impossible to employ permanent ones except at a ruinous cost. I have given much consideration to this subject, and made a report and recommendations after visiting all the prisons last year, and a change was made by the Commissioners, which took effect on the 1st January 1894. In convict prisons temporary officers are never employed, the staff being provided to meet all ordinary casualties. The local prisons are now officered on the following basis, excluding the special staff, such as chief warder, night watchman, infirmary warders, gate-keepers, artizans, schoolmasters, messengers, porters, and the like, the prisons with a greatest population of over 100 are given a discipline staff of principal warders, warders, and assistant warders at the rate of five per cent. on the accommodation, or on the greatest number in custody on any day the preceding year, and in prisons under 100 on a specially liberal scale, to enable the duty to be efficiently performed on Sundays with half the officers away on leave. Each prison is further considered as to its local circumstances, *i.e.*, construction, the classes of prisoners received, and whether the margin between the daily average and the greatest number is high or low, also as to the number of officers required for Sunday duty, and based on these circumstances additional officers are allowed, whilst temporary officers are only called in for the following purposes—to take the place of the night watchman when absent on leave through sickness or any other cause, to assist pending the filling of a vacancy in the authorised staff, at certain places for escorts, in connexion with assizes and sessions, or for extra duty on such occasions, to assist in watching prisoners who are dangerous or under sentence of death. To have permanent officers to meet such emergencies would be absurdly expensive, as in some prisons they might go for years without requiring officers for such purposes.

6468. Do you think the staff on the male side is adequate?—From my observation, I think it is distinctly adequate.

6469. And on the female side?—Well, I think that has got to be looked into. There are not many complaints; but the Commissioners have got it under consideration now. *It was a trial on the male side* to see how it worked, and it worked well. No doubt they will have to do the same thing on the female side. There are difficulties in some prisons where, perhaps, there are only one or two female prisoners. Sometimes they have a matron and one officer, and they go for weeks without a female prisoner, and then they may have five or six; but in the big prisons, where there is a large number of women, I have no doubt that they will, next year, appoint a fixed staff to do away with temporaries.

6470. Can you tell me why the number of warders shown in the estimates does not correspond with the actual number?—The number of officers for the prison is in the estimates based on the accommodation, or very nearly, the accommodation of the prison. It is in the power of the Commissioners, should the population of the prison rise with a sign of permanence during the period, to engage the officers, but if it does not rise they officer them on the basis I have told the Committee, and there is no necessity for putting the country to the expense of an extra officer.

6471. Are there enough officers?—In a great many prisons there are enough. Holloway has a large fixed staff; so have the London prisons generally. But there are smaller prisons where it would add so many officers who would only be required for a few days, *e.g.*, assizes, and if the governor cannot manage without them he is authorised, without any requisition, to get in temporary officials. I ought to have mentioned that before; but there are a good many of the larger prisons, like Liverpool, to which the general rule is applicable.

6472. Have there been many cases reported of trafficking between the warders and the prisoners' friends?—In my experience we have occasionally found officers trafficking with prisoners' friends. We very seldom hear of it by temporary officers, because we cannot find it out, but I will give you one instance, the case of a man who had been in the service over 20 years at Wormwood Scrubs. He had been a principal warder, and it happened that a prisoner was brought there. He was a man who had been convicted of fraud, and making away with 28,000*l.* The officer knew his man, and I had a hint that he was too attentive to his prisoner. I could not believe it. I thought that with a man entitled to a pension, and who could retire, it was impossible; but I took steps to try and ferret it out. I saw the prisoner, and I told him we knew he was getting advantages, and I showed him what a danger he was running. He said, "He brings "me in letters from my wife, and newspapers, and is "a friend to me, but she has got to pay very dearly "for it." I could not believe it. I said, "You must "write a letter to your wife and tell her to trust the "governor, and she will not be brought into court; "but tell her to trust him and tell him who the "officer is." I sent a confidential clerk of mine to this woman, and she was very alarmed at first, but she told him about it. She said, "He charges me 5*l.* "for every three letters I send to him." It seemed incredible to me. I had arranged what she was to do to trap him. She was to write a letter to her husband; he was to put a private mark on that letter; she was to enclose that letter to her husband in a private note to the warder, saying, "I send you accord-"ing to arrangement, the letter to my husband." The clerk accompanied her to the pillar-box and saw that letter put in the box. The next thing that occurred was that I had the chief warder and another warder on watch, and afterwards this old officer of 20 years' service had, in the course of his duty, to go into that prisoner's cell. The moment he came out my two men, who were watching from the next cell, came out at once, searched the prisoner, and took from him the letter on which the private mark had been put. They brought the prisoner at once to me, and I said, "How "did you get that letter?" He said, "My warder "brought it in to me, sir." I sent for the warder, and I said, "You have been betraying your trust." The man looked perfectly dazed. I said, "That letter "was written by the man's wife, and the two marks "were put on it. The letter was seen to be posted "to you, and everything was known." He said, "Have mercy on me!" I suspended him and reported him, and I asked for authority to prosecute him. Before a day was over he disappeared, and never has been heard of since. I say this to show that you will have black sheep in every service.

6473. What per-centage of trafficking do you think there is amongst the warders and the prisoners' friends?—It is very little. Any man without experience who would say there is no trafficking cannot possibly know about it. There is trafficking, and there always will be trafficking.

6474. Are you satisfied with the class of men you get as warders?—I gave evidence on this subject on the Committee of which Lord Rosebery was Chairman, and I made my own suggestions for getting the best class of men possible, and Lord Rosebery, after listening to a great deal of my evidence, said, "Have "you any difficulty in getting candidates. Is there "any lack of candidates?" I said, "No, my Lord, "we get a good many candidates. We get military "men—soldiers." He said, "Then how do you "reconcile your recommendation with the fact that "you get any quantity of candidates?" I say now to this Committee what I said to Lord Rosebery, that a man when he is starving and very hard up will take an appointment, but that after he gets one he becomes discontented. He is not the right man for it, but he sticks on to it, because he cannot get anything better. Taking it all round we get very fair men.

6475. Do you think their hours are not too long?—I do not.

6476. They are fair?—They are fair.

6477. Do you think there is any undue strain on them?—I read the evidence of one witness in which it was said that a prison officer did 25 hours' duty; but I can only say that if he does it is contrary to the rule. The standing orders are distinct, that no officer is to do more than 10½ hours' duty a day, and that if he is called upon to do other duty he is to be compensated by additional leave. Many of the officers in the local service say they are called upon to sleep in the prisons. That matter was threshed out completely by Lord Ramsey's Committee, and they came to the conclusion that the mere sleeping in was not enough to complain of. At Millbank and Wormwood Scrubs I lived a mile and a half away, but I had to sleep there at night. They held there was no hardship from the mere fact of sleeping in the prison. In many cases the officer benefited by it, as he got away from some squalid lodging and screaming child, so that his rest was not disturbed. But in that case, of the 25 hours' duty, I can only say if the governor employed an officer for that time it is absolutely contrary to the orders of the Commissioners. They lay down that if an officer is going on active night duty he is to be let off from half-past eleven a.m., and he comes on at 7 in the evening: so that he is off duty for a number of hours. He then does his night duty, and he is released from duty from six the next morning until one o'clock that day.

6478. Now, with regard to classification, should you approve of the extension of the star class system in convict prisons to local prisons?—I see no difficulty at all in it; you could have first offenders separated from habitual criminals. Of course, they are on the separate system, but I know myself from personal experience that prisoners, though under the separate system, do communicate with each other. They do talk in chapel. They do not talk to a great extent, but they do get an opportunity of talking at exercise. I think it would be a good thing if you could have a separation of the first offenders from the habituals; and I think that could be done. It is not only the corruption which takes place in the prison, because that may be very little, but I speak of it on the ground that a person who comes into prison for the first time for some small offence gets known to the other men. When he gets out they are brothers in affliction, and the old criminal approaches them. It is better for them not to be known to each other; and on this ground I advocate it.

6479. Do you think that the present system of giving short sentences to habitual criminals works badly?—I do, and very badly. I do not think in short sentences you can have a reformatory effect.

6480. Do you approve of cumulative penalties?—I do.

6481. Would you approve of raising the age for admission to reformatory schools from 16 to 18?—Of course at 18 that class of youth is as vicious and bad as anything can be, and it would be bearing on the right side if they could be kept apart from the younger ones.

6482. A man practically goes on in a reformatory up to the age of 21?—Yes. I think you must keep them apart from the much younger reformatory boy then. If you were to throw into the reformatory a rough and criminal boy up to the age of 18 with a boy of 14 the boy of 14 would be utterly demoralised and ruined.

6483. Then it would be necessary to have classification?—Yes.

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6484. Do you think any separate treatment should be administered to the drunkards?—It is very difficult to draw the line where criminality begins with the habitual drunkard.

6485. You have read the report of the Inebriates Committee?—I read it to a certain extent. I cannot say I have digested it, but I have looked at it.

6486. Would you agree with the general conclusion of it, that habitual drunkards should be punished for that particular offence?—I do certainly, because he is a free agent.

6487. With regard to weak-minded prisoners, do you find that there is considerable difference in their numbers in different parts of the country, I mean, for instance, would you find a great proportion of weak-minded prisoners who come from London, or from great towns?—I should say they come from the great towns mostly. I should say that from London, Manchester, and Liverpool the per-centage of weak-minded prisoners is greater than in the rural districts.

6488. Would it be possible to give the Committee any return of that?—Well, the only kind of return you could possibly get would be one from medical statistics, but there are a great number of prisoners in prison with weak minds who are not treated as weak-minded persons. It is virtually that the warder says of such a prisoner, "He is not all there," and you must make allowances for that, but there is nothing that calls for the interference of the doctor.

6489. With regard to the prisoners who are especially treated for being epileptic and weak-minded, could you give us information showing how the proportion stands?—I will endeavour to get such a return.

6490. Speaking generally, do you think that the prison system as it at present exists requires greater elasticity?—I cannot see in what way, if facilities are given to the Commissioners for greater industrial employment, and also on the lines of the visiting committees taking a greater interest in the prisons, and helping in the administration of them; otherwise, I do not know in what way.

6491. You do not think greater power should be given to the governors with regard to letters and communications?—They have enormous power. There is a Standing Order to which I would like to call attention.

6492. I think we have had evidence on the Standing Order. That has been put in?—It is Standing Order 213.

6493. Then, though that Standing Order may give a certain amount of discretion, yet at the same time, under the prison rules, the number of visits and letters is strictly limited according to different classes of prisoners?—Yes.

6494. What I mean is this. Would you approve of greater discretionary power being given to the governor?—I see no necessity for it, if you gave your Visiting Committee greater power to deal with that question. I am greatly in favour of having rules, and of having those rules except in certain circumstances complied with. The prisoner knows what privileges he has got, and he is satisfied if he knows that he gets them. But you have to think of what is the average capacity of governors and of chief warders in charge, and that they have not had to act with this extension of powers. Of course, if the magistrates had them, they would probably administer them well and efficiently; but I think a governor has quite enough power now. It may seem a little hard, but I think a local prisoner who is allowed every three months from the date of conviction to get a letter, and who goes through the whole of his sentence in prison with power to get letters at the same rate, is satisfied. You might do as you do with the convicts; and, as he goes on, in time you might give him more frequent opportunities of receiving letters. You have it so in the convict prisons. A man for the first year has a letter every six months; in the second year he has it

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a little oftener, in the third year a little oftener, and in the fourth year a little oftener still, if his conduct is good. In the local prisons he has it every three months, and I think you might extend that and say that if a prisoner was in for one year or over you would give him greater facilities for communicating with his friends after he had been in for a certain time; but I would have it a rule; I would not leave it to the discretion of the governor. I think the governor has quite enough power, and any governor who is worth his salt with the powers he has got if there was any emergency for a prisoner to get a letter, would know when to give it to him.

6495. Would you give the larger discretion, if at all, to the justices?—Yes, I would.

6496. (*Sir Algernon West.*) You said that besides your appointment as secretary you are inspector of prisons?—Yes.

6497. We have had evidence before us of some prisons where the accommodation apparently is very much too small for the necessities of the place. Would it be the duty of the inspector to bring that before the Commissioners?—No, I should think it would be rather the duty of the governor to represent it.

6498. Supposing the recommendation of the Committee in favour of inebriates was carried out, would you merely send people who have been convicted of being drunk and disorderly to these Homes or how would you separate the drunkards from the others?—I have not given that matter attention.

6499. A large proportion of people who fall from drink are brought up for crime, and not for being drunkards?—Yes.

6500. In talking about classification you talk of one classification for first offenders, would that be an adequate classification, because on the first time of conviction they may have been criminals for a long time?—Yes, even in our classification of convicts we make inquiries *primâ facie* if the man has ever been convicted before, or if he has been convicted only of some offence like assault or being drunk; but we go beyond that and we inquire into his whole conduct and antecedents, and the directors decide as to his classification according to his whole life and his associates. I would carry that principle out in local prisons.

6501. Who would you leave the discretion with?—With the Visiting Committee who would take an interest in it.

6502. You speak so strongly in favour of useful labour that I suppose that would carry with it your condemnation of the crank and the treadwheel?—I object to the treadwheel, and I will tell you why. First I do not think it is a deterrent punishment and it carries with it the association of short sentence prisoners during their first month. I do not think it is a deterrent punishment at all, and I am supported in that by replies to many inquiries, I have made. It is in the Act, but I do not believe in the treadwheel at all. I do not think it elevates the prisoners morally. It does no good physically. I think it brings into association the first offender with the older offender. It leads to association and talking, and I object to it. On the other hand, it is said if the crank were made useful and productive as it is in many prisons it would be better. For a short sentence prisoner you have to find some kind of work, and I think it is as good work as you could give them.

6503. Are you in favour of plank beds?—I see no harm in them at all. It is better than a man lying on the ground, and you surely would not give him an iron bedstead that he might pull about and strike the officer with. It is a means of taking the bed off the ground.

6504. I mean the plank bed without the mattrass?—He has his bedclothes.

6505. But he has no mattrass?—Well, if you go to prison you must pay the penalty of your offence.

6506. I have seen in many goals I have been to, a very loafing set of contemptible people who are in for what is called debt; but who really are people who can pay and who will not pay. Is there any reason why these people should have the privilege of disturbing the discipline of the prison by wearing their own clothes and having other advantages. Is there any reason why they should not be treated as other prisoners are?—I would treat them as other prisoners are.

6507. They can purge themselves by paying?—I have always thought it was an abuse.

6508. I have one question to ask you as to the system of chaplains. It has occurred to me that the present system is a dreadful dreary monotony both for the chaplain and the prisoners, and that a great deal of good would be done by having occasionally other preachers and some variety of service for them?—Yes, I am a great deal in favour of getting judicious men to come at different times. I have watched this. It is a great advantage to the prisoners to take them out of themselves. When a man has a change it is much better for him.

6509. You would be in favour of trying that?—Yes, I think it would be a very great advantage.

6510. (*Mr. De Rutzen.*) You are not much in favour of keeping convicts in the local prisons?—I do not see any advantage in it.

6511. Is there any reason or ground for keeping them there except from the point of economy?—What originally started it was the closing of certain prisons in London so as to make the sites available, and the conversion of the close convict prisons into local prisons, such as Pentonville and Wormwood Scrubs. Before that we always had Pentonville and Wormwood Scrubs as close convict prisons, and every person wherever he was convicted was brought to London and taken to that prison and there passed through his probationary period of nine months. It was an excellent system which worked well. But when of course that was broken up, there were two considerations, one being to save bringing the prisoners all the way to London so certain prisons were made receiving prisons where he went through the probationary period of nine months. That expense was saved, and it saved the expense of starting another central convict prison for collecting these prisoners. Having seen the working of that good old system in the convict prisons I admit my preference for it.

6512. Instead of sending them off one by one they collect them together for the purpose of sending them off in larger detachments?—No, the system is this, that wherever a prisoner is convicted and sentenced to penal servitude he goes to the prison at the place where he was tried, and as soon as possible after his conviction; the Governor there sends in a return to say there are certain convicts, whose names are so and so, waiting removal to a collecting prison. Then we have certain districts (I think there are 12 districts) which are called "collecting districts" where the convicts are collected and spend their nine months. There are 12 out of the 56 local prisons where this is done; but it may be there is only one convict there. We do not detain them in the prison where they were convicted for any length of time at all. The term "collecting prison" means that they go there to be collected in that district.

6513. And only are sent away when they get to a certain number?—No, they are not kept to wait for any number at all.

6514. In some of the smaller prisons where there is a chief warder in charge, do you consider that there ought to be any improvement in the position of the chief warder in charge?—No, for that class of man I think he has got an excellent position.

6515. But he is an uniformed officer?—I see nothing derogatory in that. I think it is necessary with that class of men to make him an uniformed officer.

6516. You would not suggest any improvement in that?—They are very worthy men in their way; they have been accustomed to uniform all their lives, and if you let them go out in plain clothes they would get into a slovenly way; while if they still keep as

uniformed officers, they realise their position and feel they are on duty. I am in favour of the uniform.

6517. I have one question to ask you with reference to the visiting justices, I see that in the rules it is laid down that they shall co-operate with the Commissioners in promoting the efficiency of the service. Do you know whether the visiting justices are made acquainted with the visits of the inspectors and Commissioners?—The visiting justices have the right I believe to see every book in the prison.

6518. But have they notice of the time when the inspectors and commissioners are coming round?—They could not possibly know it, because the governors do not know it.

6519. But do the commissioners take any steps to inform the Visiting Committee?—No, not unless the inspector wishes to see them.

6520. (*Miss Orme.*) You spoke of the inspector's duties becoming perfunctory if they went on visiting the same prison for a long time. Is that system, to some extent, mitigated by changing their districts?—Well, it could be; but, as a matter of fact, we do not change their districts.

6521. I think, for instance, Captain Wilson was inspecting Strangeways some time ago, but he has been removed?—Yes, that is the only case in 17 years.

6522. That is not the beginning of a new system, I suppose. That is an accident?—I think so.

6523. Do you think from your own experience that it would be a way of improving the performance of their duties to give them different districts, so that they can compare one with the other?—I do not know that. Unless the inspectors take a different district each month, I do not see how it would effect it.

6524. You do not think, if they worked two or three months in the north of England and then went to the south, it would have that effect?—There is no reflection on the inspectors in what I have said, I have only said, speaking generally, that if one does a thing every month, and goes the same round constantly, it is liable to become perfunctory.

6525. You do not think the variation of that round would meet that difficulty?—I think if it were varied every month it might.

6526. When you have visited prisons, do you recall any cases where the accommodation in the reception ward for the women prisoners is very inadequate?—Yes, I recall one where there is no fitness at all.

6527. We have evidence that at Strangeways there were very few cells and very few boxes. Did you see that?—My attention was not called to that; but, of course, if these things are represented, I have no reason to say that they are not right.

6528. Should you say it is a matter of very great importance when women are brought into prison in large numbers from the police court that there should be such complete accommodation in the reception ward that there is no chance of two or three being put into one cell; I should like to know if you would think that a very dangerous way of bringing them into association, if the older and the younger women were put together?—I should look upon it in two ways. Not only is there the danger of contamination, but there may be the danger of spreading disease; for instance, one prisoner might have incipient measles, or scarlet-fever, or something of that kind. I should always keep prisoners apart. I do not like association.

6529. On their reception, you think, it is a matter of great importance to put them into separate cells?—Yes.

6530. With regard to the chapel services. In some cases, as at Wormwood Scrubs, the women have only just room to sit close to each other. Is that a bad thing?—Yes; I do not like prisoners to be huddled together.

6531. Can you suggest any means of meeting that difficulty?—There are only two ways; either to provide increased accommodation, or to let them attend half of them at a time.

6532. To have two services a day?—Yes.

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6533. Do you think that would interfere much with the prison discipline and the hours of work?—You understand what I mean. There are two services every Sunday.

6534. Then you would have to have four?—I would cut off half their services. That is the only way to do it, unless you provide increased accommodation. I am in favour of providing increased accommodation.

6535. Have you seen the arrangements for washing for the public at Strangeways?—Yes.

6536. Do you approve of it?—You mean the fact that they do wash for the public?

6537. Yes. It is particularly successful, is it not?—Yes. It is not limited to that prison. At Fulham when it existed as a female convict prison it was done very largely. Nearly the whole of the women were employed in the laundry, and I myself having no connexion with Fulham, got all my washing done there. I was very glad on my visit to Strangeways to see it carried on there. I think it is an excellent thing.

6538. Can you give us any reason why it is not carried on at Holloway and Liverpool. I only mention these prisons as examples of a large number of women's prisons?—I do not know why.

6539. The matron at Strangeways told us she was able to teach the women the sort of ironing that was wanted in a week?—Yes.

6540. Would not it be possible in the same way at Holloway and at Liverpool?—I see no reason why it should not. In fact, you find now at Holloway there are plenty of women put in the laundry who are doing good work on sentences of a month.

6541. They are doing prison work; they are not doing the fine kind of washing?—No.

6542. Can you give me an explanation of what is the principal consideration in the choice of industry to which you put female prisoners?—I should say primarily it is what the female prisoner likes to do herself.

6543. Not what pays in the prison; but you think first of what the prisoner would like to do herself?—We are talking of the selection by the prisoner.

6544. Yes. I mean when the matron or governor states what the women are to do, what is it that influences them?—There are certain industries in each prison. Take, for instance, Strangeways, where they have laundry work. The only other thing, I think, that they do is some little oakum-picking in their cells, and also the prison work, such as cleaning, and that sort of thing. Well, if a prisoner who goes there is anxious to get into the laundry, she applies to the matron to be allowed to go into the laundry, and if the matron thinks right she puts her there. The governor does not interfere, but the matron puts her into the laundry. Some do not want to go there. No prisoner is compelled to go into the laundry. The only occasion on which we compel them to go into the laundry is when for the prison work we require a certain number there. Then they are obliged to go.

6545. Supposing you were building a large workshop or a large laundry in a large female prison what considerations would affect the Commissioners in deciding whether to do it. Is it that the industry will pay, or is it that the women will be able to earn money after they go out in that industry, or is it that it would have a good moral effect on them?—I would prefer you should put that question to the Chairman.

6546. It has been suggested that it would be a good thing to have lady visitors in prison. Should you approve of lady visitors, appointed in some way, going to the cells and seeing the prisoners without the presence of the matron or the warder?—I do not see what harm ladies would do if they were well selected. Of course you have to think of protecting the ladies too.

6547. But if a lady were willing to undertake that sort of work would you see any objection to it?—

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No, not during the last part of imprisonment. Of course you have always got to think what the object of the lady is. If she comes to visit a prisoner during the last part of the sentence and is trying to get employment for her, I think that cannot be too much encouraged. But in some cases the lady goes there to vie with the chaplain and speak morally to the prisoner. Then you have got a little jealousy and fuss, which very often makes it difficult.

6548. Now, the mark system has a very good effect, has it yot ?—Excellent.

6549. Would not it rather weaken the system of rewards by privileges, and letters, and so on if lady visitors were able to carry in messages ?—Yes, if they abuse their appointment by doing so. I am supposing that the ladies who would be appointed would strictly confine themselves to talking to the prisoners and not be the channel of communication between the prisoners and their friends. If they did that you would destroy all the effect of prison discipline.

6550. I do not mean that they would actually carry in a letter in the way you described, but by way of conversation there would be communications made ?—Yes, I think you would lessen the benefit of imprisonment very much.

6551. And that would lessen the benefit of the mark system ?—Yes.

6552. You spoke of the benefit of removing a prisoner from one prison to another sometimes ?—Yes.

6553. Is not it an important thing to have more than one convict prison for women, so that there may be some opportunity for removal, and for comparing the two systems ?—We used to have three.

6554. You now only have one ?—Yes. To make two convict prisons to hold 200 women with a staff is again a question of money. We used to have Fulham. At Millbank, over which I was governor, we had to do with women. Then there is Woking. There were those three, and it has now been reduced to one. They are going to remove Woking to Aylesbury shortly and they are only a couple of hundred of prisoners there.

6555. Do you think it would be better to have more than one prison ?—I do not think it matters with a convict prison, because the discipline is so uniform.

6556. For instance, you have only one sort of needlework going on ?—There is no reason why you should not try a new experiment. I do not see why we should not.

6557. But if they have their workshops arranged can changes be made ?—Yes, I think that might be managed.

6558. (*Mr. Haldane.*) You told the Chairman that as regards the visiting justices you thought that their functions were ample as regards complaints. Do the visiting justices practically do more under the present system than listen to the complaints of the prisoners ?—Yes, I think they do.

6559. I mean practically, not theoretically ?—Yes, I will tell you what practically they do. Of course now in my present office everything passes through me and I see it. If a prisoner writes a petition complaining of his treatment, in 99 cases out of 100 the Prison Commissioners send this complaint back to the prison, with instructions to the governor to lay it before the Visiting Committee and to ask them to be good enough to investigate it and to give the Secretary of State the benefit of their information as to it.

6560. On a petition ?—Yes; or they do so if a report of the governor comes in. If any special report comes in they put it before them, and we have had several cases in which Visiting Committees do investigate complaints and record with great care in their minutes the results of their investigations.

6561. On these functions the visiting committee are practically only a judicial body. They do nothing as regards the administration of the prison ?—No; if a prisoner comes up before the committee and complains of some specific act of alleged cruelty and makes a complaint, the members of the visiting committee see the people concerned, go into the whole case, and they record in their minutes their decision; if they see no ground for it, or that they consider that the officer in question was guilty of so-and-so; and if they think he was guilty the governor of course at once suspends the officer.

6562. That is again administration of justice; but I mean as regards the administration of the prison generally. For instance, it is a condition; and on the question whether there should be a more efficient supply of labour for the prisoners, the visiting justices have no functions whatever ?—No, they simply represent to the Secretary of State whatever they think fit.

6563. I suppose that does not happen very often ?—It does, very often indeed.

6564. On points ?—I can recall several cases within the last few years of visiting justices writing and complaining about the labour of the prison. I can recall at Bristol a complaint about employing prisoners at unproductive labour. I have known several other cases.

6465. The inspectors would have, as part of their business, to see that the supply of labour was as far as could be efficient ?—Whenever I go round I make it my duty to see to that; I cannot speak for the other inspectors, but they are zealous and able men, I am sure; but if I notice that there is no industrial work at a prison I make it my duty to put it before the Commissioners and say what I think of it.

6566. Does not it amount to this: if there is a zealous inspector or if there is a zealous visiting committee of justices, the administration of the prison, so far as it supplied prison labour, and its general condition will be reported on; but there is no certainty that it will be, and matters are very much left to the governor and the Prison Board ?—Of course the Prison Board have certain information before them, as each prison sends in a return monthly of the labour done in the prisons. That comes before the Prison Board, and the Prisons Commissioners take it up and call on the store accountant to account for any failure and say what was the cause of it. The governor is queried why the work is not done. He says, "I have not the work to give them." Then the store accountant has to give an account of it. I know it has been very seriously considered within the last two or three years, and that they have been aiming at a decrease of oakum picking and an increase of other employment.

6567. But the supervision of the prison board is on the paper materials that come before them ?—And the verbal reports of the inspectors.

6568. Which may or may not be detailed reports. I gather from you that some of the inspectors are more particular than others ?—That would be so in every walk of life. It is the duty of the inspectors to bring everything of that kind forward; it is part of their instruction. They are the eyes and ears of the Commissioners, and when they go to a prison and see anything that requires attention it is their bounden duty to report it.

6569. But should you say the majority of the justices in the country did it themselves, or that they left it to the inspection of the central authority ?—I should say they left it to the central authority.

The proceedings were adjourned for a short time.

6570. I had asked you when we adjourned about the functions of the justices as they are now. Under the old prison system there was a great deal of what we may call prison employment, which was devised and supervised by the justices, was there not ?—I believe so.

6571. And in those days the average supply of prison labour and of occupation for the prisoners in the better managed local prisons was considerably larger than it is to-day ?—I have reason to believe so.

6572. Was the effect of the change which took place under the Prisons' Act of 1877 to introduce a considerable alteration into the system of prison occupation ?—I do not think the change introduced the alteration in the system; I think what has occurred since in the opposition to prison employment has been a potent thing.

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6573. Yes, but the regulations of prison labour, like everything else, became very much under rules from headquarters, and the directions which were given to the administration as to the occupation of the prisoners became transferred to the Prison Board ?—Yes.

6574. And the result has been from whatever cause that there is less occupation for prisoners now ?—If you take what some old governors say, as I have been told that some governors do say, under the old system they made prison labour pay, and they paid the cost of the prison out of the labour, and that under the prsent system they do not do so, and they would lead you to suppose that it has been because of the routine that has to be gone through. I do not believe from what I have seen in convict prisons and comparing it with local prisons that it is so. I believe that it is mostly and almost entirely due to the opposition to the employment of prisoners, and not so any fault on the part of the Commissioners. Their difficulty has been to get work. The Commissioners are most anxious to get work. Another thing is that the sentences have been very much reduced during the last 17 years while it has been under the control of the Prison Commissioners. There are a greater number of prisoners who go in on much shorter sentences, and the difficulty is how to employ those who cannot in the short sentences learn a trade.

6575. Putting apart from consideration the question of short sentences, should you say that the supply of occupations for the prisoners is less to day than it was say 10 years ago ?—To the extent of the mat making, but I know of no other industry.

6576. That is the only one ?—At this moment I can recall no others.

6577. What steps have the Prison Board taken within the last 10 years to increase the supply of labour ?—Well, they have done their best to get work for the Government Departments.

6578. Have they sent out circulars or taken any active steps ?—I cannot tell you the actual steps they have taken. You have had the store accountant before you, but I can say they have all been most anxious and most concerned about getting industrial employment for the prisoners from the Chairman downwards.

6579. We had a question put about the way in which some industries have been taken away. For instance, I think mat-making was taken away from Lewes ?—Mat-making was taken away from all the prisons except for the Government work.

6580. I mean sack-making; that was taken away from Lewes, was it not ?—I have no reason to say it was taken away; but if it was taken away it was a temporary thing, and it was taken away because the convicts were going to a convict prison in for separate confinement. As a rule convicts are at once put to industrial employment, and our supply of that kind of work might have been limited; and on that account it may have been transferred from the local prisons where oakum picking is more generally done.

6581. Have you applied your mind to the question whether the sphere of work for the convicts could be considerably or at all enlarged by increasing the facilities for transporting them to different places. Peterhead Harbour has been, as you know, built entirely in this way. It is in course of building now, but it has been built entirely by convict labour. Assuming there were public works it was desirable to do, do you think it would apply to transporting convicts and supervising them temporarily, so that they could undertake public works of that kind ?—None whatever. To prove that to you I will say that some years ago a Commission was appointed on that very point to find occupation of that kind for convicts; and this Committee recommended two great public works, a harbour of refuge at Filey Bar, or a harbour of refuge at Dover. The Government of the day at once selected Dover for the public work corresponding to the Scotch one. They proceeded to get barracks and to put up a convict prison, and they obtained land for housing convicts as a first measure. When they had got that, they moved in a certain number of convicts, and everything was ready for going on with that work, but the succeeding Government stopped the work. There are the barracks, a sum of 65,000*l.* has been spent in getting the land, and putting up a building on it; but it did not suit the next Government to carry on the work. At present there are 23 convicts in the prison, and there is no occupation for them. They will be withdrawn.

6582. So that in your case there is no difficulty in finding barracks and employing convict labour ?—No.

6583. Might not it be a good thing to use convict labour mainly for the purpose of these public works, leaving the lighter forms of occupation for the short sentence prisoners ?—Yes, but you must bear in mind that there are a large per-centage of convicts who are totally unfitted for that class of work, and who are only fitted for a light class of work, and occupations have to be provided for them.

6584. Would not it be a good thing to use the convict establishments to do a certain amount of Government printing ?—We have it at Parkhurst. It is an industry which I take great interest in. They can do it quite well. We do all the printing of forms and documents for the Prisons Department; and there is no reason why that might not be extended.

6585. And there would be abundance of Government printing which could be done ?—Yes.

6586. That is a sort of labour which might be utilized ?—Yes, for the better educated convict.

6587. As to the question of the boots for the police, were those made in convict prisons or in the short sentence prisons ?—In the convict prisons.

6588. Do you think the system could be so improved as to have those boots made sufficiently for the army and the police ?—We used to make them for the police. We had a convict population of from 12,000 to 14,000, but that has fallen to something like 4,000, and in that reduced number the number of bootmakers by trade fell very considerably too. That is why we could not carry it on. I should say if you collected from all the local prisons the fairly long sentence bootmakers by trade and concentrated them in one prison, they could probably carry it on.

6589. In other words, you think it might be useful to classify them, differentiating your prisoners according to the mode of labour most suitable for them, and to draft only the convicts most suitable for that class of works to that particular prison. I am speaking only of convict prisons ?—Convicts and long sentence local prisoners I understood.

6590. In that way you could get a large amount of occupation, such as printing, bootmaking, and so on for convicts ?—Yes.

6591. And some of the things that require less instruction for the short sentence prisoners ?—I do not know that there is any margin in convict labour for that, seeing that the mass of our convicts are at out door labour.

6592. You think that there is really plenty of work for convicts at the present time ?—At the moment there is no lack of it.

6593. It is only in the short sentences ?—It is only in the short sentences. We want industrial labour for indoor work.

6594. I want to ask you one or two questions about the Wormwood Scrubs outbreak. J. P. was the first man whose name came up, and he threw slops over the warder. Was an inquiry made at that time about it ?—That was not in connexion with the outbreak at all.

6595. That was before it ?—I only brought that forward for this reason: not to reflect on a very young and inexperienced prison official, but to show you that

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his deduction which he had communicated to the chaplain, Mr. Morrison, that the so-called outbreak at Wormwood Scrubs was the result of excessive cruel punishments was not so; but that, in my opinion, after an experience of 17 years it was the result of the other thing; that is, of not properly dealing with prisoners, and of allowing them to get out of hand by not meting out that proper punishment for serious offences which is provided for by statute, and I brought forward this case to show an example which casually had attracted my notice.

6596. When did J. P.'s case happen?—In November 1891.

6597. That was just before the outbreak; who was the officer who was in charge of J. P., and who had the slops thrown over him? Was he a young man?—I cannot tell you his service.

6598. You cannot tell me anything about it?—No; I have merely taken up the punishment book and come across it.

6599. I should like to ask you this: J. E. was connected with the outbreak?—He was not connected with the outbreak in any way whatever.

6600. What was the date of J. E.'s case?—J. E.'s last offence was this: he was standing before the visiting committee at the time, or shortly afterwards, when the so-called outbreak took place. He was located in a part of the prison many hundred yards away from where this took place. He had no means of communication with the people who took part in it. That took place with the convicts who were located in the hall called C., and J. E. was in the hall called B. He had no means of communication with them.

6601. Is there any record of complaints made by the convicts at that time?—They had made no complaints at all previous to this; but after the so-called disturbance in the chapel took place I went to the cell of the man who called upon the others to come out. I went into him and said, "Why have you "behaved like this?" He said, "Well, sir, we do "not get our rights; we are convicts here." This was a man under a first sentence of penal servitude, but a man who had been sentenced to a dozen local sentences. He said, "We do not get our rights here. "We are not properly treated like convicts. We "only get a letter every six months instead of every "three months. We are not allowed to be out as "cleaners," and he said, "We did not go to chapel "yesterday, and we do not get a full hour's exercise." Of course, this matter of not getting a full hour's exercise I had nothing to do with as I had just come back. I said, "If these are your grievances why did "not you complain to me, I would have seen to it, "and put things right. He said, "Oh, the convicts "are going to have their rights, and they are going "to show it on Sunday."

6602. Ought he to have had a full hour's exercise?—Yes, he did have the full hour's exercise. What happened was this. Previous to my going on leave, the days being long, the hour counted from the time the prisoner arrived on the ground until the time he left the ground; but in consequence of the shortening of the days in September or October, in my absence they found they could not carry that out, and they made it count from the time of the prisoner leaving his cell door to go out to the exercise ground to the time he got back to the cell door, a difference of two or three minutes.

6603. But what class of officers was it who was in charge of the convicts who so complained. Were they young men?—No, they were all old officers of years of service, specially picked out by me and put in charge of the convicts.

6604. Was there any investigation made?—Yes, immediately afterwards, and statements of evidence taken. It is in the records of the office that the prisoners were allowed to get out of hand, and that as regards that particular convict wing, there was no ground for saying it was because of young officers being there. There were a good many young officers in the prison, but they were not employed in charge of convicts; I felt it was dangerous to put convicts in charge of young, inexperienced men, and I picked out the oldest and best officers in the prison for that.

6605. I am only putting this question to understand the whole thing, because there has been a good deal of talk about it. Are the reports extant so that we could see them if we wanted to?—I do not know. The Secretary of State has got a copy of my report, and the report of the Commissioners.

6606. With the evidence that was taken?—I do not know that they furnished that, but they could furnish it.

6607. Now about the question of the officers' hours. Has there been any inquiry into that recently?—In 1891, and that book was the result.

6608. That book contains minutes of evidence taken?—Yes, and the report of the Committee of which I was secretary. I will furnish the secretary with a copy of that.

6609. I will not trouble you about that. As regards elasticity your expression was that you were greatly in favour of rules, and you gave your reasons for it, because they prevented governors from feeling that things were cast upon them which they should not have to decide, and which relieved them from a great deal of difficulty; but is not it the case that since 1877 there has been a good deal less of what I may call differential treatment amongst prisoners than there was under the old system before that?—I think there has been rather uniformity of treatment.

6610. And less of differential treatment?—Yes.

6611. Supposing a man comes into prison, he is mere number so-and-so, is he not?—That is a popular idea outside, but, as a matter of fact, we always address a prisoner by his name. I never did address a prisoner as, say, number 420, but I have always known him as prisoner Jones, or prisoner Smith, or whatever his name may be.

6612. I meant it rather metaphorically when I suggested that a prisoner was called by the warder by his number, but supposing an educated man comes into prison, and he is subjected to the same rules of discipline in every way as a man who is perfectly illiterate, and who is of different habits of mind, is not it the fact that there is less tendency to make allowance for the difference in his condition and his association, and what I may call generally less elasticity in dealing with him than was the case under the old system?—I do not know much about the old system, but I may tell you that there is nothing so unequal as the punishment of imprisonment, and nothing can be so unequal. An educated gentleman commits some offence against the law, and he is sent to prison as a convicted criminal. The treatment which that man receives, and which the law lays down shall be the same for all convicted prisoners, is to him a million times more punishment than it is to a habitual criminal or a navvy. In the one case the man is brought to order and perhaps is better fed and clothed than he was outside, whilst in the other case the man is not only degraded socially and morally, but he has to go through that punishment. It is too dreadful to contemplate, but I fail to see how you can alter it.

6613. Do you think that in cases of that kind, some communication with properly selected visitors, and some means of occupying his mind might be added to the prisons conditions under which he serves his sentence?—I think the moment you begin that it will be at once felt by the public and by the other prisoners that are there two laws, one for an educated man and one for a poor man; and I think any feeling of that kind would be worse than anything that can arise under the present system.

6614. But you point to the fact of its being much severer?—That is the fault of the legislature and the fault of the sentence. It is not the fault of the administration of the prison.

6615. The prison rules cannot be different. You have to carry out the law?—Yes.

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6616. (*Mr. O'Connor.*) You told us that some times in the absence of the Commissioners you act as a Commissioner?—I do certain routine work that would be performed by the Commissioners; nothing beyond that.

6617. What kind of work? Is it work for the Commissioners under the Act of Parliament, or is it merely routine work?—No, it is merely routine work; it is merely clerical work, but I exercise the functions of a Commissioner.

6618. You do nothing that would require legislative authorisation?—Nothing whatever.

6619. Then you told us you were in charge of the general registry of convicts?—Yes.

6620. Who keeps that register?—It is kept by a clerk.

6621. It is very important work?—Yes, it is very important work and very useful work, but I supervise it and am the responsible person for it.

6622. Is there any special allowance given for that special work?—To me?

6623. No, in the Estimates?—No, it is part of our routine work.

6624. Because I see an item of 100*l.* in the Estimates in connexion with it?—That is the Habitual Criminals Register; that is another thing altogether.

6625. Has it anything to do with you?—It is kept by the same clerk.

6626. What is his name?—The Registrar of Habitual Criminals is Sir Edmund Du Cane.

6627. Who is the clerk who looks after it?—Mr. Grace, assisted by two clerks.

6628. There is a special allowance made for that?—Yes, of 100*l.* a year.

6629. Who gets that 100*l.* a year?—Sir Edmund Du Cane.

6630. Not the clerk?—No, he gets his special pay as clerk of the registry.

6631. With regard to the distribution of prisoners as between the convict prisons and the local prisons, convicts are sent to some of the local prisons for nine months?—Yes.

6632. Can you suggest any advantages in continuing the system?—Well, I do not know really of any advantages; I do not know of any other prison to put them in.

6633. Take the case of women. You have enough accommodation in Woking, and I presume you will have in Aylesbury for all the female convicts?—I should say that with regard to the women with only two exceptions they all do go to Woking. The exceptions are Knutsford and Leeds. The women sentenced in those districts go to Knutsford and Leeds; all the prisoners go direct from the other local prisons immediately to the Woking prison to do both their separate confinement and their whole sentence.

6634. Is there any reason why they should not all go to Woking or to Aylesbury?—The accommodation at Woking is for about 800 at present, but the accommodation at the Aylesbury prison will be under 300, I think.

6635. Will that be sufficient for all the prisoners?—At this moment it may be.

6636. Assuming that Aylesbury will be sufficient for the female convict population, will they all be sent there?—I have no reason to say they will all be sent there, but I have no reason to say why they should not.

6637. Is there any reason why a portion of the female convicts should be sent to Knutsford rather than Woking or Aylesbury?—No; only for the sake of convenience it was thought the same system which prevailed as to men should apply to women. Now it has been reduced only to Leeds and Knutsford prisons.

6638. But the male convicts are sent to the local prisons?—They are all kept at the local prisons for nine months.

6639. I think you told us that with regard to one man who had committed some offence, your sentence on him was that he should not go to chapel for a week?—It was.

6640. You regarded that, and I suppose he regarded it as punishment?—He may have done so.

6641. You intended it to be such?—I intended it as a preventive measure, not as a punishment.

6642. These convicts who are in local prisons are some of them prisoners who go to chapel every day?—All prisoners go to chapel every day.

6643. Except the Catholics?—In convict prisons all Catholics go to chapel every day.

6644. Do the convicts who are in local prisons?—At Wormwood Scrubs they have a service every morning, and two on Sundays.

6645. Is that the only prison in which there are Catholic prisoners?—There are six prisons in which there are such convicts, and in some of them they do not have a daily service. That is attracting the attention of the Commissioners very much.

6646. The fact of these people not being able to go to chapel, is to them either a grievance or disadvantage, or loss of some kind?—They might try to make it so. Of course, anything is punishment which causes prisoners in separate confinement to lose the opportunity of being brought together.

6647. Have you ever heard that Catholics, in order to go to chapel, represent themselves as belonging to the Church of England?—No, that would not occur in convict prisons (and it is convict prisons I have been connected with), because at Wormwood Scrubs we had a daily service, and there was no reason for it.

6648. You have never heard that suggested?—Well, I know it has been suggested. When we had a number at Wormwood Scrubs, and when we kept at Pentonville only Protestants, and the Roman Catholics went to Millbank, many convicts used to declare themselves Roman Catholics, who were really Protestants, in order to go to Millbank to be under the governor there, who was supposed to be less strict than the governor at Pentonville. That I have often heard.

6649. When the prison rules are not complied with, whose duty is it to enforce them? For instance, with regard to accommodation, when reports come in from the governors of prisons that they have not the accommodation which the Act requires, when the weekly reports show that a large number of prisoners are in hand beyond what the prison can receive under the Act, whose duty is it at head-quarters to take steps to present that?—No governor represents that the accommodation is not up to that requirement, I have never known such a thing; but a governor does represent, when the prison becomes overcrowded, that he has not sufficient accommodation for the number of prisoners he is likely to have, and he asks for authority to remove some of those prisoners. That comes to me. I at once submit it to the Commissioners of Prisons, and recommend that authority be given to the governor to remove the prisoners, and that he be authorised to remove the prisoners if necessary. It comes from the Home Office, as a rule, but there is no case of a governor representing that he has not got the accommodation required by the Act.

6650. When the weekly returns of prisoners and accommodation comes in showing that the prisoners are in excess of the capacity of the prison, how is the paper dealt with?—If such a thing did occur, that paper goes to the Commissioners, and the governor would be at once called to account for not having represented it before, and told that he should have kept a margin of cells likely to meet all requirements. He would be called to account for not doing so.

6651. Have you seen the evidence of the Governor of Wandsworth?—I read it.

6652. With reference to Wandsworth weekly reports and the accommodation for the number of prisoners?—I have read that he said it occurred on six or five days.

6653. In successive years some times for several days?—Yes, the Governor at Wandsworth is an excellent man, but I attribute the fault to any governor who allows his prison population to be in excess of the number of cells.

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6654. How is it dealt with when it is received?—Action is taken at once either by telegram or by letter if there is no pressure. Governors are told not to wait for a weekly return in many cases. We say: "You have come within 40, or such and such a "number, of your accommodation, and then you "should send in a list of prisoners for removal, and "you will be given a warrant, not to be acted on "unless you think it necessary, to remove prisoners "to an adjacent prison so as to be ready to have "accommodation for receiving prisoners."

6655. Would the records of your office enable you to put your hands upon the message or copy of a message which was sent to Wandsworth on the receipt of the returns referred to?—Will you tell me what year you refer to?

6656. In 1893 there was an excess for five days?—In what month?

6657. I am only asking for a record which is in the office, and the steps taken by the Governor?—I am only saying what took place when I was there; I cannot tell you of any occurrence which took place in 1893 when I was on leave. I can only tell you what my actual orders were.

6658. Of course under the best possible system there will be blots?—Yes.

6659. And as you say even with a man of 20 years' service whom you trusted well, you find that prison officials are not always free from blame. You have told us already that when a prisoner has got into trouble for assaulting or attempting to assault an officer he may become a marked man in prison and it is desirable to remove him. Supposing he does become a marked man, do not the regulations of the Governor protect him perfectly?—Yes, they do; I mean he would not be unfairly treated, but he would be always under a feeling that he did not get a chance. He would be more strictly looked after, no doubt, and he would be more liable to being reported for smaller offences. I do not say he would get more punishment, but I think probably that man's hand having been raised to strike an officer and he being incorrigible, that in that prison the officers would have every eye on him, and he would not be dealt with so leniently as a man who had not been so violent.

6660. It is quite possible that a man may consider himself to be a marked man in the prison?—Yes.

6661. In that event he might get into trouble in your prison, when perhaps he would not get into trouble at all in another prison?—Yes.

6662. That was the case with J. E., was not it, namely, he was at one prison constantly getting into trouble, and when he went to another prison he did not get into trouble at all?—I have no record of him after he left my charge. I have stated what my object was in getting him there. I understand it has been reported to the Committee that he was sent there because he was one of those who caused this riot. I say that is false, and that he was sent there on my recommendation.

6663. It is not stated on his record that he had any part in that outbreak?—No.

6664. You say this record is wrong in the matter of date?—That is not the date he committed the offence. That is the date he was tried for it.

6665. Then this record is wrong?—As regards the date being there; that date ought to be somewhere else.

6666. It is an important date; it is the 19th of December which was the day of the outbreak?—Yes, and as a matter of fact that is the day he was tried. That can be proved to you by the punishment book of the prison. I have it here, and I will turn to the 19th of December. Here it is: "J. E., December 19th."

6667. What is that date?—That is the date on which the offence was tried.

6668. Then this is right?—I want to show you this: that this is under the date the offence was committed, but it is really the date on which the visiting committee tried him. The punishment given was 10 days No. 2 punishment diet. It shows that the offence was reported on that day, the 19th, and it was dealt with by the visiting committee on that day.

6669. What is the date of the offence?—You will see that on the 12th December he committed that offence, which was breaking a piece of iron from an inspection plate and removing bricks from the cell. He meant to get out of the prison, and he was remanded for the visiting committee. Then on the 19th of December he was brought before the visiting committee.

6670. His offence is re-entered against him and dealt with on that day, but you will excuse me for saying that it is a totally different offence. It is: "When under punishment attempting to remove "bricks from his cell wall, forcing open the iron "shutters, and breaking three panes of glass?"—They were all the same offence on the same day.

6671. You seem to have many offences in the second which are not in the first. It is an extension of the original charge?—This is the charge written by an ignorant warder.

6672. Do you mean to give us to understand that a man is charged before the governor with a certain offence, that he is remanded for the visiting committee, and that then that offence is brought up with all sorts of additions?—That recorded charge is brought up before the committee.

6673. Which does not appear in the charge before the governor?—That is the gist of the charge which the governor of the prison proved before the visiting committee as the result of his inquiry.

6674. That is the same writing as this?—Yes.

6675. Was it the same ignorant warder?—The same warder copied it into the book. The governor elaborates the warder's charge according to what he finds in the evidence, and he has copies of the evidence made. He puts this charge in full before the visiting committee. That comes before the visiting committee and they take evidence on it and investigate it. If they find the charge not proved they say so.

6676. You hold that they are the same charge?—I know it, I am certain of it.

6677. It would not have struck me that it was the same. There appear to be two counts in the one and about five counts in the other?—I am certain it was the same offence.

6678. With regard to picking the mortar out of the brickwork, you say he was charged with breaking prison?—I said it ought to have been a charge of breaking prison. That is what we expect whenever a man attempts to tamper with the walls or any part of the structure. That is an attempt to break prison, but I put it in the words of what he did do and admonished him so as to give him a chance.

6679. You admonished him?—I did.

6680. That was a very mild punishment?—It was not a punishment at all.

6681. He had had in the same month 12 stripes with the birch, seven days in the punishment cell, and No. 1 punishment diet. After the punishment which I have just read to you your admonition was a very mild treatment?—Yes. May I explain to the Committee my object? It was that I found after the man had been punished so repeatedly that it was no good; and very often kindness may change it.

6682. You would not call it temporising with the prisoner?—No, I would not in that particular case. I call it stopping punishment and seeing what is the effect of a little kindness.

6683. You used the word "temporising" with prisoners in connexion with Captain Schuyler?—I said I considered that Captain Schuyler through want of experience of knowing how to deal with prisoners, not only occasionally, but systematically, did not punish as he ought to have done—not from wilfulness but from ignorance.

6684. And you use the case of this prisoner as illustrating it?—No, I use the case of another prisoner who had assaulted a prison officer, and who was dealt with by the ridiculous punishment of three days' stir-

about diet for committing an assault on a prison warder. That was not the case of J. E. at all.

6685. With regard to punishments, do you know the number of punishments at Pentonville in the year ending 31st of March 1892?—I have not made any comparison. I have not gone into that because the conditions of the prison are totally different.

6686. Do you know the number at Wandsworth for the same period?—Exactly the same remark applies to Wandsworth. I may say that Wormwood Scrubs contains nothing but long sentence prisoners and half a dozen a day short sentence prisoners. Therefore, out of nearly 1,000 prisoners, 900 were long sentence prisoners. The mass of the men had been sentenced to penal servitude before. 260 were actually sentenced to penal servitude, and I should say of the remainder nine-tenths of them, or at all events a great many of them, are ex-convicts who would have been, under the old *régime*, in penal servitude. They are a class of themselves and require different management.

6687. I understood you to say that the long sentence men were, if anything, better behaved than the short sentence men?—They were kept up to the mark by proper discipline, not by relaxation.

6688. And you yourself are not in favour of giving unnecessary punishments?—I would rule by moral influence, if possible. I look upon punishment as a last resort.

6689. Then would you say that during the year in question the punishments at Wormwood Scrubs would be fewer or more than in prisons where they had larger numbers of local prisoners?—I should say probably more, for the reason that the ruling power at Wormwood Scrubs was changed three or four times during that year, which is a great disadvantage and misfortune, over which the Commissioners had no control. The governor was in bad health; I got into bad health, and they had nobody to send there but an inexperienced officer.

6690. Apart from the interference of the inexperienced officer, were not the punishments at Wormwood Scrubs very much more numerous than at other prisons?—I have no knowledge of it.

6691. I suggest to you that there were 3,298 punishments at Wormwood Scrubs for a population of under 1,000, and that there were only 1,436 punishments at Pentonville for a population of over 1,000?—What year is that?

6692. For the year ending the 31st of March 1892. At Wandsworth for a population almost the same as Wormwood Scrubs, there were only 3,225 punishments as against 3,298 at Wormwood Scrubs?—I say the reason for that is, that the populations of these prisons was so different. The conditions of the prison were completely different, so that I am not surprised to hear of what you tell me as to the great number in Wormwood Scrubs as compared with anywhere else.

6693. This record of J. E., I suppose you would say, does show a very considerable amount of punishment?—By the visiting committee.

6694. I did not say by whom, but it shows a considerable amount of punishment altogether. Look at it merely from the point of view of punishment in 12 months, and it is a very heavy record of punishment for one man?—It is a very heavy record of offence too.

6695. I suppose it is; but it is more than usually heavy punishment?—No; I have known other prisoners commit offences who have been just as incorrigible as he was. The average prisoner does not commit offences such as that, but you have a per-centage of prisoners who are incorrigible, and defy all law and order.

6696. He was incorrigible?—Yes. He was an old convict.

6697. Would it be within your authority to ask for a record of this man at Wandsworth after he left Wormwood Scrubs. Could you get it?—I can ask for it.

6698. The outbreak at Wormwood Scrubs was confined, if I understand you, to one block?—To one block occupied by convicts and the disturbance was by convicts alone.

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6699. Would you explain how it was that the outbreak was confined to that one block if the cause which provoked it was a general cause extending over the whole administration of the building?—The convicts had a grievance themselves on certain points. They had been laxly dealt with. The officers had lost heart in their management. The prisoners had been allowed to communicate freely with each other, and they felt strongly against the officers because there had been a great many reports against them before I came back. Before I left in September the whole prison was quiet. It wants very little among that class of prisoners to set them ablaze.

6700. Then you knew when you went on leave on the 18th of September that that block was in an unsatisfactory state?—No, it was in a most satisfactory state.

6701. I thought you said it was so before you went away?—No, it was when I came back on the 12th of December.

6702. You are charged also I think with the equipment of the prisons in connexion with officers and the clerical staff?—I am consulted by the Commissioners on that point.

6703. With a diminution of the number of prisons will not you have upon your hands an unnecessary number of officials?—No, they may be absorbed.

6704. How do you absorb a larger staff in a smaller number of prisons?—People die and people retire, and when they die we do not fill up their vacancies until we bring it down to the established number.

6705. With a very rapid diminution of the number of prisons from 120, I think, to something like 50?—56 or 57.

6706. That would be less than half?—But that extends over a period of 17 years.

6707. It is a little less than half?—Yes, a little less than half.

6708. You have had some appointments during that 15 years?—Yes, a great number.

6709. You would not have lost by death and retirement 50 per cent. of your staff, especially if you kept feeding it for a number of years. Therefore, as you diminish the number of prisons you must have an accumulating number of officers in proportion to your prisons. Your staff will not be annually depleted at so great a rate as your prisons?—Well, you see, a great many of the prisons that have been closed have been such small prisons. We have closed no large prisons worth speaking about.

6710. But the diminution of prisons and the diminution of the need you have as regards a numerous staff will leave you utterly unable to provide promotion for your existing staff at the same rate that you did before?—I think the promotion is considerably increased, because before the prison officials were only promoted in the particular prison they belonged to; whereas promotion now is very general. Above the rank of warder promotion is general.

6711. In theory it would be so, but in fact is not it true that a very large number of your assistant warders are at their maximum and have been for a considerable time?—Yes, a good many of them are.

6712. Then there is a certain amount of block of promotion?—Yes. That is also a question that was well gone into by the departmental committee.

6713. You were asked by one of the Commissioners whether as a matter of fact you could not always get men to take the posts?—Yes, we can get any quantity of them.

6714. You thought that was a sufficient answer?—Yes, so far as it went.

6715. Do you know any post in the service which you could not fill on this principle for probably half the pay the office is now getting?—No.

6716. Do not you think you could get a prime minister for 2,500*l.* a year?—I think you could get an officer in the army for nothing.

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6717. The argument is not so very convincing after all?—No, that was put into my mouth.

6718. Yes, I know it was, by Lord Rosebery?—Yes.

6719. Are you satisfied that the staff at Holloway prison is sufficient for all your requirements?—Yes, I think so, on the whole.

6720. *From what prison do they bring the men to* Newgate?—From Holloway. Holloway and Newgate are one for the purpose of accommodation.

6721. Have you ever had occasion to go to Newgate and to Holloway on the day when they bring down the prisoners from one to the other?—No, I have not visited them on that day.

6722. *You have never taken stock of the number* officers in one and in the other?—No, but I have en very carefully into the question of the Holloway aff. It was on my recommendation that the staff as raised. I came to the conclusion that ordinarily e prison was properly officered.

6723. The reason I asked was, that I have myself one it, and if you will say the staff is sufficient you ill enable me to appreciate what is and what is not sufficient staff in your opinion?—Yes.

6724. (*Sir J. E. Dorington.*) You have mentioned bout your precaution against overcrowding. Has our attention been called to Newcastle prison?—es, I visited Newcastle prison last January.

6725. Do you know that, practically, it is always o full that there is no margin at all?—No, I should ot have said so. If occasionally Newcastle prison has een represented as full, we would have removed them o Durham, I think; but it does not appear by the eturns that it is overcrowded.

6726. Has not the return recently said that there s a margin of perhaps, one cell or two cells. You now Newcastle prison?—Yes.

6727. Do you think it is a satisfactory prison?—I onsider it is the worst prison I have ever seen.

6728. How does it come that that was taken over *y the Commissioners*?—When the Commissioners ook it over they had no choice, but they knew from he start that it was a bad prison. There were two risons in the county, Morpeth and Newcastle, and he Commissioners proposed to keep the better prison of the two, Morpeth, and to close Newcastle; but here was great local opposition to that.

6729. Was Morpeth a *better prison than Newcastle*?—It was better locally situated. There was a great deal of opposition to the proposal, and a great number of conferences were held; there were propositions and schemes submitted, and the Commissioners were anxious to meet the Newcastle opposition by closing Morpeth which they afterwards did. They ought to have done away with this one at *Newcastle*, which was so bad. There was a difficulty about getting land except for a few years, and the cost of it was great. To make a long story short, going back to 1880 the compromise was that some little additions were made to the existing bad prison at Newcastle, which seemed to satisfy the requirements at the time.

6730. Were the cells ever certified under the old system?—Yes; they are dark.

6731. Are any steps being taken to replace them?—The matter is now under the active consideration of the Commissioners, I have no right to say so, but I think there will be a proposition submitted to the Secretary of State on the subject.

6732. Are any prison as bad as Newcastle?—There is no prison so bad as Newcastle. The only one that can be said from my experience of visiting prisons to be bad, but not nearly as bad as Newcastle, would be the female prison at York. That is exceptional, I will not say it is insanitary, but it is dark. It is not nice. I say Newcastle is the worst prison you have got, and the Prison Commissioners would have been very glad long ago to have got rid of it.

6733. Has your attention been drawn to the fact of whether the effect of imprisonment as now practised is deterrent; whether, as regards the mass of the prisoners sent there on first convictions, it is so deterrent that the mass of them do not return again?—I have not taken particular notice of that.

6734. Would it be possible for us to have a return presented showing, we will say, in three separate years, at intervals of five years, the number of persons who have been convicted the first time who come again to prison?—I think we could get such a return.

6735. And a second form showing how many of those who have been convicted a second time or more, got re-convicted?—Within a given period?

6736. Taking three separate years; taking we will say 1874, 1884, and 1894; that is 10 years apart?—I could not tell you straight off whether our records would be enough for that because we should have to get a good deal of information as to that from the general register. As regard local prisons it would depend on the information we could get, and the number of prisoners whose records may have been destroyed or lost; but if you will put down the point for me I will promise to work it out as carefully as possible.

6737. In your present returns you have apparently the means of getting it?—We show the different convictions.

6738. It will be to tabulate them in fact in a different sort of way?—But I must tell you how we get them; and the way we get them is this: the different convictions are taken from the convictions proved in court, or which a man admits to. I do not know that it would be strictly reliable.

6739. I think presumably they would not be accurate, but it would be a fair approximation?—It would.

6740. And the returns being based on similar materials in each year we could form a fair idea as to whether we were making progress or going backwards?—Yes.

6741. I have taken a little pains about it myself, and I have come to the conclusion that taking 1870 and 1893 we have this: that while we had in 1870 the re-convictions of persons first convicted to the extent of 17·7, in 1893 it was 18·2. It would be rather upon those lines that I should like to see some return, so as to enable us to judge whether imprisonment is working satisfactorily or not?—Let me put it down so that I know exactly what is required.

6742. *I will hand you a calculation that* I have made, but I should like to go a little further as regards the persons who have been convicted oftener than once, and to ascertain whether the great mass of convicts do not come out of that class; and whether after they have been convicted a second time they are not constantly returning. That would bear very strongly on the question whether imprisonment is deterrent after a second conviction?—I do not think it is.

6743. The Chairman authorises me to ask you if you will give us such a return as that, and I will put in writing what I think will be the best form?—Yes.

6744. I think you seem rather in favour of strengthening the position of the visiting committees in the gaols?—Yes, I think that we cannot do too much to encourage the visiting committees.

6745. Could they be brought into actual association with the governor in carrying on the business of the gaol with advantage, being thus able in conjunction with the governor to assist the commissioners?—I look upon the commissioners as having taken the place of the old visiting committees. The latter now are the eyes and ears to advise the Secretary of State whether those concerned in the management of the prison are doing their work properly, and they moreover assist in the management of the prison by dealing with the judicial part of the work.

6746. In fact you think the position is exactly reversed from what it was, that whereas the inspectors used to be the eyes of the Secretary of State, now the inspectors have become the machinery to carry it out?—Yes, under the Commissioners; but I think it is as well that you should realise that the inspectors have no powers of punishment, and they have no powers of reward.

6747. And no powers of administration?—No; well you cannot have rival administrations, I think the visiting committees should have great powers of recommendation, which they have under the Act, and that every recommendation should go direct to the Secretary of State, as they do not recognise the commissioners to be over them, but rather to be under them.

6748. Do you think the inspectors visiting once a month as they do and coming from a distance have sufficient local knowledge to find out if anything is going astray in the gaol?—Well, as I said before, if the inspectors do their work properly and not perfunctorily; if they really look into everything they can see as to the cleanliness of a prison, the contentment of the prisoners, the work that is going on, and the books; and they could do this by less frequently visiting. I think also that in prisons governed by chief warders it is very essential to have somebody of superior rank coming there frequently to keep these people up to the mark. *It is not so necessary* in the London prisons as in others, because they have active visiting committees, but I think, taking it altogether, there is a use for the inspectors, and it would be a less expensive thing to the State if they had the assistance of visiting committees with local knowledge.

6749. I was rather thinking whether the visiting *committee might* not take up the position of the inspectors, and the inspectors took up their old functions of being the eyes of the Secretary of State?—I do not see how you could put the visiting committees under the commissioners appointed under the terms of this Act.

6750. Have you any experience within the last 16 years whether any prisons have been found slack in discipline where that has gone on for a considerable time without notice?—No, I will not say that. Of course, occasionally at prisons if the inspectors have considered that the old governors were failing they have retired without any pressure, and have felt they were too old for it.

6751. (*Sir Algernon West.*) You have the Civil Service limit of age, I suppose?—No; as regards men like myself who came in under the regular Civil Service, we are brought under the limit of age; but as to the old governors who were brought from the former authorities it has been ruled by the Law Officers and the Treasury that as there was no limit of age under the former authority they can go on for ever.

6752. Do you think, for instance, an inspector would find out whether fire drill was practised regularly?—The governor has to record it in his journal, and if he fails to do it the inspector should report it.

6753. You have never heard of such a thing not being done for a year or two?—I have not heard of it in my experience at convict prisons. I had to record it in my journal.

6754. Or such things as governors not being quite straight in their commercial relations, say, outside the prison, which would be well known to local authorities or local personages, but which inspectors might never discover?—I think there would be great advantages in having local people to help the Commissioners.

6755. Do not you think there is rather a danger in attempting to manage a great many independent establishments from London, and that you are not sufficiently acquainted with what may be commonly bruited about in the district?—There are such things as anonymous letters. A man in the prison service lives in a glass house, and he has so many rival interests occasionally to tread on, that he has not got too many friends, and if he makes the smallest trip an anonymous letter comes into the Commissioners which then becomes the subject of investigation. It is extraordinary how every now and then we find that to be the case.

6756. (*Chairman.*) Will you take this book in your hand (*handing book to the witness*). Mr. O'Connor asked you a question with regard to the prison punishment at Wandsworth and Wormwood Scrubs. I have just been looking at these figures and I do not quite understand them, because it appears if you will look at the year 1892 that the total number of offences at Wormwood Scrubs was 2,551 for the males. Adding up the first columns of prison restraints and prison punishments I get a total of 3,358?—This is a most difficult return to understand. It has puzzled a great many people to follow this return.

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6757. There is another point that I do not quite understand; that is the different way in which the system appears to work at Wandsworth and at Wormwood Scrubs, because taking the figures for 1892 the offenders punished at Wandsworth amounted to 1,894 and the prison punishments to 2,326; and at Wormwood Scrubs you have this, that while the prison punishments amounted to 3,358, you have only 1,083 offenders punished, and it is the same in the year 1893 only more so?—At Wandsworth, and other short-sentence prisons, where the most of the prisoners are in for a few days or a few weeks, the opportunity for the same individual to repeatedly offend during his imprisonment is very limited. Many, by reason of the shortness of sentence, cannot be punished at all. A large number offend only once and are not punished, and thus you have a large number of offenders and a comparatively small number of punishments. At a long sentence prison like Wormwood Scrubs you have a large number of incorrigibles and of badly behaved prisoners who offend over and over again in one year, with the result that the number of offenders is less than in the short sentence prison of similar population, but the number of punishments is far greater. Take the case of J.E.—see how many times he was reported and punished in the year—look through this punishment book. You see here a prisoner H.M. reported and punished eight times in the sentence of a year or so. You get the same men over and over again, the one offender punished many times. Another point is the different systems of governors. For example, a not uncommon offence is stealing food from dinner tray or another prisoner's cell. For that offence one governor may award three days' bread and water, another governor three days stirabout diet in close confinement, another governor one day bread and water in close confinement and fined 2*d.*

The first counts as one offence one punishment.
„ second „ „ two punishments.
„ third „ „ three „

The first was undoubtedly the most severe. The comparison is not fair it is of no use.

6758. That brings me to the point I want to get at. Is it the fact that at Wormwood Scrubs you have a greater number of incorrigible offenders?—Yes, certainly you have; because the class of prisoners there are the worst type of men as shown by their long sentences. They are nine-tenths long sentence prisoners. Many of them are ex-convicts who would formerly have been sentenced to penal servitude, whilst now they get six months to two years hard labour, and have not the incentive to industry and good conduct which is given to penal servitude convicts.

6759. Then your evidence goes to show that there is no fair comparison between the two prisons?—None whatever.

6760. With regard to the prison industries, would you be in favour of reverting to the old system which obtained before the transfer, of giving premiums to prisoners for their work?—No, I do not think I would, but I would be in favour of giving a long sentence prisoner a better gratuity than he now gets.

6761. He should continue to earn a gratuity?—Yes, I think it is a great matter to let a prisoner have a little money when he goes out, particularly if he has been industrious; so that he can get a little chance of a start. That is why in my punishments I never touch a gratuity. Some governors fine prisoners out of their gratuities; but that is a thing I never would do.

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I have been inclined to encourage them by letting them earn marks.

6762. Do you think it desirable to make any special allowance to the warders for training prisoners in industrial labour, and do you think it is desirable to employ a special class of warders who are skilled artisans, for instance ?—I think if you have shops to turn out an industry it is most desirable to have people who are competent to teach. As regards the question of recompense to the warders for superintending it, that is a very big question. We do not do it in convict prisons. Every warder who has charge of a party would see his instructions go inside the prisoners' cells, which would not the best thing for general supervision. Of course, if a warder is an artisan and is actually capable of giving instruction in the work, I think it would be well to give him some addition to make him take heart in his work and give him an interest in it.

6763. And if a warder acquires a degree of skill in teaching prisoners industrial work it might be desirable to recognise that by some extra payment?—Of course the contention against that is that the warder is only a warder. He came in knowing he would be generally utilised, and that if he is not doing that he is doing something else. That is the contention of the Commissioners.

6764. With regard to carpet beating, that used to be done at Wormwood Scrubs, I think, for the Government Departments ?—No.

6765. At some other London prison ?—Yes, but not at Wormwood Scrubs ; not in my time.

6766. Why was it given up?—I do not know. At Wormwood Scrubs, I may say, we used to have at one time a 25-acre field adjoining the prison that we used to cultivate when it was a convict prison and until it was made a local prison. That was a very good employment for the convicts there.

6767. (*Sir Algernon West.*) Supposing the classification which you are in favour of was carried out, and we will call it first offenders, though it is a distinct class, a star class, would you have any objection to that class earning some small wage which they might expend on prison luxuries?—I think it is a very dangerous thing to start. It gives way to one's heart, but when you become intimately associated with prisons and prisoners, you realise what a danger it is.

6768. (*Chairman.*) Would you be in favour of the longer sentence prisoners in local prisons earning a remission of time?—Well, of course, I do not see any reason against it. It is a question of policy. The machinery for doing it is there. In the case of a licence holder, a man sometimes comes back to prison or three months as a licence holder to perform part of his original sentence. By the Act he earns remission of that sentence to the extent of one-fourth, so that the machinery is there. It is applied in case of short convict sentences, and there is no reason why it should not be applied in the case of long sentence local prisoners. The question is whether it is politic. We know in the case of convicts that the judges, in sentencing them to penal servitude, know that a man will not do the whole of the sentence, but a lesser sentence of one-fourth. Now, if the same understanding goes on with the local prisons and if the sentencing authority knows that he will not do more than three-fourths of the period he is sentenced to, if he behaves himself well, I can see no objection, in that it is an incentive to good conduct.

6769. (*Sir Algernon West.*) Suppose at the present moment a man who is sentenced to three years' penal servitude is better off than a man who is sentenced to two years' hard labour?—Distinctly. I have been told by prisoners that they would sooner get five years penal servitude than two years' imprisonment with hard labour. I have often been told that by prisoners.

6770. But how about the three years?—He gets off nine months, and he gets a bigger gratuity than the long sentence local prisoner, and he gets only nine months in separate confinement. Then he gets out into association in the open air. We hear a great deal about the terrible silence in convict prisons, but in a convict prison, though silence is the nominal order of things, talking goes on about the work. We never punish them when they talk about work. If you put two men together, a bricklayer and a labourer, how can they work without talking? They do talk, but we do not allow talking of a kind which would be demoralising or degrading, and if a man fights against that rule he is reported at once.

The witness withdrew.

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Lieutenant-Colonel EVERARD STEPNEY MILMAN called and examined.

6771. (*Chairman.*) You are Governor of Holloway ?—I am.

6772. How long have you been there?—15 years and a half.

6773. What was your previous service ?—I have been 20 years and a half in the prison service. I was four years in Monmouthshire; a year at Leicester, where I had charge of two prisons, one the county and the other the borough prison, the latter containing soldiers, court martial prisoners; and on the 1st of July 1879 I took charge of Holloway; and in 1886 I also had the charge of Newgate given to me when the Clerkenwell House of Detention was broken up and removed to Holloway.

6774. So that you are responsible for Newgate now?—I am responsible for Newgate now. I have prisoners there at this moment.

6775. Is Newgate ever crowded?—No.

6776. There is plenty of room there?—I have had it very nearly full. Once we had a very large Central Criminal Court Sessions. That was about three years ago, after the holidays at the end of September. That is generally the largest session, and Newgate is now a kind of chapel of ease to Holloway ; so that when I find that the numbers are large at Holloway, and there is likely to be an excess of population, I have the authority of the Commissioners to send the prisoners awaiting trial at the Central Criminal Court down to Newgate, and even prisoners from the North London Sessions if it should be in their week and not the Central Criminal Court week.

6777. The prisoners at Newgate are mostly remand cases, are they not?—They are all the cases of those who are awaiting trial at the Central Criminal Court. As soon as they are sentenced I send them off to their different prisons. Sometimes they sleep a night at Newgate, because the warrant may be out late, and it would be difficult to send them in the winter late at night to such distant prisons as Wandsworth or Wormwood Scrubs, so that I keep them a night there. I have two vans down there. For instance, to take a case, there were five or six men sentenced to penal servitude last night, and the warrants were out to send them to Wormwood Scrubs, but I sent them to Wormwood Scrubs this morning.

6778. Are you satisfied with the treatment of the remand and unconvicted prisoners?—Yes, I think on the whole we could not do much better.

6779. But they get the ordinary prison food?—They get the ordinary prison food unless their friends make an arrangement with the taverns outside, to send them in private food. Sometimes they send in a dinner; sometimes all three meals, and sometimes they send in a newspaper if they like.

6780. Otherwise they are subjected to what kind of treatment?—The third class diet in the prison code.

6781. And all other restrictions?—Yes. I do not think we are as strict with them as we should be with convicted prisoners. I think we treat them with all consideration possible under the unpleasant circumstances in which they are placed. Nearly all respectable men, unless they are in under a very heavy

charge, get bail, and three-fourths of the prisoners I have are those that have probably been to prison before or belong to the lower criminal classes.

6782. The Act of 1877 says that special rules shall be made requiring their confinement in such a manner as to make it as little as possible oppressive, due regard being had only to their safe custody?—Yes.

6783. But they are not allowed to smoke?—No, they are not allowed to smoke.

6784. They are not allowed to have any particular comforts?—They are allowed a newspaper and the food that I told you of. They have no particular comfort unless they have special rooms. You see there is a paragraph there allowing prisoners to have a room specially furnished. I generally have about eight or ten of those prisoners who pay half-a-crown a week for their rooms, and 6*d.* a day besides. That is 6*s.* a week. The extra 6*d.* a day is for having a person to clean that special cell.

6785. So that persons who like to pay for it can secure superior accommodation?—Yes, I do it at once. It is put into the hands of the Visiting Committee, and the governor may do that in anticipation of the confirmation by the Visiting Committee. It is an ordinary cell, but it is better furnished.

6786. But that accommodation depends on whether a man has money enough to pay for it?—Yes.

6787. Does not that make rather an unequal distinction between a rich man and a poor man?—Well, the Act says that you shall give those who wish it, if you have special rooms, the opportunity of occupying a room on payment. Of course it is a distinction, and some people think that that distinction should be made, and that what is hardship to a gentleman is not such a great hardship to those who have been knocking about in Whitechapel.

6788. Have you any suggestion to make for improved accommodation there?—Not without great structural alterations. Without the expense of structural alterations, I do not see what else can be done We treat them as kindly and considerately and gently as we can. I teach my officers to do so. I very seldom have any complaints. A visiting magistrate comes round my prison every week, and goes round to all the cells, and asks the prisoners whether there are any complaints. It is a very rare thing for any prisoner to complain of his treatment in prison. He generally complains that his case has not been properly considered at the Police Court, but then the magistrate tells him he cannot interfere with that. He did not come about his case, but he came to ask whether he had any complaint to make about his treatment. I say it is very rare that there are any complaints.

6789. Have you had difficulties with regard to overcrowding at Holloway?—No. I think in August 1891, that is more than three years ago, and perhaps on a dozen previous occasions, I had prisoners sleeping in association—10 or 12 of them. They were in two rooms, each containing 12, and the prisoners I put there I selected from those who were going up to the police courts the next day. They were visited every hour or half hour by the night watchman and there were inspection lights in the doors. We could see what they did, and I never found there was very much trouble with them. They would talk up to a late hour perhaps, but they were told to go to sleep and there was no quarrelling or anything.

6790. There was no warder in the cell?—No.

6791. Where were these 10 or 12 men?—They were in two wings in the debtors' room—that I use for association for the debtors in the daytime. It never lasted more than a night, because I have got authority from the Commissioners to send my surplus men down to Newgate, but about six months ago Captain Stopford told me that I could send them at once to Newgate and let the Commissioners know afterwards, so that that makes me responsible that there should be no overcrowding, and if I find there is a large influx of prisoners from the police courts in the evening I should send them down in the van or in cabs to Newgate, but it very seldom occurs now. I had a case occur last Monday week. I had 88 male prisoners in that night, and 50 females. That brought me up to 418 male prisoners. Now I have not accommodation for much more than 400, but a good number of those men were in hospital. I suppose there were 16 in hospital, and I had to put 402 up in cells. I could do that in separate cells, so that they were not associated; but the next morning I sent about 50 prisoners down to Newgate, which prisoners were to be tried at the Central Criminal Court this week, so that I actually sent them down to Newgate six days before it was required they should be there. When I do that I give them an opportunity of communicating with their friends and solicitors, and they rather prefer their friends and solicitors to go to Newgate than to Holloway. But Newgate is rather gloomy; it is not so bright a place as Holloway; but I have no complaints about it.

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6792. You are receiving prisoners very often up to 10 or 11 at night?—No, I receive prisoners up to about 8, or half-past 8, but not often after that. It is very exceptional after that. I think the matron said in her evidence that we had a case of the officers being kept up to about 11 o'clock at night dealing with the receptions that came in. When we have actually a large number of receptions, as some of them are, with 50 or 60 female prisoners, it takes some time to bathe them with the number of baths that we have, and to put them away in their cells. That keeps the officers up rather late, and makes their hours rather longer.

6793. Do you think the hours of your officers are too long?—I do.

6794. Do you think there is greater strain on the female warders or the male?—I think there is a greater strain on the women warders, because they have to deal at Holloway with those short sentence prisoners; and there is very little power over the short sentence prisoners, because they have no marks to lose and very low diet as well. I think the alteration in diet that has been lately started will have some effect on the conduct of prisoners, for they will not have so much reason to complain of their diet. They used to complain of the diet of the stirabout, and if the doctor did not give them some extra diet they used to smash their windows, but I have had, comparatively speaking, little of that lately.

6795. (*Sir J. E. Dorington.*) Is the stirabout done away with?—Yes. At least, there is an alternative diet, and the alternative is universally adopted by the prisoners. In all my experience in the prison service I have found the Indian meal rejected. I found the same in Monmouthshire and Leicestershire.

6796. Do the warders complain to you of their hours?—No, they do not complain, but I know the strain is very great on the warders at Holloway. For instance, they are at the courts all day long in the very responsible position of looking after prisoners in the dock, and sometimes after a long day at the sessions they have to take their turn at evening duty when they come home. I think that is too much for them.

6797. You have great difficulty, I suppose, in providing occupation for your short sentence prisoners?—*Yes;* we were making some soldiers' bed cases and Post Office bags, but I think I shall not be able to do much in that way with only three months' prisoners, and it is now ordered that I shall not keep prisoners who have got three months' sentences and over. So that I have all those short sentence people to deal with; and they are the most difficult people possible to deal with, because there is nothing to restrain them; but, on the whole, they behave very well. The misconduct is generally confined to from 12 to 20 shameless prisoners; the other women are generally very quiet.

6798. What is their occupation for the most part?—I shall have now to select from these short sentences about 40 for the kitchen and the laundry. They help in the female warders' quarters. I have 12 in the kitchen and 18 in the laundry.

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6799. Have not you any mill work and the treadwheel?—No.

6800. Not at all?—No, we have no treadwheel. The women are never put on a treadwheel anywhere.

6801. But the men prisoners?—I have no male convicted men, mine are all awaiting trial, with the exception of a few specially sent me from Pentonville for cleaning the vans.

6802. Do you have many old offenders amongst your short sentence prisoners?—A great many; they will come in over and over again. I think there is one old woman, "J. C." who, they say, has been convicted 260 times.

6803. Has she always been to Holloway?—Generally; but she has been to Chelmsford, too. She has been a very good old woman in prison. She behaves capitally when she is in prison as a rule. She is a very good needle woman.

6804. Is she now of weak intellect?—Not at all. She says she is a lady of good family, and has had a very good education, but she certainly does the needlework which is given her very well, and she is very polite when she is in prison; but she can get into a rage.

6805. (*Mr. De Rutzen.*) Do you ever have any convicts at Holloway?—Male?

6806. Yes, male?—No, I have no male convicts, except a dozen I have got from Pentonville, to help me in cleaning the vans, &c.

6807. Then, occasionally, you have convicts there, but they are borrowed from other places?—I borrow men, who have six months to complete their sentences, from Pentonville.

6808. How long are they kept at Holloway?—About six months; I get them from Pentonville for the purpose of cleaning the vans and using the firehose, and so on; because I cannot force men on remand to do these unpleasant duties; and on a cold morning, to go out and wash the vans and carts is a thing we cannot get the men who are awaiting trial to volunteer for.

6809. (*Sir J. E. Dorington.*) You mean convicted prisoners, not convicts?—Convicted male prisoners, but not convicts who have been sentenced to penal servitude. They are men who have got, perhaps, 18 months' imprisonment.

6810. Long sentence prisoners?—Yes, they have done about a year at Pentonville; and if they are fairly well behaved and able-bodied, they are sent to me by Mr. Manning, under warrant of the Commissioners, for the purposes I have mentioned; that is, to do a little labouring work on the ground, so as to use the fire-hose and practise it in case of fire, and to do things that you could not very well get done by the voluntary work of prisoners awaiting trial.

6811. (*Chairman.*) Would these be men of good conduct?—Yes, men of fairly good conduct that Mr. Manning selects for me and sends me from Pentonville, under warrant of the Secretary of State.

6812. And they are always fully employed?—Yes, they are always fully employed; there are three of them employed in the stores, and nine men on cleaning the vans, and these men also have to help in repairing the exercise grounds, and doing different odd jobs about the place, working as ordinary labourers, in fact.

6813. Apart from the old offenders who are in for drunkenness, and recurring convictions for drunkenness, do you have many old offenders there who are in for thieving, and other offences of that kind?—Yes.

6814. Who come in apparently for theft?—Yes, for anything under three months. You are talking of women, I think.

6815. And who you would call habitual criminals?—Yes, habitual criminals; those who, perhaps, have been in half a dozen times, or, at all events, more than once.

6816. And these women, I suppose, have very little regard for prison?—They have very little respect for anybody or anything, but they use very strong language when they are put out.

6817. These short sentences in prison do no good to them?—Very little good.

6818. Would you be in favour of a cumulative punishment for such an offence as that?—I think it would be very much better.

6819. Do you think that any further classification is desirable for female prisoners?—I do not see how we are to classify them for short sentences; they come in for from three days to three months.

6820. Could not you classify those who come in for first offences?—My good matron helps me in this, she places the first offenders alone in one gallery, as far as she can find it out.

6821. Would you be in favour of putting those who come in for drunkenness in a separate part of the prison or treating them differently from ordinary prisoners?—Yes; but of course that would require a great many structural additions to the prison, though it would be a good thing no doubt to separate those who are drunk and riotous and those who are thieves.

6822. There are some distinctions between the two?—Yes, some of the poor wretches cannot keep from drink. It is a mercy to keep them in prison, I think.

6823. You have read the evidence that has been given before this Committee by other governors?—Well I cannot honestly say that I have gone all through it, but I have seen a good deal of it.

6824. Have you any particular points of difference to call our attention to?—No, I think not; I do not think I can add much to the information they have given.

6825. You agree generally with the evidence they have given?—I agree generally with it. I have seen Mr. Manning's evidence, and I have seen some of Captain Helby's, I do not think I differ much from them.

6826. (*Sir Algernon West.*) What is the longest time you ever had a prisoner under remand?—Very nearly three months; between quarter sessions and quarter sessions. I must tell you that since they built the courts at Kingston in Surrey, they have established adjourned sessions, so that they have sessions every six weeks; but there are some sessions like the Croydon Borough, the Guildford Borough, and the West Ham Borough where the prisoners are tried every three months; and I always employ those men out of their cells as much as possible and give them every consideration I can if they are at all handy and well behaved.

6827. You have men, I think, sent to Holloway for contempt of court who practically are debtors?—Yes, I have usually 30 or 40 of them.

6828. These men, I take it, are men who can pay and will not pay?—Yes, they are half of them in for rates and half of them are sent from the County Court. That is virtually for contempt of court.

6829. Therefore, do you see, why a man who can pay and will not pay, should have the privileges now given to debtors? Why should not he be a common prisoner?—Well, you see, there are those who habitually pay their rates by staying in prison. I have some of those, and I think they had much better go to the prison side.

6830. Is not it subversive to the discipline of the prison to have these people about your prison?—No, I do not think so, they occupy a distinct part of the prison. I have them in pretty often and they walk about in the morning talking to one another. They are in association; they have their meals separately in their cells, but they walk out in the garden together.

6831. Why should not they be treated as criminals?—I think they ought to be.

6832. I have been told of the case of a man who was in for a debt of 9*s.* 6*d.* and who had a dinner brought to him which would cost more than 9*s.* 6*d.*?—That is an extreme case, but they do get dinners sent to them.

6833. You have no objection to them being treated as ordinary prisoners?—Some of them are very wretched creatures indeed, I think some of them take houses and fail in getting lodgers, and the wife lets them go to prison to pay the rates.

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6834. (*Sir J. E. Dorington.*) Are your cells at Newgate very much smaller in cubic capacity than at Holloway?—No, they are the same size; it is not such a very old prison.

6835. There is no objection to the use of the cell?—Not the least.

6836. Of the female prisoners you have got now, what number of them do you suppose are there on first convictions?—Well, I am afraid it is rather a shot, but I should say about one-fourth of them have not been in before.

6837. Then, practically, three-fourths of them are old offenders?—Yes, three-fourths of them are old offenders. Then besides those short sentences I have another set of women, some 50 or 60, namely, those on remand, or awaiting trial. The people you are asking about are those who mostly come from police courts and get short sentences; those who are awaiting trial will probably get penal servitude or long sentences, or be acquitted. Perhaps only only one-fourth of that 60 I am talking about would be old offenders, but of the short sentences about three-fourths.

6838. (*Sir Algernon West.*) In the case of Mrs. J. C. I suppose you would prefer some other treatment?—Could not she be sent to an inebriates' home?

6839. Supposing there were inebriate homes would not you prefer that immensely?—Yes, and she would too. I am not certain that she has not been in one and come out again.

6840. Then, of course, the sentences would necessarily be longer, because a year is the shortest time in which to effect a cure?—Yes.

6841. Do you suppose Mrs. J. C. could be cured in two years?—No, I do not think she will ever be cured. It is a very awful thing to say but drink has got too great hold upon her; and I suppose people treat her. I do not know whether you want me to say anything more about the officers' hours.

6842. (*Chairman.*) If you wish to give us any information, do so?—I have no information to give you I think beyond this, that it is a very great strain upon the officers being at court all day, and in turn to take up evening duty at Holloway or Newgate afterwards. It is true they have got some compensation in the way of a dinner allowance. They have to get their dinners away from home in the vicinity of the courts.

6843. (*Sir J. E. Dorington.*) Is your per-centage of officers higher than in other prisons?—Yes, than in other local prisons.

6844. It is specially calculated with a view to this?—It is calculated with a view to the sessions. I have nine officers allowed for Newgate, in addition I think to about five per cent.; and I do not find it is enough, because I had three sessions on Monday in this very week, the Central Criminal Court; the North London Sessions; and I had to send five officers to Kingston-on-Thames for the Surrey Sessions. I had 20 officers away from Holloway at the Sessions, and three away sick.

6845. Twenty were away on sessions duty, and your allowance in respect of sessions duty is only nine?—Yes, nine allowed for Newgate, but on the first two or three days of the sessions about 12 would have to be at Newgate from Holloway; the other sessions in progress at the same time would be provided for by the extra per-centage.

6846. (*Chairman.*) Then you could send to the Committee some figures with regard to your staff?—I can tell you that the average number of hours varies from 10 hours a day. Taking all the hours every day for a fortnight and dividing by 14, it is about 10 hours a day. Sometimes they are on for 12 hours a day and so on. They have an alternate Sunday to themselves, and an alternate Saturday afternoon, and taking all that into consideration and counting the hours they may be in bed in prison (that is those who have to sleep in in turn), they would have from 10 to 10½ working hours. (*See Appendix VIII.*)

6847. (*Sir Algernon West.*) Is that deducting time for meals?—That is actually deducting meals, and that continues every fortnight; and 10 hours is rather heavy continuously.

6848. (*Sir J. E. Dorington.*) Is the duty of the warders in your prison heavier than in another prison owing to the quantity that come every day?—Yes, owing to the number of receptions. The receiving these prisoners from different police courts is very heavy as is also the bathing them.

6849. And the five per cent. of warders you are allowed is in excess of what other people have?—Yes.

6850. So that the duty of receiving them makes the work very heavy every day?—Yes.

The proceedings were adjourned until to-morrow, Friday, 23rd November, at 12 o'clock.

FOURTEENTH DAY.

Home Office, Whitehall.

Friday, 23rd November 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
RICHARD BURDON HALDANE, Esq., Q.C., M.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., Secretary.

Mr. TALLACK called and examined.

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6851. (*Chairman.*) You are the Secretary to the Howard Association?—Yes.

6852. How long have you held that position?—Nearly 30 years, over 28 years.

6853. You have not been officially connected with the prison system I think?—No; I have visited a large number of prisons over and over again, and have studied the question, and have written several books

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on the subject and many papers. In particular a book entitled, "Penological and Preventive Principles, "with special Reference to Europe and America." [London, 1889], which has had a large circulation.

6854. You are acquainted with the general objects of this Committee. I think you have something to say in the first instance upon the question of classification in prisons?—Yes.

6855. First with regard to the juveniles then?—We recognise with great satisfaction the action which *has already been taken by several* of the recent Home Secretaries, in doing away as much as possible with the imprisonment of children. We had a Deputation to this Office some years ago from the Howard Association asking Mr. Cross, who was then the Home Secretary, to do so, and since that time a good deal of progress has been made, but there is still more child imprisonment than there ought to be; and we hope to see, perhaps as a result of this Committee, that children are entirely removed from prison. An authority, who is still an authority to us, John Howard, said, "Boys should always be separated from other prisoners;" and he went so far as to add, "and indeed from one another." Of course that is an extreme statement, in view of the good that has been done by reformatories; at the same time I might say, even with regard to reformatories, and I mention it as bearing on the remark of John Howard, that the principle of classification needs to be carried further than hitherto, even with those institutions; for during the last few months the governor of one of our chief English prisons made this remark to me, "Reformatories are nests of crime." The governor of another prison said to me that reformatories are "vile places." Those are the opinions of two experts.

6856. The question of reformatories stands rather on a different basis, and the opinion of governors or principals is not necessarily conducive to elucidating the subject. Assuming that reformatories are or could be made to be desirable places for the detention of young people, should you be in favour of raising the limit of admission to reformatories from 16 to 18 years of age?—Assuming that there is more classification and that the reformatories are not large; when you have some of the lads from 16 to 18, there will be amongst them some of those who are most undesirable to be placed in communication with the others.

6857. Assuming that there is a proper classification in the reformatories, you would be in favour of that?—Yes.

6858. What is your definition of "juvenile"?—Well, I am not prepared to give any precise definition, because it is a very wide term, and has different definitions according to the object. For instance, the definition of "juvenile" for the Industrial Schools Act is from 12 to 14 years. According to its application under the Reformatories Act it is 16 years. I do not use the term "juvenile" myself in any particularly technical sense, because you cannot draw a hard and fast line between young persons. Some young persons are more precocious criminals at 13 than others at 17 or 18.

6859. Will you accept 16 as the limit?—I have not any strong opinion on the subject.

6860. Then I understand you have an opinion with regard to casuals?—Yes, but before we pass from juveniles may I invite the attention of the Committee to one or two important precedents?

6861. I think first I will ask you with regard to the casual offenders?—I here prefer the word "casual" instead of "first term offenders," because there are often cases like this: where a man commits one petty offence and then several years pass by before he commits another. *It is hardly fair to consider* such a person as an habitual offender, so that when I say "casual offenders" I mean to include either those who are first offenders or those with whom there has been a considerable interval since the last commission of crime. I think that this class should have separate prisons and generally be under prison conditions which, at first, might admit of some relaxation. There has been lately a considerable public demand for more of such relaxation. It has been considered by some (I allude now to the recent newspaper controversies) that our present system is too severe in some cases; but in those newspaper controversies there has not been sufficient distinction drawn between the casual and habitual offenders. As to the casual offenders, there is often ground for pity; with regard to the habitual offenders we must pity the community as well. With regard to the casual offenders we might relax some of the conditions, such as the plank bed and the penal dietary, which have given rise to some complaints; but relaxing such deterrent conditions for habitual offenders would require considerable hesitation.

6862. But is not there a danger if you make relaxation for the class you call "casual" that to a portion of them the prison would not have the deterrent effect it has now?—I am very desirous that we *should retain the deterrent effect of prisons.* Some gentlemen consider that we go too much now for deterrence; but it was rather with reference to the controversy that has really taken place in the newspapers that I suggested that if there are to be these relaxations, they should be confined to first offenders and casuals. We have already by recent legislation, in the First Offenders Act, and to some extent by the Summary Jurisdiction Act, recognised the claims of first offenders to special consideration. And we might carry that perhaps a little further now with regard to some other matters, because there is no doubt that the penal dietary, the very low No. 1 dietary, for persons who are committed, say, for a week, on bread and water, is very severe in some cases for persons who are already weakened by drunkenness and have an impaired and thoroughly bad constitution. So also as to the plank bed. We are advocates for separate treatment, and we believe that if separation is carried out in prison, that will be the main element of deterrence, and will enable other elements now relied on for deterrence, under a mixed system, a system of associated labour, to be dispensed with. You can safely dispense with such things as plank beds and treadwheels, *provided* you retain separation, but if we are to have association in prisons then we shall want to retain some of these tests. I most perfectly agree with you as to the importance of deterrence.

6863. Then coming to habitual offenders do you think that they should be kept as a class apart?—Yes. There are habitual offenders of two classes. There are habitual misdemeanants or petty offenders, and there are habitual criminals, those who have committed felonies and burglaries and serious crimes. Even for the habitual offenders, probably wings of our prisons might be devoted; but for the habitual criminals I think we should, in general, have separate prisons where there would be no confusion as to the mode of treatment. Also with regard to habitual offenders of both classes (misdemeanants and greater offenders) it is most important that we should have a more gradual and certain cumulation of penalty than we have. I am one of those who believe that the main desideratum in our criminal treatment now does not consist in any alteration in the prison system so much as in the system of sentences, and I have found veteran governors and others who agree with me in that. Last year, in this Office, I waited twice on Mr. Paulton, M.P., the Home Secretary's Private Secretary, and submitted to him a scheme of gradual cumulation which I have no doubt would be effective to habitual misdemeanants by adding, say a fortnight each time. Cumulation has fallen into disrepute in consequence of the system of cumulation by leaps and bounds which was approved some years ago by most excellent men, such as the Earl of Carnarvon, and others, under which system there were extreme jumps from two months' sentences to sentences of five years and seven years' penal servitude. Those were tremendous leaps. If we had a mild system of increase for misdemeanants, so that poor drunkards and other petty but habitual offenders should feel that every time the law grasped them there would be a little more pressure put upon them; and if those guilty of more serious offences than misdemeanours were met by an additional three months every time, I think it would do much good, and I believe that that is the main desideratum, now, for the improvement of our criminal system.

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6864. With regard to these cumulations do you think it should consist altogether of imprisonment under existing rules, or would you have a system of detention?—It need not consist necessarily of imprisonment. It might consist also of conditional liberation. We have that in our indeterminate sentences in connection with the convict system. Then in connection with the juveniles, we might have systems of probation, especially for the younger ones. They have probation officers, and probation courts, in Massachussetts, and Australia, and New Zealand, and they are now agitating for them in Canada. We might allow some of these young offenders, and others, to be at liberty under the special superintendence of probation officers. I do not mean to say in every case, but I would combine it with our gradual increase of imprisonment, and if we had *the system of* cumulative sentences I am sure we should ultimately be able to apply the probation law, and it would lead to a great diminution of crime, because the present system of constant short sentences is admitted by all who have paid attention to the matter to be a failure in England, in Scotland, and everywhere else.

6865. Now passing to prison labour. You have said that you are against associated labour?—Yes, for this reason. In those countries where there is that system which is now contended for by some parties who desire the discontinuance of separation in prisons, and the introduction of labour in common, I find that such system of associated labour has failed. It is no novelty. It is the prevalent system in the United States of America, in France, in Italy, and in Canada, and in all those countries it has failed, wherever it has been tried.

6866. We have had it tried in our own convict prisons?—That introduces another question. Are our convict prisons wholly a success? I have been told over and over again by the officers of convict prisons that they consider the excess of association there is fraught with many mischiefs, and it confirms the principle in which we believe, that "evil communications corrupt good manners," whether in local prisons, in convict prisons, or anywhere else.

6867. We have not had that put forward yet. At any rate, we have the experience of our own convict prisons to go on, and we have certainly had it put forward strongly in evidence that association is desirable for prisoners?—However, both in my writings and here I say that I believe that in matters connected with crime and pauperism and everything else, the *via media* is the best course. Whilst I am a decided advocate of the separation of criminals from one another, I only believe in the separation of them from evil influences, and that is necessary in prisons; but I fully admit that for persons under long sentences, such as convicts, you must relax that rule, because you must with such, at least to a considerable extent, have labour on the land. It would be cruel to carry out complete separation with those. I believe that for the most part if you keep the ordinary run of offenders, who constitute 60 or 70 per cent. of criminals in separation up to one year, which is within the existing legal limit of two years, that that will answer the purpose. With regard to convict prisons it raises a large question as to whether we should not largely modify our system of dealing with convicts.

6868. Perhaps at present it would be as well to keep to the question of associated labour. Do not you think that it is desirable from the point of view of prison treatment *that the occupation given to* prisoners should take them out of themselves, and should teach them to lead natural lives and have natural thoughts. Do not you think that industrial *labour* whether in association or not *per se* is desirable for them?—To that question I answer yes and no. Most decidedly it is desirable that prisoners should have labour. They should be reformed by labour, but I believe that for the shorter terms labour is best in a cell, and for this reason. Where you have the men working together in prison workshops they do more work, but in addition to the element of contamination which comes in, though they do a good deal more work, they come into labour competition with the outside labourer, as they do especially in America and France, where the outside workers are now grievously complaining of the prison competition.

6869. I think we may leave that for the present?—Also they are not taught so well. In the Philadelphia and separate prison in America they particularly take credit for this thing. They say, "in our cells the man is taught "to make a whole shoe or to make a whole "garment," whereas in those prisons where the men work in large companies, many men being at the bench together, one man may learn how to make merely a buttonhole of a coat or part of the sole of a shoe, and he does not learn the whole trade. But such men also compete a great deal more with the outside worker when working together, than when working separately.

6870. We may leave the outside workers to take care of themselves at present, I think?—Very well.

6871. (*Mr. O'Connor.*) Has the witness seen the cells they work in in Philadelphia, and can he compare them with ours?—Yes, I have been over the Philadelphia prison, and in that particular prison the cells are larger; but generally, in America, the cells are too small.

6872. (*Chairman.*) I want to know what is your main objection to associated labour, putting aside the question of its possible interference with outside labour, and assuming that the labour is good of itself?—My main objection is, that it has been found not to be a success in those countries where it is most used, the countries I have named.

6873. But that, of course, depends on the conditions on which it is carried on, and it also depends, surely, on what classification of prisoners is adopted?—I have yet to learn that it can be carried on anywhere with success. When you take moral considerations especially into view, I have yet to learn that it can be carried on with the same success as separation *under moderate* conditions.

6874. You state a general objection that it has not been found to succeed in other countries. Now what is your particular objection to it?—My general objection is also a particular objection. If you have a lot of men, at any rate, of a criminal class, it is an evil to have them together. There are many poor creatures of the misdemeanant class that it might not do much harm to allow to be together, as I have seen them, both in this country and other countries; but where you have the criminal class specially together it is a primary necessity to keep to them from corrupting one another. And this applies also to certain classes of misdemeanants. Take, for instance, the class of prostitutes. The prostitutes in women's prisons would do harm to one another, or to other women who were not prostitutes, who might mix with them. There it is mainly the moral objection. I admit that you may have more pecuniary result from associated labour. There is no doubt of it, and that is why France, America, India, and other countries have so much associated labour in their prisons. It is more immediately profitable; but it is not profitable in the long run; and while you are thus manufacturing profitable goods you are also manufacturing criminals.

6875. Do not you think that natural hard work is the best thing to counteract the desire to contaminate other and more innocent people?—Naturally, hard work is most important; but this is a thing that is often forgotten; *the whole conditions of a prison* are unnatural. They are conditions which are materially different from outside society, where the good associate with the evil. The same conditions do not hold with imprisonment that hold in society, because

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imprisonment is not a natural system, in massing evil doers together apart from better people, as also in other respects.

6876. Ought not it to be our object to make it a natural system and approximate it to the conditions outside?—That depends. A doctor to bring about a natural condition of the human body, may have to use means which are at present unnatural.

6877. Supposing you abolish associated work in prisons, what work would you put them to?—A variety. They could do better work than they often do now. That is no theory, for I have seen it in some of our English prisons, and also in Belgium, in Holland, and in Scandinavia. I have been over the Ghent prison in Belgium. I have visited Belgium two or three times. In one cell they may be making coats; in another they may be making boots, and in another they may be doing the clerkage of the prison. In some cells they may be cutting out patterns. There is no end to the variety of labour. It seems to me that you might do almost as much work in the cells as in association. I have seen a prisoner in one of the Belgian prisons with a blacksmith's forge in his cell.

6878. (*Sir Algernon West.*) I think the prison at Ghent is divided into aisles—into wings; and that the associated labour is carried out in each wing?—There are two prisons at Ghent. There is the Maison Centrale, the great prison which John Howard visited a hundred years ago, and also the local prison. But the Central Prison is divided into two portions, one of which is cellular and the other congregate. I would not advocate cellular employment for the life-sentenced prisoners.

6879. It is divided into eight aisles?—Yes.

6880. No doubt some prisoners are kept in cells?—Yes, a number of them.

6881. (*Sir J. E. Dorington.*) But those are all for the local prisoners?—No. There are some prisoners who were sent from other prisons, partly for the convenience of relieving those prisons.

6882. For short sentences?—No, not to the Central prison for short sentences. I saw one prisoner in the cellular part of Ghent Prison, who told me he had been kept for six years in separation.

6883. (*Sir Algernon West.*) I think six of these aisles out of the eight are used for what we should call here associated labour?—I believe they are. I might also mention the excellent Belgian prisons of St. Gilles and Louvain. Ghent is for life-sentence prisoners. I spoke when I was there to a prisoner who had been continuously in prison for over 30 years.

6884. Should you call that prison at Ghent what we should call a convict prison?—Yes, the central prison. We understand by "convicts" men with sentences of over two years.

6885. But they have got boys there. They have got two wings entirely devoted to boys?—It depends on the definition of a "convict." These boys may be there for long terms.

6886. It is not what we should call a convict?—It is somewhat mixed. It is not a matter for comparison.

6887. (*Sir J. E. Dorington.*) In the sense of long term prisoners it would be equivalent to a convict prison?—Yes.

6888. (*Chairman.*) Evidence has been given before us which shows that one of the great difficulties in prison is to find proper accommodation for this cellular work?—It is.

6889. And they say that if they are allowed to work in association, and if they receive a sufficient amount of money to enable them to do so, they will have less difficulty in finding work?—I fully admit that. There is a difficulty with regard to cellular work in prisons, and especially when you have very short sentences. Then, again, if you shut up men only for a few days or a week, over and over again, you cannot teach them any trade at all in a cell.

6890. I understand you that there is no difficulty in finding labour for these prisoners in the cells?—I was alluding to those who are in for a sufficient time to be taught a trade; say those who are in for three months at least.

6891. We are talking of local prisons in which there are a vast number of short sentence prisoners?—Yes, but also prisoners up to terms of two years.

6892. The per-centage of those prisoners is very small?—If we had this method of cumulation of sentences I spoke of, the number of those who are in for a very few days or weeks would soon decrease, and we should have comparatively more than we have now in for terms sufficiently long to enable them to be taught something.

6893. Then, of course, you will admit that there are considerable difficulties if you are to teach each man separately, inasmuch as a very large expenditure is at once set up?—Well, that has been recognised in other countries, such as Holland and Belgium, and they do not find it so very expensive, I believe.

6894. But obviously it must be very much more expensive to teach a number of men separately in their cells than to teach them collectively in a room?—That I admit, but it is more economical in the long run to diminish crime—that is the main object in view.

6895. That is assuming the superior benefits of working in cells as against working in association?—Yes; which we do assume by experience.

6896. Now with regard to visits, are you in favour of appointing lady visitors for female prisons?—Yes, we have advocated that for years, and we were very pleased to learn by the answer of the Home Secretary to Mr. Pickersgill, who put the question at our suggestion in the House of Commons lately, that in 29 out of 54 prisons in which women in England are confined, ladies are allowed to visit; and I hope this Committee will recommend that in all other prisons they may be allowed to visit also. I was at Leeds the other day, and I understood that no ladies were permitted to visit that prison. I mean at Armley. I think it is very important where there are women that they should have the advantage of lady visitors; in fact it is most important.

6897. Do you think the system of visits to prisoners should be further extended?—Yes, the prisons should be much more thrown open. Not only would I have the lady visitors permitted to go, but I think there may be with advantage much more visitation allowed to men and to all classes of prisoners. For example, it would be desirable, I think, to permit persons to lecture on such subjects as temperance and health. Even of the short term prisoners, how many are so ignorant that if you had intelligent and judicious persons, men and women who might be allowed to lecture to them, they would have their minds awakened by it. It would be one of the most reformatory and elevating elements we could have. Then also, as to the visits from the magistrates, I have received the most opposite opinions in the various prisons I have visited. In some cases I find the magistrates are most exemplary and do their duty thoroughly, under the Act of 1877, and in other places they say the magistrates do not take any interest in the prisons, and they do not seem to care, now that they have scarcely any power. I do not think it would be a bad idea if the precedent which was adopted partly at our suggestion in the convict prisons, of the Government appointing certain local unpaid visitors, were also adopted as to the local jails; and if the Government were to nominate from this central place, several special magistrates to take a more active part than the average justices do now, and with more power, I think it would be an advantage. Then also in view of the recent public outcry, I think it would be as well if representative bodies such as municipalties and county councils were allowed in future to appoint representatives to visit the prisons. I have been over most of the Scotch prisons this summer, and the public there have considerably more access to the prisons we have. They do appoint locally-elected representatives there, and I was told that with the exception of Edinburgh and Glasgow there is a very general amount of negligence in Scotland on the part of those appointed visitors; but at Inverness they have to go a long way, so also they have at Aberdeen and other parts of Scotland. I should like to hear of there being more prison visitors in England also, and of men as well as women being appointed by municipal and representative bodies. It would be desirable that the Government should ask some particular magistrates to take a more special interest in the prisons than their class now do, at any rate, in many prisons. Before we pass from that, I have lately had this suggestion made to me in several of our prisons by governors; that in regard to discipline, it would be a great improvement if, instead of a resident chaplain, or in addition to him, there were *gentlemen*—clergymen and ministers who have the care of outside congregations—to come to the prisoners. They would bring some freshness in with them; there would be more individuality about them; and they would enliven the prisoners so that they would not get so much into a groove. I have a high opinion of some of our prison chaplains, but I do think there is something in that suggestion that has been made to me by several of our governors who know what they are talking about; and there are many clergymen and ministers who, for an extra 50*l.* or 100*l.* a year, would be very glad to come into the prisons, and would bring in a deal of fresh air with them, both in a moral and an educational sense.

6898. Then passing to the officials in the prison, you are of opinion that a great deal depends upon the warders?—Yes, I think that that is one of the weakest points in our prisons at present. I have a very high opinion of our present prison administration, from General Du Cane downwards, and amongst the warders I have found some of the best men, and I could, if necessary, name some of them; but, at the same time, while there are some of the best practical Christians living in the prisons as warders, there are also some great brutes; and it is some of those brutes who have brought down on our prison service, from the top to the bottom, some of the complaints which have recently been raised in the newspapers and elsewhere. We do want something more than we have at present to be done with regard to this matter I think if we had a special Departmental Committee with some ladies on it—in view of the number of female prisoners we have—to give their special efforts to improving the class of warders, and raising them, it would be a good thing. A great deal has been said with regard to their selection, and there is so much to be said on both sides that I find one gets puzzled when one goes into it. Some say the present system of selection is a failure, some say it is an excellent system; but I think we might induce the warders to take much more interest in prison subjects. We might have them examined in handicrafts and skill, and so qualify them to be better instructors, and we might encourage both warders and other officers to hold periodical meetings. The German prison officers have annual meetings, and are encouraged by the Government to attend them. They have a "Prison Magazine;" and in Scandinavia there is a Prison Officers' Union, and the same in the United States. We have nothing of the sort; but if these things were encouraged by the Government they would wonderfully increase the tone and raise the spirits of the officers.

6899. A suggestion was made yesterday that certain prisons in certain parts of the country might be manned with people of great experience and highly trained competent head officials, and that then those prisons should be used as training schools?—I had jotted that very suggestion down to make to you, and I most cordially unite with it. I could name some of our existing prison governors who would make splendid trainers for warders. More than that, it is desirable to have a reserve body of warders, because at present, our prisons are much undermanned. That is admitted by the best officials. Although we have in some of the prisons more than the average of 5 per cent. of officers, yet it is insufficient, and the more you have congregated labour the more officers you will want. Thus, recently, in one prison I saw a boy going about, and there was one officer attending on him; and in another prison I saw a man on a ladder, and there was a special warder detailed to look after him. There are so many special matters now requiring extra warders, and owing to so much labour outside the cells, that if we had in several of our larger prisons a reserve body of warders, not only would that give facilities for the better training of warders, but it would also be a source of supply for prisons that are now too short of men.

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6900. Then with reference to the class of men you get, a great deal depends on the terms you offer?—Yes, and it is better to offer good terms, because there is hardly an office which requires more care. We appoint excellent governors, but the men who come mostly in contact with the prisoners are the warders. It has been said, "Well, we can get plenty; these "men are paid as well as the average outside la- "bourers." That may be so, but the office of warder is so important morally and otherwise, and there is such a strain upon their tempers that it is well they should have better pay, or at any rate, better opportunities of promotion than they have at present. They want something to stimulate them more.

6901. Have you any opinion on the size of prisons?—Yes, I have had it remarked to me by veteran prison governors that in their opinion, with which I quite unite, we should have no prison for more than 500.

6902. What would you do with the existing large prisons?—Well, we might use parts of them. There are a number of prisons, I suppose, under the old system that are still not sold, and which are on hand. I apprehend that would not be a very formidable difficulty.

6903. By 500 do you mean 500 all told, whether men or women?—500 all told.

6904. But supposing you had 300 men and 200 women?—Practically you might have two separate prisons, one for the men and one for the women. I mean 500 men or 500 women, because a women's prison is practically a separate prison for many intents and purposes.

6905. Would you object to a prison of 1,000 supposing it was divided into 500 men and 500 women?—Not in that case, providing you had a good staff of officers for each. It would largely depend upon that. There are just two or three miscellaneous items which perhaps you will now permit me to speak a few words upon. One is as to the separation of weak-minded persons. Such prisoners under observation now in cells often have two other prisoners placed with them. I think that that requires consideration. There are very serious evils arising from putting two or three prisoners in a cell, and if persons really require observation, ought not they to be put in hospital cells? There have been cases in which there has been attempted murder in cells. In 1888, at Armley Gaol, Leeds, three prisoners being in one cell, one of them killed another; in 1890, at Derby, three prisoners were, for more than a week, in one cell together, one of them being insane, and charged with murder. The Howard Association had the matter brought under the Home Secretary's notice in Parliament by Sir R. Temple, Bart., on April 15th, 1890. Mr. Justice Hawkins, at the Derby Assizes, said, "Do you mean "to tell me that in this gaol persons awaiting their "trial are employed to take care of a madman who is "charged with murder. It is surprising that such a "state of things should be tolerated." This year, 1894, at Nuremburg, in Germany, there were three prisoners in one cell; two of them beat out the brains of the other. There is one other matter I wish to mention. In going about a number of prisons lately, I have observed that the cards which are on the prison cells have the prisoners' names upon them. Now, when you consider that, especially with partially associated labour, in some of our prisons, there are prisoners walking about all day who can see the

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names of those who are inside, and that the warders can also see the names; I think you will say that is wrong. These are, comparatively speaking, small items; but I think they deserve some little attention. It is not desirable that the prisoners' names should be on their cards outside their cells; their numbers are sufficient.

6906. (*Mr. O'Connor.*) Is not that an exception?—I have seen it in several prisons lately, and in one case the governor complained to me about it, and doubted whether it was legal.

6907. In some prisons they do not do it?—They do it in some prisons, and in one particular prison the governor drew my attention to it, and said how much he objected to it.

6908. Is there any further point you wish to mention to the Committee?—Yes. In some of our prisons I should like to see more gaslight. Generally speaking, the prisons are excellently ventilated, but it would be well, I think, if some prisoners had more light. I believe in light and air everywhere, as much as possible, and also sunshine.

6909. (*Sir J. E. Dorington.*) Artificial light or natural light?—Both, but more particularly the light at evening. There was one matter which was brought under my attention by a gentleman who has had a large experience of prisons; it is with regard to the examination of the medical candidates. He thought it was desirable that such an examination should be conducted by a medical man who is either a Fellow of the Royal College of Physicians or of the Royal College of Surgeons, and who also has had some hospital appointment. That is a matter I am not competent to go into, but it has been brought under my attention by a gentleman who knows what he is talking about.

6910. Has there been examination hitherto at the prisons?—There are examinations. When medical gentlemen become candidates for appointments in prisons, of course, they have to undergo an examination.

6911. Are you sure of that?—I took care to explain that I merely spoke from what had been suggested to me by a person who is competent to give an opinion. I bring that before the Committee at his particular wish.

6912. I observe that in connection with warders you use the term "brutes." You said there were some brutes in London?—No, I did not say "in London." I said "in the service"; I said there were some brutes among them, but I particularly wish to limit that, because I have found splendid men amongst the warders.

6913. I should like to know whether you have had specific cases brought to your knowledge which prove the brutality?—I am referring now more to certain prisons and to certain confidential information which I had, and also I have had the admission from the prison governors themselves.

6914. Do you know of your own knowledge and your own experience of any such case?—I cannot say from my own experience, because I have never been a prisoner, but I have heard so from discharged prisoners.

6915. Then when you used the term "brutes" it was really not of your own knowledge, but because of things which have been told you, which may or may not have been true?—Yes, excepting this, that I have had very good authority in certain cases.

6916. We can understand that however carefully you select a body of men some of them may not be so careful as others?—Certainly.

6917. But "brutality" is a strong term to use?—Yes; but I limited it; I mentioned it as exceptional.

6918. (*Chairman.*) Perhaps you would give the Committee such justification as you can for the use of the term "brutality"?—From what one hears occasionally from discharged prisoners, and what one reads too frequently in the public journals (without for a moment attempting to tie oneself down to believe everything that does appear in the newspapers), I think we may fairly assume that there is reason for great improvement in the way in which prisoners are treated by some warders. I will put it in that way; and that there should be less harshness than there is on the part of warders in some cases.

6919. Have you in your mind any inquests that have been held in prison?—I was thinking more of inquests in convict prisons than in local gaols. There is another thing. I believe now it is usual to discharge prisoners before death, where there is serious disease in our local gaols, so that you cannot say anything about it in some cases, even if a man may have been harshly treated in prison. He may not have had enough food, or he may have suffered injury, but he goes out and dies outside, and therefore it cannot be brought home definitely. It is a subject on which one can only speak generally.

6920. Have you any specific inquests or inquiries in your own mind?—I allude to nothing specific, except what may be found on looking over various records. I prefer to put it generally in that way. There is room for improvement, as there is with all of us, I suppose, in many ways.

6921. With regard to convict prisons, have you had any special experience?—I have been to most of our convict prisons, at one time or another, and to some of them several times. I admit that there has been very great improvement in the convict system. I think that the appointment of unpaid visitors, in consequence of the recommendation of the Royal Commission on the Penal Servitude Acts, under Lord Kimberley some years ago, together with the facts which were brought out before that Royal Commission has been of great use. I have spoken about this on many occasions with convict officers, especially with the late Captain Harvey at Wormwood Scrubs, a most humane and able man, and he admitted to me that there was still need for a great extent of improvement; but it is a wide question.

6922. (*Mr. O'Connor.*) When was Captain Harvey at Wormwood Scrubs?—Several years ago. He had been at Milbank and Portsmouth before that; he had very large experience, and he was summoned three times to give evidence before the Penal Servitude Acts Commission. I had many conversations with him, and I used to look upon him as being one of my masters in instruction.

6923. (*Mr. De Rutzen.*) You suggested that visitors—ladies and lecturers—should be appointed. Would it not be a satisfactory thing that those visitors should be selected by the visiting justices, the chaplain, and the governor?—Yes, they ought to be carefully selected, because it is most important that they should be judicious visitors; there are visitors and visitors, and great harm might be done. As it is, I think great care is taken, and I think it is generally admitted by the prison officers themselves that so far as the visiting by ladies has been permitted it has been advantageous. I have met with exceptions, but generally prison governors have told me that they have found it very helpful to them.

6924. Yes; assuming that, which is no doubt perfectly true, but the visiting justices would have a better knowledge throughout the country of people's ability?—Yes, certainly.

6925. You say that you would have no objection to a prison if it contains 500 men and 500 women—that is 1,000 in all—because they would be under two different heads?—Yes.

6926. But what would be your objection to a prison that contained 1,000 if the staff was adequate?—Well, the staff being adequate it would still be under one governor, and the question is whether one governor, however able, can have that individual acquaintance with so many that he could have with the smaller numbers.

6927. The governor, of course, is one person, but then there would be the chaplain. I am assuming that the staff was sufficient for whatever was necessary, and, if so, would you have the same objection to 1,000?—I should rather put it in this way that it is

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preferable. I may admit that we have large prisons now of 1,000 or more men that are well administered, but I believe they would be better administered if they had only such numbers as that the governor and chaplain could have better individual acquaintance with them. Even if you have an assistant chaplain there is not generally a proportionate number of chaplains to the number of prisoners.

6928. But if one chaplain would do for 500 two chaplains would do for 1,000?—But would you say that one chaplain is really enough for 500 men.

6929. You would draw the line at 500, but assuming that the staff, whether of chaplains or not, was adequate, what would be the objection to a prison of 1,000?—I do not raise any insuperable objection, I merely put it this way, I think it is preferable to have the smaller numbers.

6930. You do not think there is any reason why it should not be 1,000, given a sufficient staff?—No, but I think it would be better to have the smaller numbers.

6931. You were speaking about the warders and the supervision as to the appointment of warders. Would your same remarks apply to the visiting justices being the parties to appoint the warders?—Yes, the greatest difficulty I have had in forming conclusions on this subject is the extent to which men of equal experience disagree. I have been told lately by gentlemen in the same position of authority and of veteran service, that on the one hand the appointments were better under the old county magistrates than they are now: and then on the other hand I have been told, and also by reliable authority, that there are less evils now on the part of warders than there were under the old system. This bears somewhat upon what I said about warders. The governor of one of our principal English prisons told me about three months ago that when he took over the prison in 1878 after the Act of 1877, in the first year after that Act he had to discharge or get discharged 18 warders from his own prison for drunkenness.

6932. (*Mr. O'Connor.*) Out of how many?—Out of one of our average county gaols.

6933. You do not know what the proportion was?—No, I could not say that off hand. In Scotland they had to discharge a large per-centage of their warders the first year after the new Prisons' Act was passed, but on the whole I do think that it would be an advantage that the local magistrates should have more power given to them than they have now with regard to such matters as these visitors.

6934. Would you have that as it is?—Yes, I believe on the whole the new Prisons' Act has been of great advantage, and that it has done away with various evils; but on the other hand it has been perhaps pushed rather too far and has had some disadvantages; and I should be glad to see some power restored to the visiting justices or other local authority in regard to such matters as these.

6935. If you say that you would not advocate the visiting justices having any further or greater power than they do with reference to the appointment of warders, in what direction would you suggest there should be increased powers given to them?—I merely gave the two opposite opinions I have had put before me. I should be glad if they had more power in the selection.

6936. In what direction would you extend the greater powers of the visiting justices?—For instance, that they might be put on some departmental committee; that they might have a greater share than they now have in deciding upon the selection of warders, and management of them; in looking after them; in stimulating them, and in endeavouring to raise their general tone. I think the services of many of our magistrates would be useful in that way. That raises another question. Our magistrates, at any rate, are many of them civilians, and many of our prison authorities are military men. Now the military idea of perfection is unthinking obedience, but in the prison service we want thinking obedience—we want more of the civilian mind which can originate. The military mind is trained not to originate, but simply to obey orders and go in a rut.

6937. You have had an opportunity of consulting with officials of all grades as well as with prisoners?—Yes, and I often say the Howard Association does not so much pretend to instruct practical men in their own business as to collect and diffuse their experiences, and so aid them to instruct one another.

6938. You have had occasion to discuss matters with governors, deputy-governors, chaplains, warders and prisoners?—Yes, all along my course.

6939. You said that you had heard from a number of excellent prison officers that the service and the staff was undermanned?—Yes.

6940. From your own observation would you say that that is true?—I think it is.

6941. Would it apply to local prisons or to convict prisons or to both. I was especially alluding to local prisons.

6942. But are there any particular prisons you can think of now more than others?—I should say to most of the prisons, especially the larger prisons. Then even the very construction of a prison will make a difference. In some of them, the wings or the different parts of the prison are more out of the way than in others.

6943. Some prisons from their construction would require a larger proportion of officers and staff than others?—Yes.

6944. In your intercourse with the subordinate officials have you ever heard them express dissatisfaction with the service in respect of promotion, pay, hours of work, or anything of that sort?—Yes, I have heard a good deal about that. Of course it is natural to most men to grumble.

6945. Do you think the complaints are well founded?—They were, but they admit that during the last few years they have been improved through the recent action of the Home Office on their behalf.

6946. But speaking at the present time do you think any of those complaints are well founded?—Some of them are. For example, I could name several prisons in which there is an inadequate supply of officers' quarters, where the men, in lieu of those quarters are allowed 3*s.* 6*d.* a week. Also the warders think they ought to have a better retiring allowance.

6947. Then there is a sense of grievance with regard to superannuations?—Yes.

6948. Is there anything that you have heard of with regard to promotion?—Well of course they would like to have better opportunities of more frequent promotion if possible.

6949. From what you know of these men do you say the service is at present congested in the matter of promotion.—Yes, I think it is.

6950. With regard to pay; you say it is important to get good men for these responsible duties; but do you think there is any ground for complaint with regard to the average rate of pay given to the great body of them?—It is not so much their present pay they object to, but it is looking forward to the inadequate amount they have to retire upon.

6951. That you have dealt with, but with regard to the present rate of pay you say there is no substantial ground for complaint?—Except with regard to the quarters where they get 3*s.* 6*d.* allowed them, and they actually have to pay 5*s.* or 6*s.* for the lodging that they get at a distance. That is a serious complaint with some of them.

6952. Then with regard to the length of work?—Yes, several of them complain; at least many of them complain that they have to sleep in the prison once or twice a week, and although they may not be called upon, they are liable to be called upon.

6953. From your own observation should you say that any number, however small or large of these men, are given to long hours of work?—I think on the whole that it would be better if they could be rather shortened, because the strain is so great on them; it is so dull.

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6954. Is there any room for dissatisfaction in any of the prisons at the length of hours?—I think the strain is too long; I think that it would be desirable to give them some advantage in that way, and shorter hours, in view of the special strain there is upon them.

6955. With regard to the warders some of whom are civilians and some of whom are military men, would you, from your own observation, say that one class is to be preferred to another, and if so which?—Each class has some advantages over the other. The military men are better disciplinarians. They have been accustomed to handle, or see handled, bodies of men, and they know how to do it better. I say that that the military officers are better for discipline.

6956. I am speaking of warders?—Yes, military warders.

6957. Would you prefer them for warders, ex-soldiers?—To a limited extent, but on the other hand I have generally understood civilians have a higher moral character than the soldiers; they have some knowledge of trades, and they have been more accustomed to think for themselves.

6958. You would be then in favour of a certain proportion of the warders being ex military men, but men selected for their good character?—Yes, but a minor proportion of them; I think the larger proportion should be civilians; that is the case generally in Scotland. There is less of the military element in Scotland than in England.

6959. I suppose you would say the purpose of imprisonment is to hold out an inducement to the prisoner as well as to his contemporaries not to repeat his offence?—Yes.

6960. It is no part of the purpose of imprisonment to cause a man to deteriorate eithsr physically, naturally, or morally?—Certainly not.

6961. The condition of imprisonment you say is non-natural?—Yes.

6962. And therefore in a prison the need for safeguards against deterioration I suppose is at least as great as it is outside?—I should say more so.

6963. I suppose the mischief of idleness and want of occupation would be as serious inside as outside?—Worse, I should think.

6964. Some occupations may be occupations for the limbs without affording occupation for the mind?—Yes.

6965. Such as oakum-picking?—I do not like oakum-picking. I have heard many complaints about it, both from officers and prisoners.

6966. Or the treadwheel?—That raises a difficult question if you ask about the treadwheel. Of course, with the treadwheel we may put such things as the crank or the plank bed. I do not think that the treadwheel, the crank, or the plank bed are necessary, provided you have the penal element of separation, but if you do not have the penal as well as reformatory element of separation you must have some such things as the crank or the treadwheel.

6967. I am not now dealing with the condition of the men as they are in isolation or in company, but merely for the moment with their occupation. Would you say an occupation which is simply physical, which affords no mental exercise or pabulum whatever, is satisfactory from the point of view you have put forward, namely, that the man should not be allowed to deteriorate intellectually?—It is not satisfactory from the point of reformation, but it may be satisfactory from the point of deterrence. Many governors have told me that if we had not such things as treadwheels we should be overwhelmed with beggars and vagabonds, and people who would come in for the sake of the superior comfort a prison affords except for those deterrent elements.

6868. You have told me you were in favour of isolation for as long a period as 12 months?—I do not like to use the term "isolation."

6969. That was my term, you say "separation"? Yes. I like the way in which Mrs. Fry put it when she said there should be entire separation from evil influences, but as many good influences brought to bear on the prisoner as possible.

6970. Do you think that this separation, if it were continued for so long a period as 12 months, would not have a deleterious effect opon a man's nervous system and upon his intellect?—I think it would if it were isolation, but not if it is such as the Howard Association has advocated. That is one reason why we advocate more visitation; that is, frequent visitation with employment, instruction, and labour, and similar alterations. It is not a mere theory, because it has been tried over and over again. Even in France, where they generally are opposed to separation, there was a Government Commission in 1875, and they, after going most thoroughly into the matter, and especially in reference to the extent of insanity in confinement, came to the conclusion to recommend the French Government to adopt the separate system for all prisoners up to 12 months. I fully admit separation is carried too far in Belgium; but if separation is not isolation I think it has every advantage.

6971. Do you think it is desirable to have more publicity with regard to what takes place inside prisons?—Yes, for the sake of the prison officers mainly; because at present there is a great deal of misapprehension about our prisons. I remember a prison officer remarking a few months ago upon this. He said, "I am in favour of throwing the prisons "open for our sakes. I believe it is for want of more "real knowledge on the part of the public as to what "our present administration is, that there are com-"plaints. It is for want of real knowledge and more "access to prisons, as we know that statements "have been made in the papers which are of a mis-"leading character."

6972. Then in the interests of the officers you would advocate more publicity?—Yes.

6973. Do you think it is at all necessary in the interest of the prisoners?—Decidedly; it would tend to make the officers more careful. Human nature everywhere needs checks, inside prisons as well as outside.

6974. I suppose you have not only heard those complaints about some of the warders being brutes, but you have believed it?—Yes, but some of them also are amongst the best men alive.

6975. Would you have any observation to offer with regard to the desirability or otherwise of having the public admitted when men are tried for serious prison offences which involve prolonged confinement in punishment cells or personal castigation?—I think that some rightly appointed representatives of the public might with advantage be introduced.

6976. Do you think that a prisoner is sufficiently protected in the way of defence in the trials which take place before the visiting justices?—It depends on the character of the officer. There are some of our prison governors who may be perfectly trusted, but occasionally, even among governors, you meet with men who can be too harsh. For instance, I heard from a prison governor that he knew the case of another prison governor who one morning said, "How is it "there are so few reports against the prisoners? I "hope there will be some reports against the officers, "because there are so few reports against the "prisoners."

6977. Was that recently?—I heard it recently, but whether it occurred recently I am not able to say.

6978. Do you think the visiting justices are, as a rule, men who would be likely to notice a variation between the original charge against a prisoner and the charge as presented to themselves?—I do not quite understand you.

6979. Do you think that the average visiting justice or the average member of a visiting committee would be keen enough to be on his guard against any variation between the charge as brought before themselves and the charge as originally made against the man. I will assume a case in which, say on the 14th of December, a certain charge is brought against a man, and he is brought up before the governor. I will assume that on the 19th of the same month that governor brings that man before the visiting committee on a charge which in terms is different from the original charge; do you think the average visiting committee would be keen enough to notice the discrepancy?—That is an exceedingly difficult question to answer.

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6980. Do you think a man has sufficient defence before the visiting committee when he is charged with any serious misbehaviour entailing, perhaps, serious punishment?—I really feel it is difficult to answer such a question, because the visiting justices are a valuable body, but, of course, like every other body there are different kinds of men amongst them. Some of them take a keen interest in the work and others not so definite an interest.

6981. You are not prepared to give me a definite answer to that question?—No, I am unable to give a definite answer to it.

6982. (*Miss Orme.*) You spoke of the objection of your society to the imprisonment of juveniles, and you based it on that opinion of Howard's as to separation being necessary. Supposing a boy is sent to a prison and is kept entirely separate, not only from the other prisoners but from older boys, what objection have you to his being sent there?—Well, because generally boys in prison, at any rate hitherto, have not been kept separate. They have had more or less opportunity of mixing with those around them; but we should not recommend that the boys should be kept for long periods of separation. I was referring there to what might be termed criminal boys. I had a very interesting visit to Luxembourg Prison lately. It was a sort of House of Correction for boys, in which I saw what I have never seen in a regular prison before. They were under the care of two ladies, two Roman Catholic sisters of mercy, or two sisters of some sort. I was very much pleased with that prison.

6983. Supposing the arrangements in the prison were such as you approved, and the separation was complete, have you any objection to boys being sent for a short term to prison, say, while a reformatory is being selected for them?—Well there is something in the very name of a prison which is disadvantageous. I think it would be better to have separate establishments for boys. We might give them the name of a reformatory. The less you send children to a place with the name of a prison the better, but if you do send them, by all means keep them separate from the others.

6984. Is your objection then a merely sentimental objection to a child going to a place called "prison"?—I do not think it is merely sentimental, because we know that what is called the prison stigma does attach to them. Whether it is sentimental or not, association of the child with the prison in the public mind, or memory, is fraught with real mischief, which is not at all sentimental.

6985. You mean in regard to getting occupation afterwards?—Yes.

6986. Supposing it were the law that children should never be sent to prison, but to these other places you have in your mind, would not the public attach the same meaning to these as to a prison. It would mean that the child was sentenced for a crime?—I do not think they would. The public associate the prison stigma with repulsive ideas derived from association with adult prisoners. Now the public does not associate such ideas with reformatories and industrial schools.

6987. But you have quoted some very strong opinions against some reformatories and the effect they have on children?—Yes.

6988. Do not you think if any member of the public was going to put a boy in a position of trust they would have the same feeling against employing a boy of that sort as a boy who had been in a well conducted prison?—I think they would, but at the same time, as a whole, reformatories are incomparably superior to prisons as they have been found for boys; because the boys have not merely had in past years association with other boys, but with men also.

6989. The boy must go to some place while the reformatory is being selected for him?—Yes.

6990. What is the place he should be kept in before going to a reformatory? Do you think there would be any difference in the effect on the public mind between a boy going to a place of detention or going to a well conducted prison?—I think there would be a difference in the public mind, because the public thinks of the ineradicable association with prisoners.

6991. You said you were in favour of some different treatment for first offenders and what you called casual offenders?—Yes.

6992. Have you formulated any method by which you would find out in the case of women whether a young woman is a first offender or a casual offender?—When I use the words "first offender" I mean a person who is brought up for the first time before the court.

6993. But supposing she appears in another part of the country under a different name?—Well, if the endeavours of the authorities to recognise and to register prisoner are thoroughly carried out, there will be very little of that.

6994. But do you think it at all possible to do this. I am speaking of young women who change their dress and their appearance from time to time. Do you think there is the least chance of being able to distinguish first offenders from casual offenders or habitual criminals?—In many cases there would not, but you have to take these cases generally. I think, generally, in most localities you would know who were first offenders.

6995. In large towns you think like Liverpool or Leeds?—I should think so; the police take photographs of them and so on, and are accustomed to observe, and also if you have the Bertillon method of recognising criminals, that will make it extremely difficult for anyone to escape recognition afterwards.

6996. Supposing these methods were not effective, and several young women managed to elude those investigations, and were not first offenders, do you consider they would do great harm by being put into a prison with those who were really first offenders?—Yes, if they were allowed to associate with them.

6997. And the suggestion you made was that there should be more association?—I think you must have misunderstood me. I said there might be some relaxation for these first offenders in some of the penal conditions there are now. They might have a less penal dietary. With regard to men, first offenders might be dispensed from the month's plank bed.

6998. You did not mean there should be more association?—No, I say the less prison association you have the better, always.

6999. You gave us one reason against associated labour, the disadvantage of a prisoner only learning a division of the labour, and not learning to make a whole article?—Yes.

7000. But if the associated room is conducted with a view of benefiting the prisoners, I suppose you would agree that it is not in the least degree impossible that each prisoner, if he is in for a sufficiently long sentence, might be taught to make the whole of the article, and each part of it?—Yes.

7001. It is not a necessary objection?—No.

7002. And, I suppose, if that were considered, the fact of the workmen working together and doing different parts of the article, would assist them to teach one another?—In some cases, I dare say.

7003. With regard to appointing clergymen and ministers, how would you propose to deal with the strong feeling there would be on the part of the public, at a member of one sect or another being appointed in a particular neighbourhood, where there are, say, an equal number of Noncomformists and Church of England people?—Well, I admit that is a very difficult question; this religious element is always very difficult. We hear so much now about it in connexion with the School Boards, but still one must trust

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something to the common sense of the community. There ought not to be any insuperable difficulty in finding good men of unsectarian views, or who would not press their sectarian views in the prisons.

7004. But you agree that if one minister in a locality was suggested for an appointment like that, especially with a salary of 50*l.* or 100*l.* a year, that there might be a very strong feeling on the part of other sects?—In American prisons in general they have not chaplains; they have gentlemen who are called "Moral Instructors;" they get over the difficulty that way.

7005. (*Dr. Bridges.*) Have you any personal experience of reformatories?—Very little.

7006. Your personal experience of reformatories is not large?—We have not directed much attention to them, because there is an excellent society in London that deals with reformatories.

7007. With regard to the size of prisons, I understood you to say that you thought 500 was as many as should be trusted to the care of one superintending officer?—Yes.

7008. Supposing a prison of 1,000, of which 500 were women and 500 men. On the existing system there would be one governor of the whole of that prison?—Yes, to a certain extent; but I presume that the lady governor or matron is practically the governor of her own prison.

7009. Under the superintendence, if necessary, of the governor?—Yes.

7010. And in that modified form, I understand, you do not object to as many as 1,000 being under the same governor?—I say we have prisons which are well administered on that system at present, but I think it is better to have smaller numbers.

7011. What views have you formed about the communication of prisoners with their friends?—That is a subject which I have not gone much into, because we have not heard any particular complaints on that point. I presume the existing arrangements are very fair.

7012. Have you come personally very much in contact with prisoners?—Not very much; it is more with prison officials than with prisoners. Sometimes discharged prisoners call upon me, and I have had conversations with them, and we have had letters and complaints; and sometimes I have been allowed to have conversations with the prisoners, but not generally.

7013. That was merely occasionally?—Yes.

7014. You would not say you have any very special knowledge of the *personnel* of prisoners?—No.

7015. You have not had any reason to form an opinion as to whether prisoners at local prisons are either above or below the average of intelligence or otherwise?—I should say that generally they are below it.

7016. That is from what you have been told, I suppose, by officers?—And also from the examples and judicial statistics given in regard to the amount of education and knowledge and ignorance.

7017. From general sources of information available to everybody, you have formed that opinion?—Yes.

7018. You are a very strong advocate, not for isolation, but for the system of separation as at present carried out?—I should rather say, better than as at present carried out, because our system in this country has been too nearly isolation, and it is still. I think if we had some of these modifications and a better system of visitation and of chaplains and warders, we should have had fewer complaints than we have had.

7019. May I put it in this way, that you are in favour of the existing system of separation as modified by intelligent and worthy persons coming into contact with prisoners to a greater extent than at present?—Exactly.

7020. Even so, a prisoner would be left, would not he, a very large part of every day by himself?—Well, that is to a certain extent desirable. For instance, for meditation and prayer, it is very desirable.

7021. The view has been expressed to us by one witness that from a medical point of view great harm results from a person in the physical mental condition of most prisoners being left for a very long time in separation?—Certainly, I think great harm has been done by extremes. I contend for the *viâ media.* If you carry out separation so as to become isolation, and particularly if you continue that isolation long, great mischief is done. Now for instance in Belgium——

7022. But speaking of our existing system in England first?—I think we have carried it too far. Many of our convicts are now distributed about in local gaols for nine months' separation. The convicts have nine months' separation in cells. It is too rigid at present, and I have mentioned this to General Du Cane before now, as well as having it in our reports. They might, at any rate, have two hours' exercise instead of one. They might have other alleviations. We have advocated a relaxation of the existing isolation, especially in such cases as this.

7023. You have been asked some questions with regard to prison labour. I understand you have a great objection to all forms of prison labour which would involve the prisoners acting together?—More particularly for sentences under one year.

7024. Has your attention been called to agricultural labour as one form of labour that might be useful for unskilled prisoners under short sentences?—Well, it is, as you are aware, adopted to a certain extent, if instead of agricultural labour you put horticultural labour.

7025. No, I did not mean horticultural labour. I meant agricultural labour. I meant hard digging labour?—That would be very advantageous provided you could have the means to do it. There are, for instance, some difficulties as to the probabilities of escape, and our present prisons have not the ground for it; but there is no doubt the cultivation and tillage of the land is a most excellent exercise under certain conditions. That, in my view, would be more applicable to the longer term prisoners than to the short term prisoners, but I do not think it is necessary for short term prisoners of weeks or months.

7026. In the case of people who come on repeatedly over and over again for short sentences so that they have something like a continuity of prison life broken by short intervals outside, what should you say to that form of labour?—It would be very desirable, I think for many of them, and if by our plan of gradual cumulation of sentence you had this, then as they became inveterate offenders there would be the opportunity of putting them to this sort of labour.

7027. You have expressed opinions as to prisoners under observation. Did you mean by that prisoners who are rather suspected of being weak in intelligence?—Yes, prisoners whom I recommended more for the hospital department of the prison than for the ordinary department.

7028. For prisoners under that mental condition which is not positively insane, but who are feeble-minded, do you think that such prisoners require in many cases employment when they are not physically unfit for employment?—The more employment you can give them the better.

7029. Do you think that such employment would be better in the open air than in a cell?—Yes; and it has been tried in some cases.

7030. (*Sir J. E. Dorington.*) Your answer in condemnation of reformatories is that they lead to an increase of crime?—No. I quoted that as the opinion of two officers whom I met recently. I have a high opinion of reformatories, but at the same time I say there is not at present sufficient classification Those were remarks made to me by prison governors.

7031. Do you think they are justified by results?—I should hesitate to say so as a whole.

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7032. Would you say that if 80 per cent. of children who go to reformatories turn out well, that is a bad result?—No, that would be an excellent result, and I am aware that that is given. At the same time I am not quite certain whether that return of 80 per cent. can be taken literally, because they may turn out well in the sense of not becoming criminals again, but whether they have not been demoralised by their intercourse with a number of bad lads is another question which is not affected by the return.

7033. Demoralisation not going to the extent of being criminal. They are kept out of the criminal class?—Yes.

7034. Do you think the returns are reliable?—I dare say they are with regard to their being kept from crime.

7035. But they may be demoralising in their nature?—Yes. Monsieur de Metz, of France, a great philanthropist, used to isolate his boys for a time, showing his view of the pernicious effect of association with regard to mixing bad lads together. He used to keep them for two or three weeks together in solitary confinement; and this brief solitary confinement would be useful for certain bad lads, though there is nothing like healthy out-door exercise for them in general.

7036. That could be done without sending them to prison?—Yes, the name of prison carries a stigma.

7037. You are aware that in prisons they do not get associated?—I should not like to say they are not associated now in some prisons, because there was, I remember a meeting of gentlemen in London last year, and there was a difference of opinion amongst some gaol chaplains on that very point. Some said that the boys were thoroughly separated now; others said that they were not.

7038. You said until lately they were not separated. Would that be 20 or 40 years ago?—No, I should say within the last three or four years.

7039. What alteration in the prison system has taken place in that time?—Home Secretaries during the last few years have taken much more pains to prevent the imprisonment of boys.

7040. But has there been any alteration in the treatment in prisons since 1865 as regards the isolation of children sent to prison?—I should say there has. The governors have been much more careful with regard to children lately than they were.

7041. Was not isolation much more strictly observed in prisons at one time than it is now?—It may have been with some.

7042. According to rule?—Perhaps so.

7043. In fact any of the prisons where the children were not isolated, would be a regularly conducted prison?—There has been so much elasticity all along with regard to carrying out separation in prisons, that one could not say positively. As a general rule the less you send them to prison the better.

7044. You have spoken of places of detention separate from prisons. Has it passed through your mind how that is practically to be carried out. Say a child is sent to a reformatory school in Cumberland, and that he is not to be sent to a prison, what place of detention would you send him to specially authorised to detain him?—It might have some such a name as "training-house" or "home." You must have, for a certain class of boy, something where he may be separated, but it need not be the name of a prison.

7045. I want to know how you will organise a sufficient number of places of detention to be available for all children throughout England. I will take the case of one from Cumberland, and one from Gloucester?—As at present we have prisons for adults for separate counties, so in Cumberland you might have at Penrith a house for juveniles which might be available for Northumberland and Cumberland.

7046. How large would that establishment have to be?—That would depend purely on the local population, and on the proportion of offenders in that parish.

7047. Supposing we say you get about one in a month?—Then it would be very easy. You would only want a very small establishment.

7048. But you would have to keep a governor, a matron, a house, and a cell. Is it practicable?—I think there would be a good deal more than one a month. In London, for instance, there will always be a large number of children who will require special care.

7049. In London it would be practicable?—Yes, it would in large places.

7050. Would you set up a small place in London for the children?—Yes. Only it would be desirable if we could give it some other name than a prison; something that should not be associated with the ordinary associations of a prison.

7051. Supposing we were to take the women's prison at Wandsworth—it is within the curtilage of the prison—and say that all children from reformatory schools should be sent there?—I am not advocating the doing away with reformatories.

7052. I quite understand you, but I am trying to find out what place of detention is practicable, not being a prison?—Such a place as I saw at Luxembourg which is called a "House of Correction," or a "training house," or something of that kind, where those two ladies were in charge of the boys. In Luxembourg the State takes the responsibility over juveniles up to 20 years of age, somewhat like the reformatories do now, and it places them out with farmers and tradesmen, but keeps control over them until they are 21 years old.

7053. That place at Luxembourg is an actual reformatory?—Yes, in fact but not in name.

7054. They are sent for a term?—Yes.

7055. It is a reformatory without liberty?—Yes.

7056. It is more of a reformatory than a prison, but they are sent for long terms?—Yes.

7057. It is very much like Parkhurst was when it started?—I dare say it is.

7058. That was a failure?—That was for young convicts, was it not?

7059. It was a Government reformatory for juveniles of the nature of a prison rather than of the nature of that of Monsieur de Metz?—But the fact of its being a Government reformatory purely, would be all sufficient to procure failure, because one of the greatest elements of success of reformatories, so far as they have been successful, has been the calling in the co-operation of volunteers outside the Government.

7060. You think that the short sentences which are now imposed are unfortunate?—Yes, because they fail; the same persons come back week after week.

7061. Have you followed out the figures at all of late years to show whether the effect of our imprisonment is satisfactory or unsatisfactory. For instance, have you at all followed this. The number of offences committed, I may say, has not materially diminished; perhaps it has rather increased, but a very much less number go to prison?—Yes.

7062. Magistrates treat their offenders a great deal more leniently than formerly?—Yes.

7063. Of the number who were actually sent to prison a first time do more come back a second time, than did formerly or less?—I should say, as a whole, a larger number of repeated offenders.

7064. I am trying to divide it into two categories. Of those who do go to prison a first time, which is very much less than used formerly to go to prison, do the larger proportion or the less proportion come back to prison a second time?—That I cannot say off hand. That depends on statistical returns which may or may not be correct. I cannot answer that question precisely in that way, but I will put it in this way. There is no doubt that we have now a vast amount of recurrence of crime caused by the exceedingly short sentences on habitual offenders, but the blame, I think, has been of late put down unjustly to our prisons instead of our sentences. It is like this. Supposing a doctor orders a patient to take a box of pills, and instead of doing so he only takes a single one, you must

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not complain of the doctor if the patient is not cured. Now, if many of these had been sent to prison for three or four months, that is for long enough to form good habits and eradicate bad ones, you might blame the present system.

7065. You have not followed the matter out with regard to the first convictions, but you have with regard to persons sent more than once to Holloway. There is a greater amount of recidivism than before?—Yes.

7066. Your society looks into that as a science?—Yes.

7067. But they have not followed it up to that particular extent. They take a general rather than a specific view of it?—Yes. I find statistics are so slippery. The longer I live, the less reliance I place on statistics.

7068. On what do you base your assumption that there is more crime and more recidivism now, if you cannot find figures to prove it?—Because we see every day and every week in the newspapers instances of its constant repetition. For instance, there was a woman, I think, at Tottenham the other day who had been committed for between 200 and 300 times. We are constantly coming, in the newspapers, across cases, of whom it is known that they have been sent to prison, not only scores, but hundreds of times.

7069. Are you quite certain that similar cases did not occur formerly and in as large a proportion?—I cannot answer with statistical accuracy offhand, but I have a general impression that when the sentences have been longer the evil has been a great deal less.

7070. Would you think it rather worth while to conduct an inquiry in that way and see whether the view you hold, which I myself think is correct, is really correct and can be supported by figures?—It would be interesting. I have contented myself with the chapter of actualities, in regard to the admitted number we have in prison. There is a gentleman, Dr. Sutherland, in Scotland, who is a thorough statistician, and he has brought it out lately that one-thirty-third of the Scotch prisoners are re-committed such a great number of times that this thirty-third part represents one-third of all the Scotch re-committals.

7071. That is one-third of the prisoners have been committed, say, 10 times and over?—Yes, and some of them more. At Glasgow and Dundee there are certain inveterate drunkards and prostitutes—little groups of say a dozen—and if you could only get hold of those and keep them in prison you would make an immense difference in the local statistics of crime. I have here a similar remark in a letter which was addressed to me by Mr. Justice Wills, some two or three years ago upon this subject. I sent him a copy of my book on "Penological and Preventive Principles," and this was his reply: "I "shall read with special interest that part of your "book ('Penological and Preventive Principles') "which deals with the question of sentences upon "habitual committers of small crimes, the difficulty of "dealing with whom is extreme. As a rule, I believe "they are never reclaimed. The things they do, "taken individually, are very small, and society is "not, after all, very much the worse off, by reason of "the mere loss. But commonly, such people not only "steal, themselves, but are centres of corruption; and "to regard simply the smallness of the individual "offence, is to see only a part of a complicated pro-"blem. On the other hand, except in extreme cases, "to send offenders to long terms of penal servitude "for very small matters, has something about it "which tends to revolt people and to direct the "sympathy of the public from the administration of "the law to the offender, and to make a sort of "martyr of one who is generally a very worthless "object; this is a very undesirable thing." That points to the necessity for cumulative sentences not merely on account of the crime *per se*, but because this sort of people are centres of corruption to others.

7072. Do you think that recidivision is more common in France than it is in England?—I should think, seriously, recidivision is more common in France.

7073. Are their sentences longer or shorter than ours?—They are longer, I think, as a rule. The recidivision in France does not depend so much on the sentence as upon this, that there is such great corruption in their associated-labour prisons. There is an enormous amount even of unnatural crime in French prisons.

7074. Are the French prisoners somewhat similar to ours in the local prisons, or the convict prisons?—They have central prisons and smaller local prisons.

7075. Long sentence prisoners and short sentence prisoners?—Yes.

7076. Do the long sentence prisoners work more in association than our convicts do?—In most French prisons they all work in association.

7077. Do the short sentence prisoners work in association?—Yes, except in a few individual cases. There is the separate prison of Mazas, in Paris, and another called "La Santé." There are very few separate prisons, and, generally speaking, all the prisoners in France work together.

7078. And also the long sentence prisoners?—Yes.

7079. Are they more in association than in our convict prisons, do you think?—Yes.

7080. And less watched?—Yes.

7081. And great evils arise?—Yes.

7082. Greater evils than in our prison service?—Yes. There is an enormous amount of unnatural crime. It is admitted by Dr. Laurent, who has had a great practice in French prisons, that that is a terrible feature, prevalent there, with associated imprisonment. I consider the French system of imprisonment one of the worst in the world.

7083. I would ask you the same question about Belgium. Is recidivision more common or less?—I think there is much less. They claim that it is so, at all events.

7084. Less than in England?—No, less than in France. I cannot say offhand with regard to Belgium, for this reason: that the Belgian statistics are very imperfect, and the Director-General of the Belgian Prisons is at this present moment preparing some statistics which will be ready soon. A friend of mine has lately been over to Belgium, and the Belgian Minister told him that; but we have not the Belgian statistics to refer to at present.

The witness withdrew.

The Committee adjourned for a short time.

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Mr. WILLIAM WHEATLEY called and examined.

7085. (*Chairman.*) You are Superintendent of the St. Giles' Christian Mission?—That is so.

7086. How long have you been connected with that mission?—I have been in connexion with the mission for about 27 years.

7087. Were you the original founder of it?—No, Mr. Hatton was really the founder of the work.

7088. You have had experience for 27 years, and you have been intimately associated with the work of the mission?—That is so; from early morning until late at night.

7089. Will you tell the Committee what your relation to the prison system is?—Do you mean with reference to what I am doing?

7090. No. I mean under what conditions you have access to prisoners either before discharge or immediately after discharge?—Well, I must say that I have a little less now than I have had before. Although I have been at it for so many years I am told now that I must really take a back seat. My cards of invitation to discharged prisoners to partake of our free breakfast used to be given away inside the prison. So many prisoners first of all came to me and said that they had done this, that, and the other, and I considered it was a premium on crime for a man to boast about crime. I was the first man that went down to the prison gates to give the first breakfast away to discharged prisoners, so that I might actually see who those parties were, and to help them on their discharge.

7091. Is you society recognised by the Commissioners as a "Discharged Prisoners' Aid Society"?—I do not think so.

7092. You do not get any Government grant?—Well, we have some thousands of pounds to pay the convicts on their discharge, that is to say, a convict going home this morning would come to me, and we should clothe him and look after him. Also his money would be paid some time in the course of a month for that man.

7093. The money he had earned in prison?—Yes.

7094. But the regular Government grant is paid annually?—We have never had any grant.

7095. Then you are not looked upon by the Government as a "prisoners' aid society"?—No. Ours is entirely voluntary work.

7096. Do you have access to prisoners before their discharge?—Yes.

7097. To what extent?—Well, if a man is going to be discharged, about a month before his time is up I might see that man; but I may tell you that that has only been done step by step. I first of all went outside the prison. Then, of course, the work was so recognised by the governors that I got inside the prison, and then I had leave to see a prisoner before he was discharged to see whether anything could be done for him on his liberation.

7098. When you say you got inside the prison, was that by the permission of individual governors?—It was by asking the governor, and then after that there was a delay, and then I had an answer that I could do so, but now I have a letter from the Home Office to say I cannot.

7099. I understand that your application to a particular governor would be referred by them to the Prison Commissioners?—I should imagine that would be so.

7100. Perhaps you will read that letter to the Committee?—

"A 54979/6. Whitehall,

"SIR, 6th November 1894.

"I AM directed by the Secretary of State to inform you that certain difficulties have arisen with regard to the privilege hitherto enjoyed by officers of the St. Giles' Christian Mission, of being admitted within the gates of Her Majesty's Prison at Wandsworth, for the purpose of offering tickets of invitation to free breakfasts to prisoners about to be discharged, and that, in consequence, he has been compelled with great reluctance to direct that for the future this privilege must be withdrawn, and that no officer of any society is to be admitted within the prison gates for such a purpose. Mr. Asquith desires me, however, to assure you that this step has been taken not because the privilege which you have hitherto enjoyed has been in any way abused by your mission, but because he finds it necessary to make a rule which will be applicable to the officers of all societies alike.

"I am, Sir,

"Your obedient Servant,

"GODFREY LUSHINGTON."

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7101. (*Sir Algernon West.*) What is the date of that?—It is dated the 6th of November of this year, but I have other letters as late as this morning..

7102. From the Home Office?—Well, that is to say, that the governors of the prisons are of course only carrying out the order of the Home Office, and that now instead of my tickets being given away in the prison they are not. First of all, when there was no breakfast, I started myself outside the prison to give the breakfast away, because I did not want people coming to me boasting that they had done this, that, or the other, with the idea of getting charity. I said it was the wrong idea to give charity to anybody who boasted of crime; but, on the contrary, if they would hide their crime, and wanted to do right, I thought I should like to help them. Then I went to the prison gates, and the whole of the governors are exceedingly kind at the present time. I have not a word to say against them, and, of course, I can quite understand that it may be that someone wanting to have the same privileges might be debarred of those privileges. Of course I consider that to some extent I am now just starting where I commenced, and although I have gone on for years finding favour in the sight of the authorities, yet by this act I now have to begin outside instead of inside. I might say that the officers were allowed for some time past to give tickets to the discharged prisoners. A man may be received, say, to-day, from the magistrates, and when he comes in custody I suppose his clothes would be received by the reception officer. That reception officer, I imagine, gives out the same clothes again, so that there should be no mistake, and he has been given one of our tickets for breakfast to give to that person. It saves all commotion. There is no nonsense about it and they come to us. The Prison Commissioners are exceedingly kind in allowing us a little place on the prison grounds. We have one at Wandsworth and one at Holloway. I should be very sorry if I was deprived of that, because when men sit down and have breakfast (and sometimes people come from a long distance to meet them), I ask those people to come in if I know they are really their friends, and I give them a word of advice, and ask them whether they think it is right to pursue a downward course. I should be sorry if by reading this letter I had the privilege withdrawn. We pay 4*s.* a year for a piece of ground in the prison grounds to put our house on, both at Holloway and also at Wandsworth.

7103. (*Chairman.*) Do you find that a considerable number of prisoners ask to see you before they leave prison?—Yes, decidedly.

7104. Now when they ask, is permission always given?—Hitherto it has been. I have not been debarred hitherto, but I believe now, that if I want to see a prisoner, I cannot. If the sister of a prisoner was to come to me to-day say, for instance, from Bonner Road, as one of the nurses from the children's home at Bonner Road came to me to-day, and said that her brother was in prison and had got three months for a forgery in the City, well I have always been in the habit of seeing such a man as that, and seeing whether we could make some arrangement for him on his liberation.

7105. Have you ever had any association with other societies existing for much the same purpose?—I am afraid when I am up at half-past five in the morning and stick to it until the last thing at night, that I have not time to understand what other societies are doing. When a magistrate asks me to take a boy I take the boy. It may be that while I am here to-day the magistrates may send two boys to me, one from one court and one from another court. We have sufficient to do all day long and I say let other societies work in their own order.

7106. Can you suggest to the Committee any scheme which you think would work well for the purpose of giving equal advantages to all *bonâ fide* societies interested in giving help to discharged prisoners?—I see no reason why any *bonâ fide* society should not have that.

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7107. Do you think it would be as well to give free access to representatives of societies on their application?—I am afraid that is the cause of my position this morning.

7108. How do you mean?—I am afraid that on account of others I have been deprived of the privilege. Perhaps the authorities may have acted wisely; perhaps they have acted unwisely. That I cannot say, but it may be they can see there is a hitch in the way by allowing too many societies into the prisons and therefore they say to me "you must do as you at first "did and give your tickets away outside, because of "course, we shall have to serve other societies the "same as we serve you."

7109. What is the answer of that position is taken up?—Of course if that position is taken up, I must submit to it. If they tell me to do a thing I must do it.

7110. Do you think there is a danger in prison of prisoners finding that various societies are competing in their attentions to them?—You know as well as I do, Sir, that the lower classes of prisoners are exceedingly crafty and it might be that they might say, "It "is no use going to Mr. Wheatley; he knows too "much of us." "Why?" Because I have been so many years engaged in this work that I would not relieve a man unless I thought it would help him to help himself. Then new societies are coming in and the prisoners go to them. Still I do not think that is a reason why they should not have the opportunity of doing some good.

7111. Then to prevent the prisoners taking an undue advantage of the societies, that is, of going from one to the other and getting as much as they can from one and all without any intention of reforming themselves, it would be necessary to have some organisation which should bring those societies into touch with each other?—Well we always keep a book of every case.

7112. But is not it necessary that the different societies which have more or less access to the prisons or the prisoners, all working more or less independently in one way, but for the same general object should be in touch with each other. Would it not be as well for all those different societies to be in touch with each other so that they should not be swindled one after the other?—Yes, for instance, if I have a case come to me to-day which I can see has gone to the "Royal Aid Society," I say I cannot touch the case. The man may say, "I will go to the magistrate," and he may go and make a complaint to the magistrate; but my answer to the magistrate would be that that man was to be passed through the "Royal Aid Society" or some other society, and that I should not touch it.

7113. (*Chairman.*) Is there any list showing the number and names of the prisoners who are about to be discharged?—In convict prisons.

7114. Would that list be open to all societies?—I do not know whether that would be so, but certainly we have a list; I asked many years ago for a list from the police, the police have a list of all who are going home. You know that all men if they are going to London are simply lodgers at Pentonville for three or four days while the police see them and give them instruction what they are to do if they are on license. That being so, we get a list of those men who are going home whether they are going to the "Royal Aid Society," or whether they are going to the "St. Giles' Christian Mission," or whether they are going to any society at all.

7115. (*Sir Algernon West.*) Have you any observations to make upon the present distribution of the Government grant?—No. I know very little about that.

7116. You have not studied that?—No, I must confess that as a mechanic I am very bad at figures; for 12½ years, of course, I gave voluntary time to this work and I was asked to take this good work in hand.

7117. You have had great experience of all classes of criminals?—I have.

7118. Now with regard to juveniles?—I have had a very large experience of juveniles, and at present I have 140 boys in our four boys' homes.

7119. From the prisons?—Yes, and I think I might say that I had a great deal to do with Mr. Howard Vincent in the preparation of the "First Offenders Act." He takes the chair at our next meeting, which will be held on the evening of Wednesday, 5th of December, at the Mission Chapel, Little Wild Street, Drury Lane, and there the members of the Committee, if they will come, would see those boys who will receive rewards. Those cases are brought from the magistrates. At Holloway I have got access to the boys' prison.

7120. But do you say these boys are brought from the magistrate?—The boys are remanded from the courts.

7121. To your school?—No, to the prison, and while they are in prison I see them. I write to the magistrate to say that I have seen those boys in prison, and from the conversation I have had with them I shall be glad to assist the boy, if it is the wish of the magistrate. Then, instead of wasting any time, the police help us in the case, because the very constable that takes them up in charge also brings them down on the direction of the magistrate. We get some 500 boys of that description in our "Boys' Home" in the course of a year. These boys will receive a reward at our next meeting, and you will be able to see them yourselves. What do we do with these boys? We advertise all the year round for situations. A man comes and says, "I see you have got our advertise-"ment in. Now what kind of boys are these"? Well, I say, "They are boys that can eat"; he looks at me with surprise first of all; then I say, "If a boy "can eat he can work." We feed these boys and the wages are taken by us; we become security for them to the employers, and the person taking them has to sign a paper to say he knows the whole facts. If we had a boy from Mr. De Rutzen we should say he came from such-and-such a court. We clothe the lad and feed him, and give him pocket-money, and we put money into the bank for him so that when he goes away he is better off than he was when he first came to us.

7122. Then what is your view of the present system with regard to juveniles?—Well, I think there should be great care that no boy under any pretence whatever is allowed to associate with an old criminal, because for a certainty the old criminal never intends to work; his business is really to keep on in the way he has gone on before. Imprisonment is no punishment to him; and I am satisfied that if that boy could be really kept out of the prison there could be some way of dealing with them, and that some of the magistrates might be able to do something without these boys being really sent to prison. I know they do it to a large extent, but I think if those boys could be kept from going to prison first of all and bound over to come up to receive sentence if called upon, at the direction of the magistrate, you may be quite sure that that would be a much better thing than sending these boys to prison in the first instance.

7123. Would you be in favour of raising the age for reformatories from 16 to 18?—As far as age is concerned some boys of 17 or 18 know more of criminal life than others do at 35; therefore it wants someone who is acquainted with these things to separate them; some of these lads are equally as much in crime as a man is at 35.

7124. And I suppose you say there would be greater danger of contamination between these young fellows than between a young fellow and an old fellow?—Yes, that is why I say we want to have a first prison for first offenders, old or young, and that the prison should be sufficiently large. I suppose in London we get 25 per cent. of the prisoners.

7125. You mean your society does?—No, taking the number of prisoners altogether I suppose London would have 25 per cent. of those prisoners. Therefore I do not think it would be difficult for one prison to be set apart for first offenders, old and young, and if the prison be sufficiently large the governors might really separate the old from the young.

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7126. (*Chairman.*) Assuming that there was sufficient classification in the reformatories to provide for the separation of different classes would you be in favour of raising the age from 16 to 18?—Yes, and I am strongly in favour of more ships. We doubtless want more ships. There are ships which of course could be really got for that purpose. Some boys you may try and do all you possibly can with, and they seem bent on going wrong, so that it would be a very good thing if there was a ship to put those boys on, so that they could not afterwards be a pest even to the very missions whose notice they are brought under. There are plenty of institutions now, but I fear there are not sufficient ships. If a magistrate makes an application to the "Cornwall" or some of these other vessels, they will perhaps find that there are only vacancies for one or two.

7127. Do you think that the question of prison labour is a very important one?—Very. I consider if a lad is in from the Post Office and that lad grows up to be a man, that having committed himself he has not had an opportunity while he was a boy of learning a business; and I consider that when you send that boy to prison you should teach him one. Now it is altered; but for a Post Office case they used to give five or seven years' penal servitude. What is the result? Does he come out any better? He does not come out any better. He does not learn anything; he has not had the opportunity, because he has been simply a messenger when he was a boy. I say we ought to have mechanics in our prisons as warders and thorough mechanics, so that when people come out they shall be better than when they went in.

7128. You have had enormous experience of course, in speaking to prisoners when they come out?—Yes.

7129. Do they speak freely to you on the subject of prison labour?—Yes.

7130. What do you think of what is called unproductive labour including the crank and the mill?—Well, it really is useless. The labour at the present time in prisons is useless, and therefore until you can really make a prison a place of reformation and an instructive institution you will do no good.

7131. What do the prisoners say? Do they say they hate that kind of work?—No, I do not know that they hate that kind of work. They do not express themselves that way, but we know for a fact that when they come out there is some difficulty because they come out of prison with no experience at all. Now if Smith is taken away from Jones, that is to say, if Smith is working for Mr. Jones, when Smith gets into prison, then if it is practical at all, why should not he work inside the prison as he would have done out? Why could not part of his labour go towards supporting his wife and children?

7132. Would Mr. Jones care for that?—He has learned his business. It is not robbing Mr. Jones. I am looking at it now at a mechanic and in a business light. He is taken away from Mr. Jones not because he robbed Mr. Jones; or it may be that he did rob Mr. Jones and he is taken away; why should not he work at something what would be profitable, so that his wife might receive part of it. She is the greatest sufferer in nine cases out of ten. We know that from our visitors.

7133. Of course there are great difficulties in that?—I follow that, because the outside people would at once say "Oh! they are doing this in prison. They "are robbing us of our labour outside;" but we are not robbing them of their labour outside. This man, say, for instance, is a smith, and why should not he work at that work in prison as well as out. What I think is wrong is this, that a contractor goes in and buys the prison labour at such a price that other people cannot compete with him; but if this work were done in prison, and things were sold in a right and legitimate way, I do not see where it would come in in that way.

7134. You think at any rate rate it is of the greatest use to prisoners to put them on more profitable work?—Decidedly so.

7135. What is your opinion of associated work in prison, I mean working together in a shop as against working individually in their cells?—Well as far as that goes I am not so wonderfully in favour of association in prisons; but I do think that if these people had thorough mechanics over them they would be more engaged in their work, they would be more interested in their work, they would go on with it with some pleasure and would go out better men to my thinking.

7136. Do you think that the present practice of giving short sentences to habitual criminals is an evil?—I do not think it is any good. As far as that goes if a man is determined to do wrong and to manufacture criminals I certainly do not think that we are doing a great deal of good by giving him his liberty to start on the same thing again.

7137. Would you be in favour of a system of cumulative punishments?—Well I can hardly answer that question.

7138. Do not you find that there are a considerable number of criminals who pursue a life of crime?—Decidedly.

7139. Upon the knowledge that if they do not go beyond a certain crime they will probably get something like six months' hard labour, after which they can go out and prosecute crime as before?—Take for instance the case of a coiner. If once a man commences coining and starts at that, especially if he is a maker, the chances are that he never leaves it off. The only thing is that he has not a chance of making coins in prison or I believe he would even make it there.

7140. A coiner would probably receive a severe sentence. I am alluding to a class of people who are principally thieves and pickpockets who go on practising their vocation and do not allow a temporary retirement of a few months' in prison to interfere with them. To that class of men imprisonment for three months or six months is no deterrent at all. Is that your opinion?—It all depends on the home where the boy lives and the home surroundings. A lad may first of all start in that way with companions, but I say let the young one down light, though I have not the slightest sympathy with letting a man pursue a system of crime.

7141. (*Mr. De Rutzen.*) Do I understand that this letter which I have just handed in stops you now from going into prison under any circumstances?—Well I do not know whether it will amount to that, I do not think at present that it does, but it amounts to this that I am not now allowed to do that which I have had the privilege of doing. For instance, I cannot take out a bundle of tickets to-day for to-morrow and ask the officer to give them out. I used to be allowed to give these tickets away inside, but now I must give them away outside. The order now is that we must not go inside and give these things away.

7142. Then you stay outside, and do not go inside now?—That is for these breakfast tickets.

7143. What you used to do prior to that letter was to go in and see any of the boys who happened to be there, either just before their discharge, or those who were there on remand?—Yes.

7144. As a matter of fact, I suppose there is a great number sent to prison simply on remand?—Yes, that may be so.

7145. Perhaps you have had a communication from a magistrate to know whether you will see a certain boy in prison, or not?—That is it.

7146. And when you receive a communication of that sort, you make it your business to go and see that boy?—That is so.

7147. At the only place where he can be kept at present?—That is so.

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7148. He is too old for the workhouse, and, therefore, the prison is the only place to send him?—Yes.

7149. Now you say that you are now stopped from going to see that class of prisoner, owing to that order from the Home Secretary?—No, I do not think it has come to that; they have not stopped me from seeing those boys, but I fear from what I can see of this, that this is only the stepping stone towards coming to that sort of thing.

7150. Then so far as your usefulness in that direction is concerned, you are not stopped from seeing these boys in prison?—Not at present. Of course, I speak now to you gentlemen as a committee, and I say that I do hope that you will say that, knowing the time our work has been carried on, we shall have the liberty to see these boys as before.

7151. I was rather anxious to find out the fact that you are not debarred, at any rate, from seeing them at present. You are not debarred from seeing that class of boy in a prison, who is simply sent there for detension while some provision is being made for his future?—No.

7152. I should rather hope you will not be stopped from doing that?—I thought that the letter came at a very awkward time, and I was very anxious that you should know how the thing was, because I do not think we ought to be stopped.

7153. Do you know at all the number of voluntary homes there are in London for boys?—I do not.

7154. There is an immense number of them?—There is.

7155. Are you inclined to think, there are too many?—I do not think so, not genuine ones. There may be people who jump, and say they are going to do this, that, and the other, but the public should look into that, and see that they are not giving their money to those societies which are not useful.

7156. There are a class of prisoners you used to go down and visit in the gaol, and you could provide them with work or something of that kind when they came out?—Yes.

7157. That is the principle on which you go now?—That is so.

7158. What is the proportion even of those to whom you kindly make the offer who avail themselves of it, or rather, what is the proportion of those who refuse it?—Well that is rather a difficult question, I should say of the boys, we are saving 90 per cent.

7159. But does that take in those particular cases I have alluded to, in which the magistrate will say, "Will you take an interest in them as I desire that "something should be done for their future"?—That is so.

7160. You cannot say now, of the general number you visit, how many go into your home?—We have a home for 50 men, we have a home for 150 boys, but then they are entirely separated from one another, and yet they are within a stone's-throw; but no man is allowed under any pretence whatever to have anything to do with the boys' home.

7161. We have had evidence to this effect, that some people would prefer the boys having punishment by imprisonment, before they receive them into a home or a reformatory. What would be your view about that?—I do not see where it comes in.

7162. You would not?—No, distinctly not. Of course I think if you bind a boy over, and that boy breaks faith with you after you hand him over to us, and if he is determined not to do well you cannot do much with him. For instance, if I got him a situation and then another situation, and he does not do well, there is not much hope for him. I should have about 200 places to get for these 150 boys; first of all there is a difficulty in getting a boy to start work; he has not been used to it in some cases.

7163. You have had some communications made to you sometimes I suppose with reference to boys who are hardly fitted for work?—I have got now a boy of that sort, I intended to bring the magistrate's letter which said, would I take this boy who had been examined by the medical man at the prison, and found unfit for heavy work, that is to say, he would not pass the doctor. At the same time we have taken that boy, and we have taken several of those boys including some who were on crutches, I say we ought to help them. If we take funds we ought to try and help them, because they cannot really help themselves, and in those cases I am putting them at tailoring. We make the whole of the boots for these boys, and of course the clothing for the men coming home from penal servitude. When a man goes into penal servitude his clothes are taken away and sold under the hammer, and the consquence is that we make the clothes for these convicts when they come out, and we take private orders; but where we take private orders we pay fair prices for the work.

7164. Do you think about three of these crippled boys in a year would probably be about the number that would come to your house?—You would know better about that, sir, than I do, as you are one of the magistrates that send them to me.

7165. You have had appli ations made to you to take boys who are unfitted for industrial training?—Yes, and we do not hestitate to take them; we have taken some that we know other people would not take; they cannot help themselves.

7166. Do you think that remanding boys to prison for seven days for the purpose which we have been mentioning has any bad effect?—I do not think it has any good effect unless one part of the prison is set apart entirely for boys. Colonel Milman is exceedingly good that way. Having a debtors at the top part of the prison he has the boys in the part below, but supposing there are too many boys sent there, then there is not room.

7167. Prisoners no doubt they are, but they are in no sense criminals; I am speaking of a great many of the remand cases?—I find sometimes there are boys there who have been convicted four or five times, but on account of their age they are put in the boys' part. That is why it wants someone to separate them and see that a lad who is vicious is not mixed up with a child from, perhaps, a respectable family.

7168. That is your experience when you have paid your visits from time to time inside the gaol, and have found them so?—Yes.

7169. Are they in separate cells?—Yes.

7170. They are kept apart in that way?—They are kept apart, barring at exercise.

7171. And then at exercises they can all see and talk to each other; at all events they can all recognise each other?—Well, it is impossible to keep them otherwise, perhaps, if you have got three men to take charge of 100 men, although their eyes may be open.

7172. Have you got any kind of suggestion to make as to what should be done with boys of that description who are simply sent there for the purpose of detention until something can be done for them?—I think if boys were really brought before the magistrate and not sent to prison, but simply handed over to some institution, it would be better. There are plenty of institutions. If those institutions could report on them after an experience of three months or six months or nine months, I think it would be useful.

7173. What institutions are you alluding to?—I think the magistrate should use all the institutions which they consider right and proper institutions.

7174. Can you suggest any that you could be certain would take them in. No order could be made for it?—No, not at present.

7175. But you would suggest that there should be some place other than a prison to which boys could be sent?—Yes, to a place of detention which was not called a prison at all.

7176. That would be something new?—And yet not new, because you had a place of detention once, which was not called a prison.

7177. It is a distinction without a difference, I am afraid; it may be called a "house of correction" or a "house of detention," but still it is a prison?—Yes.

7178. Would you suggest any place that could be made available for that purpose?—There seem to be many places which are being pulled down, which, of course, might really have been made use of.

7179. You get employment for most of your boys?—Yes.

7180. What is the length of time which you keep them?—That depends upon circumstances; for instance, if a mother came and said, Well, cannot I have my boy back again; we say, Yes, if he goes on allright for 6 or 12 months, and you can show that you can do something better for him than we are doing. But we cannot keep these boys.

7181. Do you know a place in Chancery Lane where they ship boys on board smacks if they express a wish to go to sea?—I know that there is some such place, but there is no institution.

7182. (*Sir Algernon West.*) Is not that in Queen Street, Lincoln's Inn Fields?—Yes, that is Mr. Williams's. They go to the "Shaftesbury" now. They have a training vessel, but their vessel is generally full. It is one thing for a lad to ask you to send him to sea, and another thing to find a ship to put him on. Many people say they will do this that and the other, but the thing is "can they do it?"

7183. (*Mr. De Rutzen.*) You have found out in your experience that there is a great difficulty in providing for boys who express a desire to go to sea?—There is.

7184. And who are fitted for it?—Yes, and by that means I started a plan which has not been touched upon; that is to issue a policy with every boy, and to make the person we issue the policy to, sign that they know the whole of the facts of the case as to that boy. We are responsible for some thousands of pounds with regard to these boys in the course of a year, but I am bound to say we do not have to pay a great deal.

7185. (*Dr. Bridges.*) Have you found some difficulty in getting boys admitted into reformatories? Have you had anything to do with that?—As a rule I never recommend unless it is to a ship, and then I generally find when I get them examined by a doctor at the prison that in many cases they are not fitted, and that in other cases the ship is full.

7186. Is there a difficulty sometimes in disposing of boys who have some physical defect?—Yes.

7187. Sometimes boys have a difficulty by way of incontinence of urine?—Yes.

7188. What do you do with them?—We have arranged for that; we have a home and we have arranged to meet that. We have arranged for hammocks and that sort of thing to meet that difficulty, and sometimes they grow out of it.

7189. From your experience of prisoners do you think on the whole the short sentence prisoners are up to the average in physical development?—No, I do not.

7190. Are they below it?—Yes, I think so.

7191. Do you find many of them stupid or ignorant men?—No, I do not know that; some of them I find are a great deal too sharp, that is, too sharp for themselves.

7192. You do not find much defect in their brain power?—No.

7193. It is rather that their physical power is weak; is that what you mean?—Yes.

7194. How long do you keep them in your homes?—It all depends.

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7195. What is the longest time?—Well, a lad may be with us perhaps for two years, while another lad perhaps might not be with us for more than 12 months, and another for not more than six months. It is according to the circumstances. If we find that the parents are respectable people, after we get them a place, and that we could trust them to go with them, we make an arrangement with them.

7196. Have you many runaways from your home?—Yes, several, but still not so many as you might expect, taking into consideration the number we have.

7197. Unless they run away you always provide for them in some way or other?—Yes, when we have a boy we find him work, food, clothing, and pocket money, and he has his liberty in the evening, but he must be in by 9 o'clock, and on Sunday he must be at some place of worship.

7198. (*Sir Algernon West.*) Have you any suggestion to make as to any place in the country where these boys might be sent so as to deal with the runaway boys?—I would suggest a training on a vessel; for instance, I may have a boy whom a magistrate has committed to my care, and if he leaves my place probably he finds his way to another police court. I would see him in the prison and I would write to the magistrate and say, "This boy was under my care, so-"and-so, and under these circumstances I think that "that boy would be just the boy to be put on board "a ship to be trained for the navy or for some "vessel."

7199. Is the industrial school ship usually full?—Well, I think the magistrates are able to answer that question better than I can. I asked for a vessel for a long time, and Mr. Howard Vincent advised me to do so, but at that time there was no opportunity for doing so. We are now paying the Prudential Assurance Company for a place for these boys 500*l.* a year rent. It is just off Holborn.

7200. (*Sir J. E. Dorington.*) You think the industrial schools are nearly all full?—Yes.

7201. And it is the same at Liverpool?—As a rule we find that there is not sufficient room.

7202. Your impression is that there might be more industrial school ships?—I think so.

7203. (*Mr. De Rutzen.*) The runaways that you allude to in your answer are generally a class of boys who are to be found about the railway stations?—Yes, the wanderers.

7204. And it is in consequence of the love for the life they have been leading close to your place that they run away. Numbers of instances no doubt come into your mind where as soon as you get them they run away and are caught again at the place where they were originally caught, and so they go on?—That is it.

7205. It is simply because you cannot take them away from their old surroundings?—You can do nothing with them.

7206. (*Chairman.*) Can you tell me why there are so many aid societies? In the Prison Commissioners' report in connection with Wormwood Scrubs there are no less than eight, whereas there are only three at Wandsworth, one at Pentonville, and four at Holloway?—Well, I do not know; but I should advise some of these other societies that want to get in to go to Wormwood Scrubs. There are other societies, I believe, at the present time which are really wanting to go there, but I do not think there is any more done at Wormwood Scrubs than anywhere else.

The witness withdrew.

Colonel BUCHANAN called and examined.

Col Buchanan.

7207. (*Chairman.*) You are the Secretary for the Royal Society for the Assistance of Discharged Prisoners?—Yes.

7208. I think you have been secretary for eight years?—Yes.

7209. Will you briefly describe to the Committee the constitution of the Society?—Would it be interesting to you to know the origin of it?

7210. I do not think that is so necessary as the actual constitution bearing on its work?—The society

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was founded in 1857. It was really founded when transportation was done away with; Mr. Samuel Whitbread and the late Mr. Bayne Ranken were the founders of it. It was then intended entirely for convicts, in fact, up to the time when I became secretary it was almost exclusively for convicts. Since that we have enlarged the work, and we became two years ago, at the instance of the Commissioners of Prisons, the society for Wormwood Scrubs; and we have enlarged our work also by extending it a great deal to the local prisons, especially those bordering on the neighbourhood of London and in the Home Counties. The Society is managed by a committee, that is to say, the committee meets once a month for the reception of reports and for deciding any very important matter, but every day, of course, I am at the office, and one member of the committee attends with me to receive and interview the men as they are brought out for discharge, and to deal with each case on its own merits.

7211. Do you see all the discharged prisoners at Wormwood Scrubs?—Every one of them who are to be discharged to our care. I see them twice. I go every Friday to Wormwood Scrubs Prison and interview the men in their cells, and consult them about their future, and so on. If possible, I get the addresses of their wives, mothers, or fathers. Then I send one of my agents, generally speaking, a female agent, to visit them, and get all the information I can so that we may be better prepared to deal with these cases when they come out.

7212. Then have you free access to prisoners?—Yes, that is with the sanction of the Commissioners; I go every Friday. I get there at half-past 2, and I am passed into the prison and taken round by the assistant chief warder to see the men in their cells. I do not go into their own cells, I go to special cells in each hall, and the men are brought to me by the assistant chief warder.

7213. But then you have got standing authority to go to the prison?—Yes, every Friday.

7214. I observe in the Commissioners' Report that at Wormwood Scrubs there are seven other societies associated with yours. You stand at the head of the list?—Yes.

7215. But there are seven others associated with you in the work?—Well, I was not aware there were so many as seven. I know there are one or two, but I think the far larger proportion of the men seek our help rather than that of any other society. Although I may not be right in that I imagine it is so. I understood from the chief warder that a larger number seek our aid than that of all the rest of the societies put together.

7216. Would the representatives of other societies have the same authority to go into the prison that you have?—I do not know that. I know Mr. Wheatley has the same right that we have, but whether other societies have I do not know.

7217. Mr. Wheatley thinks he has had a letter from the Home Office this month, curtailing his privileges?—I do not think it is likely we should have our privilege curtailed, because we took Wormwood Scrubs Prison over at the request of the Commissioners. Although I should be glad to extend our work, this particular work is not very desirable, because the men from Wormwood Scrubs are the most difficult in the kingdom for a Prisoners' Aid Society to help.

7218. What grant do you get from the Government?—We have, so far, got 40 guineas last year; 40 guineas this year, and that meets about half our expenditure, roughly.

7219. Do you know of any other societies attached to Wormwood Scrubs receive a Government grant?—I cannot tell that.

7220. Have you any experience as to how the Government grant is distributed generally?—Before being appointed Aid Society to Wormwood Scrubs Prison, my society never applied for the Government grant at all. The work that has been done up to that point has been without a Government grant.

7221. Then upon what basis is the 40 guineas paid? Is it at per head?—I think it is according to the number of the cases dealt with. I think so; that is my impression, but I do not know for certain.

7222. Then you see nearly all the prisoners?—I think the form of procedure is this: that a certain number of men who are desirous, we hope, of leading a better life, and of starting afresh, apply to us. These men see the governor, about a fortnight before they are discharged; I go on a Friday; their names are entered on a sheet, and that sheet is submitted to me when I go, and I interview these men one by one. I only reject those men whom the Society has assisted during the previous 12 months, and men whose conduct in prison has been very bad; such men, for instance, as those who have refused to work in the prison and have been insubordinate, and have been insolent to the warders, and so on. I think it is only fair to refuse such men as those.

7223. You are quite independent of those other societies, and you are not brought into relation with them?—We work in co-operation with a great many societies, but we are independent of them; we are not affiliated with any of them.

7224. In what way do you work in co-operation?—Roughly, I should think we work in co-operation with 20 of the leading societies in England, that is to say, whenever they want work found for men in London they write and send them to me, and I do my best to find them work; and in the case of those societies which we will call the home counties, that is to say, Surrey, Essex, Kent, Berkshire, Hertfordshire, and Hampshire, we are constantly receiving men from them. We take men from those societies; we provide them with work which these societies have not the same facilities for doing that we have. For instance, if they wanted a man shipped they probably could not ship him, and, therefore, they send him to us.

7225. Do you think it is a matter of importance to your work to be able to see prisoners before their discharge?—Certainly; it is the greatest help possible, not that the information given by the prisoners is of any great value. It may be sometimes, but the information of real value is the address of a man's relations. I send a very capable agent to visit them. She thoroughly understands the whole of what I want to learn, she visits their relatives, and gives me very valuable information about them which helps me immensely.

7226. You said that you had a very bad class of prisoners at Wormwood Scrubs?—Yes, I have, I think, the worst. From my own experience I should take them to be the worst class; perhaps Wandsworth may be almost as bad. I can speak of Wandsworth to a limited extent, but I should think those from Wormwood Scrubs are the worst class of prisoners we have in England.

7227. For what reason?—They are London thieves and fellows who have been mixed up all their lives, practically from birth, with the lowest possible people, whereas if a man comes from a country prison in an agricultural district he is a different kind of man altogether.

7228. Of course you get the men apart and help them in a variety of ways?—Yes.

7229. Are the general results of you work satisfactory?—I should like to say that one point we lay great stress upon is that we try to separate men, as far as possible, from their old surroundings. We have found that there is a chance, and a very great chance, even for the worst men, even for the men whom I have described as being at Wormwood Scrubs. There is very often a good chance even for them. I can tell you of wonderful instances of men being quite reformed, and leading, at any rate, honest lives, by the fact of having been taken away from their old surroundings, and put into a new district altogether. I can give you a remarkable instance of a man who was a coiner, and I need hardly tell you that a man who once takes up the life of a coiner is the most difficult man to reform there is. It is very easy to make money as a coiner.

He makes large sums of money, and these men form a kind of coterie in London. They have a sort of club, and they are all known to each other, and it is an old police saying, "Once a coiner, always a coiner." If once a man has become a coiner, he always will be a coiner. A coiner was discharged to our care. He was quite a young fellow. I was rather favourably impressed with his appearance. He did not look quite so hardened as many of them are. I took him into my own private room and talked to him about the misery of his life, both now and hereafter. At first he did not show much signs of caring, but after a little while I talked to him about his mother, and so on, and I think he was a little softened; at all events, he said, "Now, sir, I will do whatever you ask me." While I was speaking to him, one of my agents came in and said, "There is a gang downstairs who "have an unmistakeable look of being coiners," and one of them, whom I knew is waiting downstairs for the fellow. I said to him, "Put yourself in our "hands and we will do what we can for you." I waited until these men had gone into the public-house at dinner time, and I then sent for a four-wheeler, and put this man into it, and told my agent to take him to Euston. I sent him to our shipping agent at Liverpool, and wrote saying, "We are "anxious about this young fellow; get him ship-"ped as soon as you can." He went away as a coal trimmer to Buenos Ayres. He has come to see me since three times, and is a prosperous man. He showed me a Post Office Savings Bank account with 30*l.* in it. He said, "That is honest money, sir; that "is the first honest money I have ever earned." I said, "I hope you are not going back to your old "habits." He said, "No. There was a man with "me in my last case, and he came to me just now in "the street. He said he did not know exactly what "I had been doing lately, and asked me to go with him, "and I said to him, 'No, I will not come with you; "'you come with me. My life is a happy life; I am "'not afraid to look anybody in the face, whether they "'are police or anybody else. My skipper is a good "'fellow, and he has told me I could take you with "'me.' Now, sir, I am going to take him back "again to-night and ship him with me." That is to me an enormously happy case and proves that the worst men, and the men who are surrounded by the worst characters in London can sometimes be turned.

7230. Do you think that your difficulties with men increase as they become habitual offenders?—Yes, very, very much, in fact, when they become habitual offenders the work of a Prisoners' Aid Society is not much good.

7231. But I suppose there comes a time in the lives of an habitual offender when he gets sick of crime, say when he is 50 years old. Do you find that?—No, that is not my experience at all.

7232. You find the habitual offender is hopeless?—I think the receivers of stolen goods and the coiners are the two worst of habitual offenders, and most dangerous to the community, and they are dreadful corruptors of the young. These fellows are incorrigible, and nothing short of a man having a serious illness, and his mind being turned will ever have any effect in turning him. They have no fear of imprisonment, because it is abundantly clear that the convict prison has no terror for them, and they do not mind it in the slightest degree. Many of the chaplains in the convict prisons have told me that these men have told them in the most plain way that they are going back to their old life as soon as they are free.

7233. Then what is true in that respect with regard to convict prisons would be *à fortiori* true as to local prisons?—I do not think quite so much.

7234. I mean if they have no dread of convict prisons they would have no dread of local prisons?—Pardon me, the work in a convict prison is less, and the food is better.

7235. But a sentence of nine months in a local prison as against six or seven years in a convict prison is a different thing?—At the same time if you ask an habitual criminal whether he would rather have three years' penal servitude or two years' imprisonment, nine out of ten of them will tell you that they prefer the three years' penal servitude.

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7236. There are a great number of prisoners in local prisons who are really habitual prisoners?—Yes.

7237. And the local prison loses its terror for them?—Yes.

7238. They get accustomed to it, they are in for six months perhaps, and they go out for a life of crime of 18 months say?—Yes.

7239. I am rather speaking of that class. Do you find it difficult to deal with them?—Well, it depends very much indeed upon circumstances. I should be sorry to speak of them as a body collectively, because it would be misleading, but there are individuals who, owing to some cause or another do make up their minds. A man may have four or five sentences, and to all intents and purposes, to the police, and to us he may be looked upon as an habitual criminal, and yet, for some reason, that man may have turned over a new leaf and be really desirous of leading an honest life.

7240. Do you consider that the giving of short sentences to these habitual criminals is a mistake?—Well, I should be entirely in favour of short sentences for some things, but, on the other hand, there is one point I should very much like to endeavour to impress upon you, though very feebly, I am afraid. It is a subject I have thought about nearly all the time I have been secretary to this society. It is that there are a certain class of criminals who are very well known to all the detective police, men of the most dangerous possible kind—men, for the most part fairly well educated—perhaps even well educated, clever men; and if they had turned their attention to any other branch of life they would have been good members of society, but they become coiners, receivers of stolen goods, and men who are the heads of gangs and instructors of the young. As to those men (I speak it with all respect), it seems to me that in a civilised country it is a perfect scandal that these people should be allowed to be at large at all. They do an infinity of harm. Nobody can tell what mischief they do; I am sure I do not exaggerate at all when I say that a man who is a receiver of stolen goods, or a coiner, would corrupt a very large number of young fellows a year during the time he was out. I should think that is not at all an exaggeration.

7241. These men have themselves been in prison, I suppose?—Yes, though there may be instances where they have not. I know of one instance where there is one of the worst men in England, and one of the most dangerous men; that is to say, he is a forger of bills and a receiver of stolen goods, but he has never been in prison. The police have been trying to catch him for years, but he is too clever for them. Clever men as that, if they are once caught, and if they are known to the police to have been carrying on such practices for years, ought either to be sent to prison for a long period, or they ought to be put under police supervision, or banished to some place where they cannot do these things.

7242. Does that class of man get hold of young people who have not been in prison and make them into criminals?—Indeed he does.

7243. You are speaking of that from your own knowledge?—From what I have been informed many times in the course of my work. The other day, when I was in Wormwood Scrubs, I saw a man there who is perhaps not one of the worst cases, but I said to him, "Who trained you?" I put it quite simple, and I said to say something. In fact, I saw three young fellows in Wormwood Scrubs on the same day, whom I will help you, my lad; tell me who it quickly, and this the first; he seemed more or less a fellow suspected me. I said, "I am only trying to said, "Long Tom trained me." trained you?" He Long Tom was, but still Long Tom was a nickname of a well-known trainer. I did not know who

7244. What class of offence was his?—Picking pockets. I asked two other fellows the same afternoon

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that same question. I did not in the smallest degree prompt them, but I asked them to get it out of them, and they both told me that Long Tom had trained them. There were three men whom I saw on one afternoon out of about ten who told me Long Tom had trained them. They had no object in telling me lies, and they knew I came to help them, and they will generally tell me the truth, although they would tell you probably what was not the truth. Still, I think as a rule, they tell me the truth. Of course it must be evident to you that if there were no receivers of stolen goods it would make thieving very difficult, because if a man takes your watch or takes jewellery or plate, or anything of that sort, he does not take it to the pawnbroker, but he takes it to one of these receivers, who makes away with it. If a man knew that if he had taken a watch it was a most difficult thing to dispose of, it would, in my opinion, decrease the number of thieves.

7245. (*Sir J. E. Dorington.*) You say these men are well known to the police. When they get caught how could you bring it home to the judge's mind that these are very dangerous characters who ought to have a sentence far beyond what they would get considering the nature of the offence with which they are charged?—I think for the most part when a man is brought before a judge for sentence in a case of that sort the police know all about the man; at all events they do in nine cases out of ten, and they tell this to the judge, and I think the judge would be guided by his own knowledge and give him increased punishment.

7246. But surely they are not allowed to tell that to the judge?—No?

7247. The jury having found a verdict it is then placed before the judge that the man has been convicted on so many occasions before?—Yes.

7248. But very likely he has not been convicted before, and then nothing comes before the judge?—The instances where they have not been convicted before would be comparatively rare; but I presume that in giving the list of his convictions the detective would be able to say that this man was a dangerous man if his offences had been of a very bad nature. The judge would be informed, if the prisoner was a receiver of stolen goods, whether he was a well-known receiver, and the same if he had been found possessing a mould twice.

7249. That would be clear evidence, and that would refer to a particular case; but you are rather pointing to this, that the sentences ought to depend upon the general character of the man, which at present does not come before the judge and cannot come before the judge in practice?—Well, I have always understood that the detective who had the case in hand had the means of pointing out to the judge if a man was a dangerous criminal.

7250. After the jury have found a verdict the previous convictions are laid before the judge, but they are put down in writing. There is no evidence given I think?—That would, I should think, be all that was necessary if a judge were informed that this man had been convicted three times of receiving stolen goods. I mean that shows to my mind such an enormous gulf between a person who is an ordinary tool, a poor wretch perhaps who steals a loaf of bread or snatches a pair of boots from a shop, and a Prisoner who sells, possibly because he is hungry, and who gets a sentence of penal servitude because he has been in prison before, and the clever man who receives the things, and knows they are stolen.

7251. You why. [illegible] that the judge should be allowed to know now of any one character of this man, and should be present to receive a Government to give evidence of his general character as [illegible] was found?—Of course it was my ignorance [illegible] any experience [illegible] ing it, but I was under the impression distributed generally [illegible]e who had charge of the case had [illegible] Society to Wormwood [illegible]hat.

7252. No, I do not [illegible] applied for the Gove[illegible] than I have stated. What is [illegible] that has been done up to [illegible] judge in the shape of a list of [illegible] Government grant. [illegible]?—I am sure you are right, an[illegible] ter than mine can be, but I was speaking to one of our old detectives the day before yesterday, and I asked him about it. He was the only person I consulted when I knew I was coming here to give evidence. He is a leading detective, and a well-known man. I said, "Now, in the case of men being found with a mould, "and in the case of receivers of stolen goods or "trainers of thieves what do you do?" and he clearly told me that a detective would have the opportunity of mentioning these facts to the judge. I was under the impression that he would have been able to speak openly, but I suppose the detective meant he would have an opportunity either of handing up a memorandum in writing or passing on to the judge somehow information as to the man. He did not tell me how, but he said the detective would have the opportunity of mentioning those facts to the judge.

7253. In the simple form in which I have expressed it. I think it is done, but I do not think it goes to the extent that you would wish to inform the judge's mind upon it. I do not think the judge gets these large facts put before him. If a man had never been convicted before, however bad he was, I think he would have a clean sheet?—Yes, I understand that.

7254. (*Chairman.*) Do you think that a considerable number of these criminals are trained or taught in prison?—I have heard that said, but I have no evidence at all to prove that.

7255. You do not think there is very much of what is called contamination?—I should say not. I do not see how there can be.

7256. Have you a great belief in industrial labour in a prison?—I think that it is a very great help to a man to give him some work in which he is interested. The giving men work which they cannot but think is unprofitable is undesirable.

7257. Do you find that the work which a man has learned in prison is often of use to him in getting employment afterwards?—Very seldom, exceedingly seldom.

7258. Is that because he is an inefficient workman, or that he does not know the trade?—It is a sort of combination of the two. Very much more is required in free labour than is required of a man inside a gaol. Some of these men who come out of prison have been perhaps patted a little on the back because they have shown a marked aptitude for learning, and when they come out, they think themselves tremendous chaps and that they are going to get work at once. They come with a letter from the chaplain and these men say, "No, we will not take anything under 10*d.* an hour." They have been so flattered with the work they have done in prison that they will take nothing but the very highest Trade Union rate of pay, but they have to come down to about half the money they expected, eventually.

7259. Do you think that could be eliminated at all by the better training of prisoners?—It might be if it were desirable to do it.

7260. Do you believe in associated work in prisons?—So long as there is sufficient supervision over them.

7261. Do you think it is preferable to give them solitary work in cells?—No.

7262. And far preferable?—No.

7263. With regard to prisoners' aid societies, would there be any objection, before a man is discharged, to give him a list of all *bonâ fide* societies which do that class of work, and of allowing him to see any one of them?—Not the least. I think that is practically done.

7264. Are you speaking of convict prisons or local prisons, or both?—In convict prisons a man is sent for by the governor and asked what society he would like to join. If, for instance, he is a man who belongs to Leeds or Birmingham he can be placed under the charge of the local societies in those places, and although he may be going to Birmingham he may come to either our society or Mr. Wheatley's first, and go to Birmingham afterwards.

7265. You see no harm in allowing the prisoner to see such a list. Would you further think it desirable to let him have access to the representatives of the society he might elect to see?—Yes, but I should think it would be a great mistake to let the prisoner think that there were a great number of societies competing for him; it would be putting the Prisoners' Aid Society in a false position, if they were to try and compete for him. I think that ought to be avoided.

7266. That danger exists to a certain extent, at the present time, does it not?—We do not feel it at all.

7267. But these prisoners' aid societies, I suppose, are all anxious to do good work at Wormwood Scrubs?—Personally, I do not mind that. Men can go to any of them. The other societies are very welcome to take the greater part of those we get; except that in the middle of a lot of bad cases you occasionally get a very good one.

7268. Provided you avoided that danger of undue competition you see no reason why all *bonâ fide* societies should not be helped as much as possible in getting access to prisoners?—Not at all.

7269. (*Sir Algernon West.*) Following that up, would you see any possibility of organising all these various prisoners' aid societies in any way?—I think there are eight competing for good, if I may so call it, and Wormwood Scrubs alone?—Yes.

7270. And scattered all over the country there are quantities of these societies?—Yes.

7271. Would it be practical suggestion that these societies should be in some way amalgamated and re-organised?—Well, you see, I cannot speak about the "Prisoners' Aid Societies" competing for Wormwood Scrubs, because I do not know them. I know Mr. Wheatley's and I know our own; but if you take the local prisons in the counties, then, for the most part, certainly; and as far as I know, all of them are absolutely local. That is to say, if you take Birmingham and Liverpool, or the big towns, all those that I know of are only and entirely for local cases. They would only aid Birmingham men or Liverpool men; but if a man, say from Manchester, were to go to Liverpool and place himself under the charge of the society there, they would have nothing to do with him. They exist absolutely only for their own centres. That, of course, applies also to societies like the Hampshire Society at Winchester, or to any of the local societies.

7272. (*Chairman.*) Are those "Provincial Discharged Prisoners' Aid Societies" affiliated to your society?—No.

7273. They are perfectly independent?—They are perfectly independent; the way in which they are affiliated, if it can be termed "affiliation," is that we assist discharged prisoners from the home counties, that is to say, the counties bordering on London, and we take the cases of men who have never been in prison before, from them, and they are hopeful cases for the most part. We either send them to sea, or to suitable work, or we help them in some way; and for these cases we make no charge to the society in question. By the home counties I mean Surrey, Berks, Hants, Herts, Essex, Kent, just those societies which are round London; but we take cases from all the other important societies over the kingdom, when they send them to London and we find them work, and send the local societies in a bill. We charge the home counties half the expense of those men that they recommend, who have been previously convicted.

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7274. Then you have only direct connexion with Wormwood Scrubs and convict prisons?—We have direct connexion with all these.

7275. Yes, and you are not officially attached to them?—No, it is by mutual arrangement. I went down and interviewed their secretaries and made this arrangement with them some three years ago. I felt it would be a desirable thing to do, and I asked my committee to allow me to do it, and I went down and did it.

7276. What is your exact relation to the convict prisons?—We are on the same footing now as other district Prisoners' Aid Societies. Originally we were the only society for convict prisons, but now we are only in the same position as Mr. Wheatley or any other "Prisoners' Aid Society."

7277. (*Sir Algernon West.*) May I then limit my question, and ask as there are 17 in London or its surroundings, whether there is any possibility of amalgamating or organising those various societies for London?—The difficulty I think is that the good work that a society does depends very much indeed upon individual work. To take one's own society, which of course I know best about, we have a committee of seven or eight men who have taken an immense interest in this work for many years, and who are capable clever men, and I do not think that they would particularly like to be amalgamated with other societies, because we feel, rightly or wrongly, that we do our work rather better than other people do. However that may be conceit on our part.

7278. That is rather a reason for their coming to you?—I do not think the other societies would care to be interfered with.

7279. Will you tell me how many men pass through your hands in the conrse of a year?—This year we shall have about a thousand, last year it was 880.

7280. What I do not understand is this gratuity from the government. Do you mean that it comes in the form of a private individual giving you 40*l.* a year?—No, that is merely the government grant given to us for our Wormwood Scrubs work.

7281. For which you get how many prisoners through your hands in the course of a year?—380 last year.

7282. Is it given on any principle; is it given by results or how?—I think it is given in proportion to the number of cases assisted by the society during the year. We are not the only people who get this grant; I think 1,500*l.* a year is roughly the amount that is given.

7283. You get 40*l.* you mean for 380 prisoners?—Yes.

The witness withdrew.

The proceedings were adjourned till Thursday 29th November, at 12 o'clock.

FIFTEENTH DAY.

Home Office, Whitehall.

Thursday, 29th November 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.
JAMES GRANVILLE LEGGE, Esq., Secretary.

Captain C. W. HILL called and examined.

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7284. (*Chairman.*) You are the Governor of Strangeways?—I am.

7285. How long have you been there?—Since the 1st of January last.

7286. Will you tell the Committee what posts you have *previously held in the prison service*?—I have been Governor of Winchester Prison since 1869, that is 25 years ago.

7287. Then you came straight to Strangeways?—Yes.

7288. Is Winchester a large prison?—No; it has about 400 cells for males and 60 for females.

7289. Were you appointed direct to the governorship at Winchester?—Yes.

7290. You had previously served in the army?—Yes.

7291. In your opinion is it advisable *to extend* the discretionary powers of the governor or of the visiting justices in regard to certain prison regulations, such as those governing the reading of books, visits, letters, and so forth?—I do not think there would be any benefit derived from increasing either one or the other.

7292. You think that the present system works well?—Very well indeed.

7293. Does not it entail a considerable amount of labour upon you as governor?—I do not think so.

7294. I mean when a prisoner has exhausted his right, say to receive a visitor or to write a letter, he makes a strong representation to you, and you see that he has got some reason for wishing to write a letter, and then you have to write it yourself?—Yes, it does not take very much time. There are very few applications of that kind, not enough to be worth noticing.

7295. But is not that rather because the prisoners know there is a stringent rule?—No, I think not; it is those who come in for short sentences. They are not allowed to write, and they make applications on their own private affairs, such, for instance, as the wages which are due to them, and which they have not received.

7296. You feel that there is nothing wanting in the present system with regard to this point?—No, nothing.

7297. We have had the evidence of the Matron from Strangeways. On the male side of the prison, have you had any overcrowding since you have been down there?—Yes.

7298. To what extent?—*About 20 or 30 prisoners*, as to which, of course, we took steps to relieve the prison by an application to the Home Office, and an order was made by the Home Office for their removal to Knutsford.

7299. What was the influx due to?—I can scarcely tell you; but I think it was the Queen's visit to Manchester. People from London and different places came down to see the Queen.

7300. What did you do with those prisoners; how did you accommodate them?—We put them in association rooms; that is the way we accommodated them when we had the overflow.

7301. How many had you to put together?—Five in a room; then we had to supervise them, or the chances are that they would fight.

7302. Did you put a warder in charge that night?—Yes.

7303. He stayed with them all night?—Yes.

7304. Is that the only occasion on which you have been overcrowded?—I think there was another occasion, but what the reason for that overcrowding was I do not know.

7305. In your opinion, is the accommodation rather too small for the necessities of the district?—I think there are only those two instances which I have known in the year I have been there, and now the number seems to be going down. Looking to the returns for the past period, I think there will be quite accommodation enough.

7306. You strongly disapprove of association where it can be avoided?—Yes, it is ruination.

7307. It is likely, you think, to lead to very evil consequences?—Yes, it is.

7308. Do you think that the present system admits of improvement with regard to further classification of prisoners, such as apparently was contemplated by the Act of 1877?—When you have separation I do not think it much matters, but you must have absolute separation.

7309. Do you take in any convicts?—No.

7310. They all go to Knutsford?—Yes.

7311. Do you have convicts at Winchester?—Yes, we had 20 cells there specially for them.

7312. Do you think that there was any particular advantage derived from sending *convicts to local* prisons in the first instance?—Well, I do not know, except that they want to stay there.

7313. The convicts do?—Yes, very often.

7314. Do you think the convicts prefer the local prisons?—Yes, they do not like association.

7315. That *is only* on their first experience?—No, those that have been in before, represent association in the convict prison as being of a lower region than they like.

7316. What class of prisoners are you speaking of now? Do you mean that the hardened criminal objects to association?—Yes, that is my experience of those that have been there under my observation. They do not like going back again to hear the language which they hear, and they think it is the proper thing to be alone.

7317. That is the reason from the point of view of the convict himself, but from the point of view of administration, do you think it is desirable to send those men into association?—I would not go further than my experience tells me.

7318. But that enables you perhaps to form an opinion on the point?—Yes, I should say separation is the only chance of reforming them.

7319. Is there any reason from the administrative point of view for sending convicts to local prisons in the first instance instead of direct to convict prisons?—I think it is beneficial to them.

7320. Because they are under closer supervision, or what?—Yes, I think so.

7321. Did you find them more difficult to manage?—Oh! dear no; one or two men were certainly; but they always give in by being kept altogether separately. They wanted to show off before the others, that was their great idea.

7322. But they keep *them* separately?—Yes, except at exercise and in chapel. One actually assaulted a warder in chapel in one case I remember.

7323. Do you think it is in the interests of the local prisoners that the convicts should be sent to the same prison?—I do not think it is anything but beneficial to both. In fact, they are separate, and therefore it does not very much matter.

7324. Coming to other classes you have a great number of men at Strangeways who are in for drunkenness?—Yes.

7325. Do you think that they should be specially treated and kept as a class apart from the ordinary criminal?—No, I do not think so. You see they are all put into separate cells and kept separate.

7326. But drunkenness is an offence somewhat different to ordinary criminal offences, is not that so?—Yes.

7327. And habitual drunkenness is more of a disease than the commission of ordinary crime?—Well, I think it is very much due to want of other aliments such as nutritious diet. They go to drink because it is cheaper than buying food.

7328. Is not that an argument itself for a different and probably a separate treatment of them?—Medically, yes.

7329. Have you seen the report of the Inebriates' Committee?—No.

7330. The Inebriates' Committee last year proposed that habitual drunkenness should be looked upon as an offence warranting compulsory detention and special treatment?—No, I have not seen that.

7331. Should you be in favour of that, speaking generally?—Well, I think it is rather a premium on drunkenness.

7332. The compulsory detention for not less than a year?—Yes, they would be taken care of, but drunkards as a rule are people who have got no proper nourishment in the way of their food, and they rush to drink as a simple way of getting rid of hunger. It is poverty which causes it.

7333. Assuming that is so, would not it be better they should go into detention for a year or two years and receive proper treatment which might end in their redemption rather than they should be perpetually coming back to prison on short sentences?—Of course it would.

7334. Then you would be in favour of some such treatment of them?—Yes.

7335. In that case it is tantamount to saying that you would be prepared to favour the treatment of drunkards as a class apart from other criminals?—Well, you see they are all kept separate.

7336. But I mean separate in the sense that there should be a system which would allow special medical attention being given to them, and such treatment with regard to diet as might afford the best chance of reclaiming them from drinking?—That is quite right, I think so, because when a drunkard comes into a prison if he is badly fed he goes out with a greater thirst for drink than he had when he came in, but if he is fed better that would be obviated. In fact they have told me that over and over again.

7337. I pass now to another class, and that is a class which is generally known as the habitual criminals. Do you have a great many of them?—Yes, a great many.

7338. Men who are in constantly for the second third and fourth time?—Yes.

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7339. You are of opinion that short sentences on such men as men who have deliberately chosen to live by crime are of little or no use as a deterrent?—Well, I do not think it is any deterrent because there is a philosophy in their crime that I think is not taken into account.

7340. Do you think their philosophy would make them have a greater terror of a cumulative sentence?—I think so.

7341. You would be in favour of that?—Yes.

7342. Then do you think it would be desirable to treat the habitual criminals as a class distinct from other offenders?—In the way of cumulative punishments?

7343. In that and in others: I mean to keep them either in a separate prison or a separate wing of a prison?—No, it does not matter where they are kept if they are kept in separation.

7344. Taking another point, is not it a fact that one of the great difficulties in providing labour for the prisoners is the fact that so many of them are short sentence men and that they cannot acquire the trade in the time, and further that in local prisons there is the difficulty which does not so much exist in convict prisons that you have got men in for varying periods of sentences and that it is more difficult to give them associated labour?—Yes, there is no doubt of it.

7345. In that case these habitual prisoners as they would be sentenced under cumulative sentences would be in for a considerable time?—Yes.

7346. And in that case it would be easier to find productive labour for them. You would have more time in which to instruct them?—Certainly, there is no doubt about that.

7347. That would be an argument for keeping them in a special prison and concentrating them?—Yes. May I say also that there must be regard had to their ultimate work when they go out of prison. For instance, if a man is an agriculturist and his regular work is at agriculture he must not be liberated in a town where there is no agriculture.

7348. I will come to the question of labour later. Then we pass from the question of drunkards and the habitual offenders and we come to the question of the younger men. Are you satisfied with the age limit now?—Yes, quite. I think it is a very fair average. There are boys, of course, much younger than 16 who are men, and sometimes lads of 17, 18, and 19, are children. The average of 16, I think, is a good age.

7349. Still you find sometimes boys of 18 or 20?—Yes.

7350. And it is most undesirable to associate them with very young people or with old criminals?—There should be no association at all, I think.

7351. Would you approve of the age for admission to reformatories being raised say from 16 to 18?—That I am not prepared to give an opinion on. My experience of reformatories is rather against the reformatories, because I can only see the boys who came back again from reformatories on re-committals and they are always the worst prisoners.

7352. But the boys who would revert to prison after being at reformatories would be the very worst in the reformatory?—Quite so.

7353. So that it would be rather hard to judge of reformatories by that?—I do not say anything more than my experience justifies me in saying.

7354. You are aware that reformatories claim that from 60 to 80 per cent. are reformed?—Yes, I am quite aware of that.

7355. I do not gather that you meant that the prisoners that you had from reformatories are the worst that you have?—Generally.

7356. They are the worst prisoners that you have of all?—Yes, generally.

7357. In what way?—Shouting; assaulting warders, other prisoners; and giving trouble in every way in the prison.

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7358. Still you would say it is rather natural to expect that the lads who deliberately turn back after four years in a reformatory would naturally be incurably bad?—Well, I do not say "incurable," because they get quieter afterwards when they find it is no use; and if they are treated leniently they give in if they find there is no opposition. In fact, they cannot work except against opposition.

7359. I know you have a high opinion of what can be done by personal care in relation to the prison?—Yes, I think that good-will will correct anything; if they see that, they will give in.

7360. Assuming that in the reformatories you have better machinery for getting at the lads and the girls and reforming them and reclaiming them, of course, you would approve of larger opportunities being given for the admission of boys and girls to reformatories?—Yes.

7361. Assuming that the opportunities at the reformatory are greater than at the prison?—Yes; I think even there more separation than they have would be better.

7362. We will agree that a very complete system of classification would be essential in reformatories?—Yes, I think it would because they are associated. You see in prisons they are kept in separation. There is no need of classification.

7363. But given that complete system of classification and an adequate staff would you be in favour of raising the age of admission from 16 to 18?—Well, I think not.

7364. On what ground; on the ground you have already said?—Yes, on what I have already stated.

7365. Do I understand that you think that the prison is a better agency for reforming and reclaiming a lad or a girl say from 16 to 21 than a reformatory could be?—Certainly, if properly treated in prison.

7366. Now, coming to deal with the point of the agency, have you in the prison, except through your individual effort, and that of the chaplain, and, perhaps, the medical officer, any influence for the moral reformation of the prisoners?—Yes, the training warders and separation.

7367. I mean of the agencies in a prison other than the individual efforts of the governor and the chaplain, and in a secondary degree that of the medical officer, for exercising a reformatory influence on each individual prisoner?—There are the warders.

7368. Can you depend upon them?—Well, as much I suppose as anywhere else. They must be trained.

7369. Have they had any training for that particular purpose?—Well, I have been there only a short time, but I think I have done something in that direction.

7370. I have no doubt you have done all you can, but do you feel confident that all superior officers throughout the service are equally anxious to train the warders?—I think they are. Of course I do not know, but they ought to be.

7371. We will take the case of a chief warder in charge of over 100 prisoners. Has he had any training which would lead him to think that it was part of his duty to exercise a moral and reforming influence over the prisoners?—Well, I hope so.

7372. But you think I understand, that the prison is likely to be a better reforming agency for the prisoners than a reformatory?—Yes, a properly conducted prison.

7373. It all depends on what you mean by "properly conducted"?—Separation is the thing to do it.

7374. Do not you agree that personal intercourse does as much as anything, or more than anything, perhaps, in the exercising of a healthy influence?—Yes.

7375. Is it physically possible for any governor or for any official under the present system to have that close personal relation with each individual prisoner which would be likely to exercise a permanent reforming influence upon him?—It is more a question as to the length of their sentences.

7376. Is not it the fact that under the present system you find that there is, I will not say a large proportion in relation to the whole number of prisoners, but still a very considerable per-centage of prisoners who are distinctly habitual criminals?—Yes, I think so, certainly.

7377. It is also the fact according to the best informed sources of information that those men who become habitual criminals are manufactured between the ages of 16 and 20?—I think they commence much earlier than that.

7378. I think the prison statistics show that that is the case?—Yes, they are convicted.

7379. And that the period of their lapse into crime begins, as a rule, when they are quite young?—Yes, they are then found out.

7380. And then they come back repeatedly to prison during those years I have mentioned?—Yes.

7381. And therefore, as I say, it is during those years they become trained criminals?—Yes.

7382. Cannot that state of things be improved? Does not that state of things show that with regard to that special class of young habitual criminals some stronger and better system is required for the reclaiming them before they permanently lapse into crime?—Well, it would be advisable to have one if you could. It would be as well to have a better system altogether, if possible.

7383. Would you approve of such an institution as a Government penal reformatory. I do not stand by the name necessarily?—No.

7384. But I have in my mind an institution midway between a reformatory and a prison?—Yes.

7385. With ample opportunities for agricultural labour or gardening, and teaching productive trades, and with a special staff trained for the purpose?—I think it would be admirable.

7386. I mean a place where you could send that particular class who are not bad enough for prisons, and who are not good enough for reformatories?—Yes, I think it would be a very good thing, and then to educate them in connexion with their after life, and where their surroundings would be afterwards.

7387. You would approve of that?—Yes, I would educate a sailor for a sailor, and a shoemaker for a shoemaker, and so on. I would educate him for a trade that he could follow afterwards.

7388. That is to a great extent the system of existing reformatories?—Yes.

7389. But I put this particular prison to you as being a place where there would be ample means of restraining and coercing a prisoner as distinct rather from the means at the disposal of the reformatory manager. You can understand from that the kind of place I have in mind?—A sort of Parkhurst as it used to be; a boys' prison?

7390. Yes, but Parkhurst was a failure, was it not?—Yes, I think it did break down.

7391. You do not know why it broke down?—No. I had an official under me at Winchester who was the chief warder at Parkhurst, and I think the boys got the mastery of them.

7392. With regard to punishments, do you approve of unproductive labour?—No, I do not.

7393. You prefer giving productive labour to a prisoner wherever you can?—Yes.

7394. Do you approve of the plank bed?—Yes.

7395. You see no objection to that?—No; of course, with the present modification. I think it is very wholesome, because the prisoners go from stage to stage in an amelioration of the conditions of prison life.

7396. And flogging?—No.

7397. Under no circumstances?—You must resort to it in certain circumstances, but it should be avoided whenever it can be avoided.

7398. Do you think it is advisable as far as is possible to punish by the suspension of privileges rather than by any penal method?—Yes, you bring the man face to face with himself.

7399. Holding that view you would be rather in favour of extending small privileges to the prisoners, or giving them power by good conduct to earn privileges?—I think they have sufficient privileges now.

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7400. I mean such as a special dinner on Sundays, for instance?—No, I think not. That is a matter which would not touch the moral mind, I think.

7401. Well, it would give you an extra power of punishment which might be efficacious?—No, I do not think that would be efficacious.

7402. You do not think anything in that direction could be done?—No.

7403. Would you be in favour of giving further facilities to prisoners to earn additional remuneration for work done in prisons?—Yes, I think so from my past experience. I know it diminished the reports in the prison to a great extent, because with long sentence prisoners such as from the army and the navy, for instance, where they give two years and one year, there would be plenty of opportunity, and the renumeration commencing with the first day of admission would get up to 30*s.* by the end of the sentence.

7404. What date was this?—That was from 1865 to 1877.

7405. Under the old system?—Yes.

7406. Would you like to revert then in some degree to that?—I mean only with regard to the marks for long sentence prisoners in the first stage—in the first month—so that they should commence earning marks at once.

7407. What amount can prisoners earn now on hard labour?—10*s.*

7408. That is the maximum?—Yes.

7409. And how soon do they earn that?—In seven months.

7410. Would you be in favour of extending that power?—I think, perhaps, they might go up to 12*s.* or 12*s.* 6*d.* If they had a two years' sentence I would run it the whole way through.

7411. But is there any reason why they should not continue to earn money on the same scale?—You would get beyond the maximum of 2*l.* then which is fixed by Act of Parliament.

7412. Is that maximum advisable?—I think 30*s.* is a good sum to let a man have an opportunity of getting up a little trade.

7413. Does not it have rather an unfortunate effect when he has earned his money and he feels that there is nothing more for him to get by his prison labour?—Certainly. You know, of course, that he has got this to lean against him, that he may lose it if he does not behave well, but that is, of course, in another direction altogether. It is not making money, it is not earning it.

7414. You are strongly in favour of prison productive labour?—Yes.

7415. Associated labour?—No.

7416. Under no circumstances?—No; of course sometimes you cannot help it and it is very advisable to have associated labour, such as gardening, but only for very few people and well supervised.

7417. Still you have a most excellent laundry for your prison?—Yes.

7418. And that is associated work and it seems to have a very good effect?—Yes, but then it is for women.

7419. Do they talk?—They cannot very well talk in the laundry without being detected.

7420. Have you seen the shops at Wandsworth?—No.

7421. There is a raised passage down the centre of a hall, and there are separate shops on each side, so that the warder walking up and down this raised passage, can see everything that goes on, and the evidence is that there is no mischief at all from such a system. Assuming that to be the case you are in favour of associated work?—Yes, certainly; they are in boxes, and in boxes it would not hurt them so much.

7422. Do you find much difficulty in Strangeways in training your prisoners. Are the warders capable of giving good training; training them for productive labour?—Yes.

7423. Yes?—There would be no difficulty.

7424. How do you get warders who can do it?—The productive labour does not require much skill. It is picking cotton and picking oakum.

7425. Are you in favour of picking oakum?—No, I would much prefer mat making, which is very easily learnt; it does not require much trouble to teach, and it is very productive.

7426. Then if you have skilled industries it is necessary to have warders who understand it?—Yes.

7427. And complaints are made by Government departments that the work of the prisons is not so good as the work of outside labour?—That is the mail-bag work.

7428. I am speaking of the general work of the prisons?—I do not think my experience is of anything but mail-bags. Of mat-making they never had any complaints. The only complaint was that the mat lasted too long.

7429. There is a lack of finish about the work turned out by the prisoners. That is what the Government departments say?—Not mats.

7430. That is what the Office of Works says at all events?—I do not quite understand it.

7431. Is not it natural that a highly developed manufactory should turn out better and more efficient work than a prison could possibly do where the workmen are scratch men, so to speak, and where they have not any highly skilled instructors?—Quite so.

7432. You would be in favour of introducing into the prison service a great number of skilled workmen as warders?—If you want skilled work, certainly you want skilled teachers.

7433. Do you think that the warders should have special remuneration for teaching skilled labour?—Yes, it is greater headwork.

7434. Are you in favour of the present system of sending the chief warders to be warders in charge of prisoners where there are less than 100?—It depends very much on the officer in charge.

7435. He is a uniformed officer. He wears a uniform as a warder-in-charge?—Well, I do not know whether that would work, because I think an officer who had been a uniformed officer would think he was not on duty except he was in uniform.

7436. And, perhaps, that would conduce to slackness. He wears a uniform now as a warder-in-charge?—If you put him into plain clothes I think he would get into the way of supposing he was always on duty, but if he has got to wear a uniform he thinks when he takes his uniform off that he is not on duty.

7437. Is that a good system. I rather gather that you think it depends upon the selection of the officer?—That is it; quite so.

7438. Do you think that the existing staff offers a sufficient supply of good men for those posts?—Well, that is a matter of selection, because a man may be very good in one place but not in another.

7439. But we assume that the Prison Commissioners in making their appointments take the best men that they can?—Yes, they would do so undoubtedly.

7440. Then you say the system works as well as possible?—Yes.

7441. Is it a good system?—Yes.

7442. You approve then of putting a warder in charge to have the sole charge of say 100 prisoners exercising exactly the same functions as you yourself do?—Yes, if he is competent to command, but, of course, that is the point.

7443. That is my point. Does the system work satisfactorily as it is?—Yes, I think so.

7444. Would you be in favour of raising the quality of the present staff?—Certainly.

7445. The better men you could have the better you could administer it?—Yes, because it is a grand service. There is no doubt about that.

7446. Do you think that speaking generally the the warders are adequate for their duties?—I think so, I think they are amenable to be taught and they are able to learn.

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7447. Do you think their pay and their hours of work are satisfactory?—I think they are very fair indeed.

7448. Do you have any complaints?—No.

7449. The usual hours for a warder are from 6 to 6?—Yes.

7450. And they are liable to serve on until 8?—Every man has 10 hours a day as nearly as possible.

7451. He very often is called upon to stay up till 8 o'clock where prisoners are coming in for instance. In that case he would have two hours off in the morning?—It is all done in reliefs. Those men that will be called upon would get so much off in the day. They would not do anything in the day. At least so many hours as they are called upon to do at night time they would be relieved from in the day.

7452. You have called upon warders to work more than 10 hours sometimes?—Very seldom, and then it is always made up to them, they get a day off.

7453. But when warders have to sleep in the prison and have to answer the bells, is that reckoned as part of their hours of work?—Yes, because there are patrols. The same men do not do it always. Those that go on for night duty get a proportion of the day off.

7454. But then it is night duty in the sense that a man is there asleep in his quarters but liable to have to get up and go to the prisoners' cells, but is that night duty reckoned as hours of service?—Yes, because it is night duty.

7455. Is all your night duty done by men patrolling?—There are two night watchmen, and that of course gives great relief.

7456. But when a bell rings and a prisoner wishes to communicate what happens?—The night watchman—the inside man—goes to him.

7457. He goes to the cell?—Yes, after waking the "orderly officer." It is the "orderly officer" who is in charge of the prison for the night.

7458. Is he a warder?—Yes, a principal warder. Then if there is anything the matter with them medically, of course the outside night watchman is communicated with, and the chief warder is called and lets him out, and the night watchman goes for the doctor.

7459. Then all the answering of bells is, I understand, by your night watchman?—Yes.

7460. But the ordinary officer is summoned?—If necessary.

7461. Is that a matter of discretion with the night watchman?—It depends on the complaint or the requirements of the man.

7462. Then the night watchman has to judge?—Yes; if the prisoner says, "I want to see the doctor," then of course the doctor is sent for.

7463. Do you think the hours of work on the women's side is satisfactory?—I do not think the Commissioners have settled that yet; you mean with regard to the officers?

7464. Yes?—They have not settled it in the way they have on the male side.

7465. Are you inclined to think they are too long?—No, I think not, but I do not think the officers are sufficient. They are allowed temporary officers it is true, but they are not on the male side.

7466. You mean in point of numbers?—Yes. They work very well on both sides, both male and female.

7467. Should you be in favour of establishing certain prisons as training prisons for officers and prison officials generally?—It would be a grand thing, a great thing, to send trained men instead of men on probation.

7468. Would you approve of the selection say of two or three prisons and of their being placed in charge of the most experienced men in the service whose duty it would be to train both warders and perhaps deputy-governors?—Yes, that is a very good thing. It would be a great relief.

7469. You would strongly approve of that?—Yes, that is a very good thing.

7470. You would like to have the training of such officers yourself perhaps?—Well, I do not think I am quite competent for that. There are much better men than myself, I think.

7471. Still you would see your way to approving of such work?—Yes; it would be a great relief to me if I got a trained man instead of an untrained man.

7472. With regard to deputy-governors, I think you have no deputy?—No.

7473. And you have 1,200 prisoners?—Yes.

7474. Do you find it a great strain upon you?—No.

7475. Do you work long hours?—Well, 12 hours sometimes.

7476. Most men would find it a strain?—Well that depends upon whether they take pleasure in their work or not.

7477. You, I understand, take so much interest in your work that you scarcely care to devolve it on others?—Well, I think that is true.

7478. If you dissociate the question from your own personal view, and take human nature on a general average, do you think that it is fair to charge a governor with the care of 1,200 prisoners?—I think it is a little too much, because he would lose touch with the prisoners. At least I find that I cannot gain touch with them. I think 600 would be quite enough.

7479. What do you think should be the relation of the matron to the governor or deputy-governor, or, in the absence of one or both, to the chief warder?—I think she ought to be made as responsible for her prison as possible.

7480. Taking the case of Strangeways, supposing you are away would the matron be under the chief warder?—Yes.

7481. I will not apply it to your particular prison, but as a general rule do you think that that is desirable?—Well, I think perhaps it would be better as it is, in this way, that the matrons have not been trained to keep accounts and different other arrangements, and so forth, that the male officers would be. They have not got a storekeeper, for instance, or a clerk, and of course the prison work requires that books should be kept, and they are kept by a male clerk, so that I think it would be just as well to keep it in the hands of the male chief warder when the governor is away.

7482. Of course the matron would feel that she could be thoroughly backed up by the male officer?—That is it. She must have her responsibility amongst the prison officers.

7483. But at the same time you think that she ought to have a position of dignity of her own, and not be subjected in any way to the authority of the chief warder in the absence of the governor?—That again depends upon the chief warder. If he is a man of tact of course there would be no friction at all.

7484. It is rather difficult to adjust the precise relation, but if people of common sense wish to get on there would be no difficulty at present from the practical point of view?—None.

7485. Your matron is a first class matron?—Yes.

7486. There is no second class matron, is there; it is first and third?—Yes.

7487. But no second?—No.

7488. And a third class matron has not the power of visiting the prisoners?—Oh, yes, the matron visits all her prisoners.

7489. I think it was the governor of Knutsford who was telling me, that at Knutsford he had only a third class matron, and that she could only have charge of a certain number of female prisoners, and had no power to go round, and that therefore he had to visit the whole of both the male and female prisoners?—Well, I think the matron ought to do it.

7490. You think that at any rate the matron ought to have that in charge?—Yes, she ought to have that discretion and responsibility.

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7491. Have you in your experience ever known insanity to be produced by imprisonment?—No. There are some cases, of course, but I think it is a man's own fault very often.

7492. That is quite apart from the discipline of the prison?—Quite apart from it.

7493. Because a man may have had the seeds of insanity in him, which may have become developed while he was in prison?—Yes.

7494. In your opinion, I gather you do not think the prison system as it exists is responsible for producing madness?—No, not for a sane man, certainly.

7495. And you can say that, after your experience of 24 years as governor?—Yes.

7496. Do you think that the treatment of unconvicted prisoners is satisfactory?—Well, I am not quite sure as to their diet.

7497. An unconvicted prisoner with money can obtain various comforts?—Yes.

7498. And the man that cannot pay cannot get those comforts?—No; and I do not think he is fit for hard labour after three months of the diet.

7499. Do you think that that is a distinct grievance?—It is.

7500. You mean that an unconvicted prisoner who has been in for say, as long as three months on ordinary unconvicted prisoners' diet, and then goes up for trial and is sentenced for hard labour, has been so let down by the previous imprisonment that he is not fit for the hard labour?—Yes, that is if he has been left alone by the doctor. The doctor can arrange that, and can give him an increased diet if he likes.

7501. (*Sir J. E. Dorington.*) The unconvicted prisoners' diet is not adequate?—It is not adequate without the help of the doctor.

7502. (*Chairman.*) I understand you to think that a very grave hardship may be inflicted upon perhaps, totally innocent men?—Well, I do not think it is allowed to reach that point, because the man is watched so carefully. There are experienced warders and the governor, and besides which, the doctor goes round every week; and a great many people are weighed.

7503. But still, if I were an innocent man, and had to live on prison diet until I got so ill that I could not work, I should think it was a grievance?—But then the doctor could attend to you.

7504. But even then I should not get much more in the way of diet?—Oh, yes, he would give anything that was required.

7505. But you would think that something ought to be done to treat these unconvicted prisoners on rather better terms than those who were convicted?—Well, I think they ought to get the best diet of any of them.

7506. The section of the Act of 1877 which deals with unconvicted prisoners says, that due regard shall be had to their safe custody, but that every consideration shall be paid to them?—Yes.

7507. And do you think that every consideration is not paid to them?—Well, I cannot quite see the logic of the thing, because if a man is in very good health, and there is nothing the matter with him at all, he does not want so much. If his organic arrangements are perfect, he would want less food. It is like a locomotive engine; you must have much greater heat expended on an old locomotive than upon a new one. It wants to be arranged, of course, according to a man's condition.

7508. (*Sir J. E. Dorington.*) Is the diet adequate for a man in sound health?—If he is doing nothing.

7509. So that for people who are at all wrong in their health, it is inadequate?—I think so. Of course the doctor is there, and he sees to all that.

7510. Do you think it right that that should depend upon the doctor?—I do not know.

7511. Is not it drawing things rather fine to prescribe a diet which is inadequate for a mass of unconvicted prisoners, and to rely upon the doctor to put it right?—Well, I think it could be safer, perhaps.

7512. (*Chairman.*) Do you attach much importance to the work of th inspectors of the prisons?—Yes, because everything is kept in apple-pie order for the inspector, and as he comes round once a month at uncertain times, there is no slackness, I think everybody is affected by that.

7513. You think they are vigilant and that they look well after all the details of prison management?—Yes, they know it well, but they have no power of giving an order in the prison.

7514. Yet the fact of their noticing everything would be enough?—Yes.

7515. Do you think that anything is to be gained by their reporting direct to the Secretary of State rather than to the Prison Commissioners?—I think not.

7516. You are satisfied with the working of the arrangement?—Yes.

7517. What Prisoners' Aid Societies have you at Strangeways?—We have one.

7518. What is that?—The Manchester Prisoners' Aid Society.

7519. Does it do good work?—Well, I work the prisoners myself.

7520. But does that society do any work at all?—Yes, they commenced in March when I started it; and up to yesterday 432 were helped.

7521. Do you know what Government grant they earn?—Well, it is not quite settled yet. I was told that we might rely upon 100*l.* a year, and see how that would work, but I am afraid that will not go near it. You see there are 10,000 prisoners.

7522. Do you arrange the visits of the officers of the society to prisoners?—No, I visit the prisoners myself and send the particulars to the agent. No warder's time is taken up or anybody else's about it.

7523. (*Sir J. E. Dorington.*) You are the Prisoners' Aid Society yourself?—Yes, I am one of the agents.

7524. The other agent is outside the prison?—Yes. You see you have got to bring the prisoner down to the agency and bring him back again which all takes time. You can do 20 cases by following that plan, where on the other plan you could only do one or two; it is simply to ask a few questions.

7525. What was done at Strangeways before you came there about prisoners' aid?—Nothing.

7526. (*Chairman.*) Then the Manchester and Salford Society seems to do a large work?—A very large work.

7527. It is really an effective society?—Quite.

7528. You see the secretary?—Now and then.

7529. How is the system worked? Will you just explain it?—There is a schedule with certain headings, and a table and statement that I fill up. It takes me about two or three minutes for each prisoner. It depends upon the questions to be asked. Of course I do it with as much care and discretion as I can, because it would run to any amount of money with an average of 10,000 prisoners every year.

7530. (*Mr. O'Connor.*) You are speaking of males?—Both males and females are helped by the Discharged Prisoners' Aid Society. Then I fill up the particulars that are required by the secretary, and then I put down what is wanted to get this person into work. We cannot find work for all of them, that is impossible; but where they can find work is especially with women as charwomen and for laundry work outside. We supply them with respectable clothes when they go to work.

7531. (*Chairman.*) Then I understand that that work really depends upon the officers of that Society and yourself?—Yes. I did not not quite finish what I was going to say. That statement goes two or three days before the discharge of the prisoner to the secretary of the society outside. Each one of the prisoners who has put his name down on this statement gets a paper, which is sent to the secretary's room. That is a letter of identity really; it is for identification, telling him the name of the prisoner and what is required, and a statement of what was sent.

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Then he gets what is required; sometimes it is tools for working with and so on; sometimes it is dress.

7532. You have nothing to do with fixing the amount of the Government grant?—No.

7533. That is done under the Treasury rules?—Yes.

7534. The Treasury grant, as I understand, is divided under Treasury rules and goes to each society according to the work it does, the number of prisoners it has to look after, and the number it aids. I understand that there is no direct payment out of the grant for a particular prisoner?—No.

7534. It has to go to the general funds of the society to which the Treasury contribution is a grant in aid?—That is so.

7535. (*Sir J. E. Dorington.*) Do not you sign a schedule yourself?—Yes.

7536. Saying that 2*s.* 6*d.* or 5*s.*, or whatever it is, allowed for each prisoner and that the charge is a Government grant?—No, the statement comes to me at the end of the quarter, embracing the names of all that have been sent up and aided. Then my storekeeper checks that with the book I keep, and on the schedule being found correct I sign it, and it comes to the Treasury which pays it.

7538. Who is responsible for the particular grant for each prisoner, the outside agent or the inside agent?—For the amount expended on each person?

7539. Yes?—That is the outside agent, but he never exceeds 2*l.*; sometimes it is 2*s.* 6*d.*, sometimes it is 1*s.* It depends upon what it is, but he goes about and picks up things where he can get them cheap, such as a skirt, a jacket, a shawl, or an old pair of boots. Once I think a carpenter and joiner went in for about 30*s.* for tools. He was a very good workman indeed, and he has not come back.

At this stage Sir ALGERNON WEST took the Chair.

7540. (*Sir Algernon West.*) You told us that amongst the worst of your prisoners were those that came through reformatories. What reformatories have you received boys from? You are talking probably more of Winchester than anywhere else?—No, everywhere all over the kingdom.

7541. Have you received any boys as prisoners from Redhill in Surrey?—I think not.

7542. You told us, I think, that a prison has more reforming agency in it than reformatories in your opinion; can you support that by anything?—No.

7543. It is merely a matter of opinion?—Yes.

7544. You said you were opposed to flogging?—Yes.

7545. Would you be opposed to whipping boys?—Yes, in every way.

7546. You are opposed to that altogether?—Yes.

7547. Will you kindly tell me how the value of labour in prisons is estimated. I am anxious to know something with reference to that question because I see it varies so much. The washing at Strangeways varied very very much in two following years. Was there anything to cause that change?—I think it varied because there were no customers.

7548. Then you think really the actual washing was less one year than another?—That is it. It cannot be anything else but the applicants, the people who are washed for; because there is a regular schedule of prices for these things which is issued by the Home Office.

7549. In one year you see it was 607*l.* for the prison washing, but you think it depends entirely upon the amount of washing done?—Yes.

7550. It is not a question that the store clerk or anybody else estimates?—No.

7551. It is strictly according to what is done?—Yes.

7552. May I ask you what experience you had of the visiting justices at Winchester; did they attend and do good work?—No

7553. Do the visiting justices do the work well with you at Strangeways?—Yes.

7554. But they did not at Winchester?—No, they visit every day nearly at Strangeways.

7555. But was that your experience at Winchester?—No.

7556. Then it depends upon different counties and different gaols?—Yes, as far as I have an opportunity of judging from what I hear I think so. Some of them seem to think you must take two warders away when the visiting justices come in, and therefore they think they ought not to come too often.

7557. Would you think they would work better if more authority and power was given to them?—May I ask in what way?

7558. I imagine visiting justices do not do good work if they only come once a month?—No.

7559. We have some places where they take an interest in the gaols and attend. We have had evidence of that?—Yes.

7560. But in some places they do not attend except just their monthly meetings?—Yes, that is so.

7561. Do you think they would work better and take more interest in the prison management if more power was given to them?—I do not quite understand in what direction.

7862. Supposing that something of the old authority and position that they had before the prisons were taken over by the Government were restored to them, do you think it would have the effect of making them more interested and taking a greater part in the management of the prison?—It would make two boards instead of one. It would make two boards of the directorate.

7563. Could you give us any suggestion how you would increase the interest taken by them?—I think they take great interest in it now.

7564. But you told us that at Winchester they did not take any interest at all?—They did not take so much. They always come when there is anything to be done.

7565. Take a place like Winchester where they really do nothing. Could you suggest any means whereby you could interest them and induce them to take more interest. You have no suggestions to make on that point?—No.

7566. What do they do at Strangeways when they come?—They go round and see the prisoners.

7567. And probably take some personal interest in the prison?—Well, sometimes.

7568. Not as a rule?—No.

7569. Have you at Strangeways many men who are committed for contempt of court?—Very few. We have got two at present.

7570. Contempt of court generally means that they are men that can pay and will not pay. Do you think it advisable that they should be treated separately from other prisoners?—I think so.

7571. (*Sir J. E. Dorington.*) To go back to the Prisoners' Aid Societies Grant, you sign a schedule for a prisoner, which he takes to the agent?—No, he does not. It goes by post.

7572. And you state he wants such and such clothes?—Yes.

7573. Do you state that you allow him, say, 2*s.* 6*d.* for a pair of boots?—No.

7574. The agent outside would say it was 2*s.* 6*d.*?—Well, he would get them for 1*s.* 6*d.* if he could.

7575. Or 30*s.* for the carpenter's tools?—Yes.

7576. The agent puts that down?—Yes.

7577. Then at the end of the quarter there is 30*s.* for the tools and half-a-crown for the boots and the other things, and they are added up; that makes a total which you send in, and which is a charge against the Government grant?—Yes.

7578. So that you are not responsible in each individual case, but the agent is?—Yes.

7579. And you are only responsible that the total Government grant is not exceeded?—Just at present it has not been settled. They started with 100*l.*; but in the first six months we exceeded it, and I wrote

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up to the Commissioners, and said, "We are doing a "good work; shall we stop here, because we have "exceeded the 100*l.*?" They said, "Oh, if you are "doing good work you had better go on with it, and "we will see if we can adjust it afterwards."

7580. Do you think your practice is a general one—that you certify at the end of the quarter?—Yes.

7581. Do not you think some governors think that they have to certify for each individual case?—Well, everybody gets the same papers.

7582. I only wanted to know whether the practice is general. I think the other practice is also adopted by some governors?—The same forms are used in every prison.

7583. But the purpose of them is not realised, perhaps, in exactly the same sense?—Well, perhaps not.

7584. The Chairman asked you about managing convicts in local prisons. A convict in a local prison is treated in a slightly different way to the others, is he not?—Yes.

7585. Does any objection in point of discipline arise from two different prison treatments of two different classes of prisoners?—No.

7586. There is no jealousy or trouble in the administration?—No, because they recognise the knickerbockers as a separate thing altogether, and then, of course, the sentences are different; so that they all get different diets; but they are all treated the same.

7587. So that if, for reasons of economy, it is better to keep your convicts for nine months in local prisons rather than in a convict prison, there is no reason why that practice should not be continued?—None whatever.

7588. At all events you think that the convicts who have had experience of penal servitude before, dislike going back into associated labour?—Not labour, but into association.

7589. In a convict prison there is no association in the cells, I think, but only in labour?—I do not know, but from books one reads, of course, one thinks there is.

7590. They are associated in labour?—Not in the rooms, I think, but I do not know.

7591. Have you any idea what proportion of your prisoners are in for drink?—Well, I think every one of them drinks, but the offence, I think, is all attributable to their low living.

7592. I have got a prison return here showing that 21 per cent. on a certain day were in for drunkenness?—Yes.

7593. Is it probably about the same proportion with you?—Quite, I think. On Mondays we get the most prisoners from Manchester. Sometimes they bring us 150 a day, but they are principally women. They are all arrested about 1 or 2 o'clock on Monday morning.

7594. And all for drink?—Yes, and disorderly conduct.

7595. Those would come under the charge of drunkenness?—Yes.

7596. And you are in favour of a reformatory prison instead of reformatories. If a boy was sent to prison for three months you could not reform him in the prison?—Well, in this way. If you once get them to understand (and they are quick at that) that they are responsible agents you can; but they think they may do just as they like, and that everybody else must bear the brunt of it. If you get that out of a prisoner's mind you can fit him for social life at once.

7597. You think that with a short sentence in prison on a boy of 15 or 16 years old you can do as much as they can in a reformatory in three or four years?—If you once get that into their minds they are all right, and you do a great thing.

7598. You rather like them to be sent to prison then?—Yes.

7599. However constituted you would not keep a boy in prison for three or four years?—No.

7600. You would be rather inclined to do away with the reformatory sentence altogether?—I beg your pardon, I thought you meant a prison for three or four years.

7601. You were suggesting that reformatories were not good places, and that a boy properly treated in prison might be dealt with quite as well as in a reformatory school. In the prison a boy must be sent for a short period—not a long period?—That depends on whether you can get hold of him in a short time or not.

At this point Mr. HERBERT GLADSTONE again took the Chair.

7602. You would not send a boy to prison on what was practically a reformatory sentence for four years?—No.

7603. You would not suggest that?—No.

7604. In the case of a boy who would now be sent to a reformatory for four years, would you think it would be advisable to send him to prison for three months' reformatory treatment under a judicious person?—Certainly.

7605. And that as much might be done in three months under judicious treatment as in a reformatory school under a four years' term?—Quite; that is if the reformatory adopts the separate system. I think that would be better.

7606. If the reformatories were altered in character then you would prefer them?—Yes. That is judging from my own experience of what prison work is. That is separation. It is the herding together of the bad boys that makes the bad men. It is the separation of the bad boys and instilling good moral ideas into their minds that makes the good men.

7607. Of course you are aware that at the commencement of the reformatory system the change from short sentences of imprisonment to long sentences of detention in reformatories cleared out to a very large extent the then existing nests of juvenile crime and made a most extraordinary change?—Yes; but then they would not take anything except what you may call a master of arts in crime—one who had had three convictions at least.

7608. You think the reformatories are taking cases which are too small at present?—Yes.

7609. And that they would be better dealt with in prison by short sentences?—Yes.

7610. Do you know any of the reformatories in your neighbourhood?—No.

7611. You have not been to Idle, near Leeds?—No.

7612. And you think that the boys might with advantage be imprisoned a good deal more than they are and less sent to reformatories. There was a remark made last week about the quality of the warders. Have you had many warders fail from harshness or cruelty to prisoners?—I think that is their general failure.

7613. Do you get many failures from that?—You have to train them. Everyone is the same in this respect.

7614. They want to be taught the proper treatment of prisoners?—Yes.

7615. But you do occasionally get a warder who misconducts himself from that point of view?—Yes.

7616. What do you do with him?—It is a matter of temper and it requires a great deal of disciplining of one's own temper to get proper discipline; but if you talk to him and point out to him exactly where the difference between harshness and severity and patience comes in then he quite understands it after a time; because he sees it himself, and that it applies also to him as well as to anybody else. He sees the usefulness of it.

7617. Do you think that cases of unfair treatment of prisoners are common?—Well, I think they have been in former days certainly.

7618. Of late years, that is to say within the last ten years have many cases come under your observation?—One does not like to say anything about it especially coming to a new prison, but I think it was

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so in Strangeways. It took me some time to get rid of this formerly.

7619. The warders were not satisfactory?—No.

7620. And you are inclined to think that that is an occasional fault in prisons where the Governor has not exercised adequate supervision over his warders?—Yes.

7621. So that complaints of prisoners against warders might occasionally be supposed to be not unreasonably founded. Yes, that is so.

7622. Have the visiting justices, in your experience ever dealt with any complaints of that kind?—No.

7623. Do you think prisoners are willing to mention them?—Yes, they frequently do so.

7624. But they do not mention them to the Visiting Committees?—Yes they do.

7625. What do the Visiting Committees do?—They hear what they have got to say and adjudicate upon it, and either punish the prisoner or otherwise. I think, generally, they punish the prisoner.

7626. What, for misconduct on the part of the warders?—That is my experience.

7627. How would you protect the prisoners. I suppose you would say that was not right?—No, I would not say that to the Visiting Committee, of course. I would ask them to caution him, perhaps, as a matter of fact.

7628. You say it took a great deal of time to get Winchester in order. That was under the old magistrary?—Yes. It was in very good order before the Government took it over.

7629. You came in under the old system?—Yes.

7630. And it took you some time before you could get it into order?—Yes.

7631. Now you have got to Strangeways you find the prison not quite in order?—It was not, but it is getting better now.

7632. Are there any defects that you think the inspectors ought to have seen and judged of?—That I cannot say.

7633. Do you think their inspection is too cursory?—No, I think not. They go pretty fully into matters.

7634. Still the government of the prison is very much dependent on the quality of the governor?—I think so. There is no doubt of that.

7635. And there is not much check from the outside?—Well, I do not think there could be except from the inspectors.

7636. Whenever a governor is slack the inspector has not much means of finding it out or correcting it?—I think he would, because the government of the prison would naturally fall into the hands of the warders, and I think that must come out some day.

7637. Sooner or later?—Yes.

7638. Well, from what you are saying, both under the old system and under the existing system you seem to have knowledge of prisons in which everything was not quite to your mind, where it took some little time to put things straight?—Yes.

7639. So that after all the prison is dependent on the governor?—Yes, mostly.

7640. (*Mr. O'Connor.*) If such a case as the Chairman suggested really occurred, namely, that a governor had to see the prisoners that his third class matron could not visit in the separate cells, under what authority would that state of things be?—I do not know, because she is responsible for the whole of it, I should say at all events.

7641. It would not be under the governor's authority?—No.

7642. It would be under the direction of the Home Office?—I do not think there is any direction upon it.

7643. I believe the local prisons are worked by a system of standing orders?—Yes.

7644. These standing orders are laid upon the table of the House of Commons for some weeks, and if not objected to, then they come into force. As far as you know, are those standing orders published at all?—I do not know. The heads of the departments in the prisons get one each.

7645. I am speaking of the outside public. They are not made known to the public, are they?—I do not know.

7646. By means of the publication of those orders the public could know what the administration of the prison system was?—Well, I suppose they would.

7647. The local prisons have now been in the hands of the Government for 17 years, I think?—Yes.

7648. In that time a very large number of those standing orders have been issued, taking it from first to last?—Yes.

7649. Have they been classified or codified at all to your knowledge, or are they merely a mass of papers?—Well, I think they are now undergoing the process of being codified.

7650. But that has not yet been done?—I think it has pretty well.

7651. Have you a copy of the code?—No. The recently issued standing orders embrace a great number of others that are on the same subject.

7652. Yes; some are superseded?—Yes.

7653. And there are others which are not superseded?—Yes.

7654. A great many different standing orders are in force?—Yes.

7655. Do you think that a systematic arrangement of those orders is almost essential to show clearly what the administration is?—Yes.

7656. Have not you, besides standing orders, what are called circular letters?—Yes.

7657. They are something in the nature of standing orders, are not they?—In this way. I think they precede the standing orders. That is my general experience. Then we work on that, and after that the subject is embraced in a standing order.

7658. Well, it may be or it may be not?—Yes, but it generally is.

7659. But not necessarily?—No, not necessarily.

7660. So that you have not only standing orders, but you have circular letters?—Yes. They are not of general importance—not of public importance.

7661. But whatever they are, and whatever they relate to, they exist?—Yes.

7662. They are not published?—No.

7663. But I suppose under these standing orders and circular letters also, the interests of the officers and the interests of the prisoners are or may be affected?—Yes.

7664. Do not you think it would be a good thing if there was a book of instructions in respect of prison administration?—Well, it would take a great deal of trouble to compile such a book.

7665. I am assuming it was taken in hand by a competent man. Would not it be a good thing if there was a compendium of instruction for prison administration?—I think it would.

7666. You have been in the army?—Yes.

7667. And you are acquainted with the books of instruction they have in the army?—Yes, the Queen's Regulations and the Drill Book.

7668. Do you know any advantage there is in keeping these standing orders and circulars and regulations from the public knowledge?—No; none that I know of.

7669. But at any rate, in the army the general orders and army circulars are published. They are in the Army List, are not they, at the end?—No. Some of them are, but not all of them.

7670. At any rate the prison regulations are not so published?—No.

7671. So that as compared with other branches of the service, the prison administration is a secret service as far as the public are concerned?—Well, I do not know whether it should be called a secret service.

7672. But as far as you know the public have not any information as to the details of regulations which are in force?—No, I think not.

7673. The Chairman asked you about the hours of work of the staff. Do you know that under the

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Factory Acts certain hours of work are limited in different occupations especially for females. Those Acts are administered by the Home Office and employers are fined for employing women beyond a certain number of hours. What is the longest time that female warders are employed?—Ten hours a day.

7674. Are there any female warders employed from 6 o'clock until 10 at night?—Not the same.

7675. Never?—No.

7676. Will you say that no female warder at Strangeways is ever employed on duty from 6 o'clock in the morning until as late as 10 at night?—No.

7677. You will not say that?—No. I say they are not.

7678. Are many of the male prisoners employed so long?—No.

7679. What is the longest time that they are employed?—10 hours; they come on duty at 6 and then they go off so as to make the whole day about 10 hours.

7680. What schoolmasters have you at Strangeways?—One.

7681. And how many prisoners?—I have an average of 700 males—741 is the number.

7682. And one schoolmaster?—Yes.

7683. What are his hours?—The same, 10 hours a day. He is not a schoolmaster really; he is a warder schoolmaster; he is not a certificated schoolmaster.

7684. Are you acquainted with the time table of daily duties in local prisons?—Yes.

7685. It says: "School instruction will be carried "on between the hours of 8 a.m. and 6 p.m. except "on Saturdays," is there not a circular or standing order with regard to schoolmasters?—Yes.

7686. "Schoolmasters when fully employed in that "capacity should devote six hours daily to teaching "except between 8 a.m. and 6 p.m. on Saturdays, "when they shall be employed for three hours "between 8 a.m. and noon. The term schoolmaster "shall be understood as including schoolmistress." Is that regulation observed?—Yes.

7687. That there are only six hours' teaching a day? Yes.

7688. With one man who is a warder and 700 prisoners?—Yes.

7689. What amount of teaching can that man give?—Six hours a day.

7690. How does he manage to teach?—Some men only want a few hints; it is cellular up to a certain sentence and a certain standard of education.

7691. Do you regard it as a serious provision of school staff that 700 men should have one warder employed six hours a day?—Well, if they were all illiterate I should certainly think it was not sufficient. The care of books is what takes the time.

7692. I suppose that is what it practically comes to. They look after the library?—No, because when once a library is got into trim it is kept very easily. Method is required.

7693. How often has your prison been visited by the Prison Commissioners?—Since I have been there, once.

7694. By all of them at the same time?—No, by one.

7695. How often has the chairman of the Commissioners been there?—Only once, and that was last year.

7696. You have had one Commissioner there once?—Yes.

7697. Now I have been taking out some figures from this last report, and I see that you have cells and rooms for males which added together make 829?—Yes, that is on the male side.

7698. I also see that the greatest number of prisoners which you had at the period of this report was 841?—Yes.

7699. That is that the whole of your cell accommodation even when you put in these rooms was 12 short of the number that you actually had in custody?—Yes,

7700. Now on the female side I see that the cells and rooms added together come to 382?—Yes.

7701. And the greatest number of females you had in custody was 416?—Yes.

7702. So that there was a deficiency on the female side of not less than 34?—Yes.

7703. So that you then had absolutely no working margin of cells at all?—No, there were some in hospital.

7704. Yes, but that did not afford you a working margin of cells at all?—No.

7705. Do not you make a weekly report?—Yes.

7706. And that fact of the excess on the female side of 34 cells would appear upon that report?—Yes.

7707. That report goes up to the Home Office?—Yes.

7708. When you sent up the report, showing that state of things can you tell us from memory what was done or what communication you received from the Prisons Commissioners?—I do not remember what the time was.

7709. Neither do I, because the report does not state it; but it must have appeared on the weekly report?—Yes.

7710. Do you ever have any communication from the Prison Commissioners in reference to a weekly report showing such a state of things?—Not with reference to that report, because that report goes up whether no; but previous to that report going up arrangements have been made for the transfer to another prison.

7711. I am asking you did you ever receive from the Prison Commissioners any letter with reference to the fact that your prison had not cell accommodation equal to the number of prisoners you have in charge?—No, because there was no call for it, arrangements having been made for people to be sent away.

7712. Not within 24 hours?—No, but there was no occasion to write upon that statement, because arrangements had been previously made to send them away.

7713. The want of accommodation at Strangeways was perfectly well known at all events, or might have been at head-quarters from that weekly report?—The report goes up previous to that.

7714. Would not the weekly report furnish the information?—They have got the information, and it would confirm it.

7715. So that even if from no other source of information it would through the weekly reports come up to the Home Office?—Yes, and then a question is sure to be asked.

7716. You were in the prison service in the county time?—Yes.

7717. Do you think that at that time the magistrates were helping to improve the prison administration?—Yes, perfectly, they instituted prison reform all over the world. It was Lord Carnarvon's Committee, I think, that started it.

7718. So that at the time the Government took over the local prisons the prisons themselves were in process of improvement?—Yes.

7719. Do you think that if the old system had been continued that process of improvement would have continued also?—Yes, I think so.

7720. You have no reason to doubt it?—No.

7721. And it would have kept the present system, I suppose, in touch with local people, the magistrates being acquainted with the local people?—Yes.

7722. We have had some evidence to the effect that under the old system the industries in prison were comparatively in a flourishing condition?—Yes.

7723. They are not so now?—No; at least I do not think so, from what I have seen personally.

7724. Do you hold with the maxim of John Howard, the philanthropist, that if you make men industrious you make them honest?—No, the dishonest are the most industrious.

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7725. Do you attach importance to industrial occupation for men whether they have been in prison or not?—Well, it depends upon the personal motive altogether. If a man does not gain the fruits of his labour it does not matter whether he is industrious or not.

7726. But I suppose something or other still comes to idle hands to do?—Yes.

7727. Do you think that the present system of cranks and treadmills is likely to give prisoners a taste for industry?—If the crank or the treadmill produces money to him he would willingly work on it, he would follow it as his vocation.

7728. Do you think that the occupation prisoners now have on cranks and treadwheels is likely to develop in them a taste for industry?—No more than any other occupation.

7729. What I mean is would they by reason of having been employed on cranks and treadwheels in the prison be any more likely to be industrious after they had left; because you told us, I think, that your idea was to improve a man's chances of getting on as a decent man after he had left the prison?—Yes.

7730. Do you think employment on the crank or treadmill is likely to improve a man's chances of getting on as a decent man after he had left?—Well, it depends on whether he embraces the opportunity of being industrious.

7731. I am speaking of the fact of the crank and the treadwheel. I suppose if men take to industry after they leave prison that they are not so likely to return to a fresh charge?—It depends on where they ve.

7732. You say it is of some importance to the reformation of a criminal that he should if possible be led up to habits of industry?—Yes.

7733. And that the prison period ought to be used for the purpose of developing those habits. Would you say that the destruction or comparative destruction of the prison industries under the present system has had a good deal to do with the increase of old offenders?—No, nothing whatever to do with it.

7734. With regard to the work of the schoolmaster, a good deal of it is done under circumstances which is very trying. I suppose it is probably harder to teach a lot of convicts, being many in number and a large mass passing rapidly through the hands of the master, than any other kind of teaching. It is very trying to the temper and more exhausting to the schoolmaster?—Do you mean reading, writing, arithmetic, and that kind of thing?

7735. Whatever the schoolmaster has to do with him?—Yes.

7736. Would you say that too severe punishments would defeat their own purpose and hurt the prisoner?—Yes, there is no doubt about it.

7737. Would you generally begin with a caution?—Yes, I would try an admonishment first.

7738. You would not give a prisoner three days' bread and water in the cell for a first offence unless it was a very serious one?—No.

7739. Do you think that such a punishment as that would be calculated to exasperate him?—Quite so.

7740. Have you ever had any revolt among your own prisoners?—Never.

7741. Even when you went to a prison where you found that the warders' staff were not all that was desirable you had no outbreak?—No; where I came from there was an assault upon a warder by an epileptic man, but the warder was assisted by the other prisoners.

7742. I suppose if you had you would almost expect a public inquiry into it?—Yes, certainly, if there was a revolt.

7743. You think there should be an inquiry in the case of a revolt?—Yes, certainly.

7744. You say a good deal depends upon the governor?—A great deal does.

7745. And a deal upon the staff?—Yes.

7746. You would say that a very large proportion of punishments raises the presumption that there was something wrong in the governor or something wrong in the staff. Taking two prisons and comparing one with the other, if you found that one prison had two or three times as many as the other, you would think that would be so?—No, I think not; it depends, I think, very much on the longer sentences prisoners.

7747. Assuming that the sentences and the class of prisoners are the same in two prisons, and that one prison has twice as heavy an amount of punishments as the other, would you say that there was something to be desired in the staff?—Well, I would not go so far as that. It depends on the numbers of prisoners and whether they are new ones or old ones.

7748. I am saying, the conditions being the same in the two prisons, both with regard to the class of prisoners and the sentences, would you say that the very marked difference of the punishments being two or three times as large in number in one prison as in the other would call for an inquiry?—Well, I think it would be noticeable.

7749. You say that there are and have been cases within your knowledge in which complaints against warders have been well founded?—Well, I think so.

7750. And that it is a common failure with warders until they have been trained that they should be inclined to be rather harsh to the prisoners?—Yes.

7751. What is the greatest distance that any of your warders sleep away from the prison?—I do not know, there are several over a mile off.

7752. A mile or two shall I say?—Yes.

7753. They receive 3*s*. 6*d*. per week for lodging allowances?—No.

7754. Do they get any allowance for lodging when they sleep outside?—Yes.

7755. Is not that according to the regulations?—That is an allowance which is made in regulating their pension as well.

7756. What allowance do they get for it?—9*l*. 2*s*. a year; they have got to pay their own rent.

7757. Is no warder allowed 3*s*. 6*d*. per week in lieu of quarters?—Yes.

7758. I will ask you, generally, what do you think are the conditions necessary for making prisons as reformatory as possible? First of all you have told us that much depends upon the governor?—The separation of prisoners.

7759. Then the training of warders was another thing?—Yes.

7760. Are there any additions which you think necessary to make on things which you have not drawn to the attention of the Committee?—No, I should make no alteration.

7761. Would you say that the matron in charge should have full responsibility? Would you say also that her authority should be concomitant with her responsibilities?—If she was superintendent I should think so.

7762. Do not you think the accounts of stores and everything else of that kind could be kept just as well by women as by men?—Not according to any experience; that is according to the present staff, of course?

7763. Yes?—Outside I know they would be. I know a great many females that could keep them just as well as men.

7764. (*Mr. De Rutzen.*) I understand that you are of opinion that, taken as a whole, the present system is very good?—Yes; very good.

7765. You say that when you went to Strangeways you found that there was a good deal which you had to put right?—Only harshness amongst the warders, that is all; I do not mean anything more than that.

7766. But was it anything that took place whilst you were Governor or was it something which had taken place previously?—Oh! nothing before I went.

7767. And that was a complaint which you had to make?—No complaint at all; I only had to stop the harshness of the warders towards the prisoners.

7768. In what way?—In the way of speaking to them. It was merely in that kind of way.

7769. It was harshness in speaking?—Yes.

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7770. Nothing more than that?—No.

7771. No dereliction of duty of any sort?—No. I am only talking with regard to the treatment of prisoners personally.

7772. The Visiting Committee, I understand, are very regular in their attendance at Strangeways?—Very.

7773. And, if I may say so, they are attentive to their duties?—Yes.

7774. And as a matter of fact, I suppose, they make their reports to the Secretary of State from time to time?—I believe so.

7775. You, of course, were in the service in 1882 and long before that?—Yes.

7776. I suppose your attention was called to a letter of the Secretary of State which was allowed to be made public and printed in the reports with reference to that matter of visiting justices. I daresay you saw it in the "Times"?—I do not remember it; I do not recall the circumstance.

7777. It was a letter of the 12th June 1882, speaking of visiting justices and what they had done?—No; I do not remember it.

7778. In that sense visiting justices have as much to do even almost as the inspectors themselves; they have the privilege of reporting direct to the Secretary of State on any question?—Yes.

7779. And they are therefore inspectors in every sense of the word?—Quite so.

7780. So far as Strangeways is concerned, they do uncommonly well?—Yes; they are very attentive.

7781. Now about short sentences, what is your view of repeated short sentences; do you think it has any effect?—Well, I really cannot say; it depends so entirely on circumstances.

7782. Most of the short sentences, I suppose, are for such things as drunkenness, disorderly conduct, and so forth?—Yes.

7783. And may I assume that almost all of them are?—A great many are.

7784. They are sentences for three days, and that sort of thing?—For three days and up to seven days.

7785. In your experience do these people return over and over again?—Sometimes, but others you never see again.

7786. Those who come for the first time, as far as you know, and who have been sentenced to three days, perhaps you never see again?—We never see them again.

7787. But as to the great mass of them?—Well, I do not think they come very often.

7788. Do they come back with more?—Yes.

7789. You recognise them as coming back?—Yes.

7790. They come back, and they come back with a longer sentence?—Yes, commencing with a short sentence and afterwards getting longer.

7791. Then they come back with a little longer sentence still?—Yes.

7792. I suppose some of those come back again?—Yes.

7793. With a little longer sentence again?—Yes.

7794. Your prison is a large one of about 700; and it has been nearly up to a thousand?—Male and female.

7795. It was before you were there—I see that that was so?—Yes.

7796. Now with reference to labour, you have no unproductive labour?—No.

7797. You have grinding corn, and so forth, but no unproductive labour?—No unproductive labour.

7798. Looking over the description of employment there and the daily averages, I see that in counties you have grinding wheat, rug-makers, knitters, and needlewomen. Then come labourers?—Yes, they are cleaners, that is keeping the place clean.

7799. Then bag-makers, packers, shoemakers, tailors, and washing?—Yes.

7800. All those employments can be carried on just as well singly as they could in association?—Yes, excepting the washing.

7801. And no two people could be doing the same thing at the same moment, but it could be carried on in that kind of way?—Yes.

7802. I notice that in building there are these descriptions of employment: bricklayers, carpenters, labourers, whitewashers, paviers, painters, and plumbers, gas-fitters, smiths; a good many of these could be carried on separately?—Yes.

7803. But I see that the average daily number of such prisoners as are capable of doing such work is only 18 and a decimal?—Yes.

7804. Then the whole prison population that are capable of doing work is only 18?—Yes.

7805. Then going on from that, there is "baking, "cooking, cleaning, washing, and repairing the "clothes." All under that head are each capable of being done singly?—Yes.

7806. They amount to a considerable number, 64. Then the "non-effectives, unemployed, awaiting trial," and so forth, come next. They get some employment, but is there any kind of employment other than those which you would like to get for the prison?—I should like to get bag and matmaking; it is remunerative, and it is very easy.

7807. Is it your opinion that it is of the greatest possible use that people who are confined in prison should have constant employment, so far constant at all events as is consistent with their health?—Yes.

7808. And you would like to go back to something like matmaking or something else?—Yes.

7809. Can you suggest anything?—No. Rug-making and those things we have, but mat-making is the only one I can think of besides. It is so very simple.

7810. Do you ever make anything that you do get rid of at Strangeways, or do you only make for your own use? Have you anything to spare?—No; we have got heaps of mail bags; we can make them as fast as we can get them.

7811. But those are only for the Post Office?—That is all.

7812. Of course you could not get rid of them for anything else?—No.

7813. I see that oakum is used; have you any objection to oakum?—Well it does not give a return, certainly.

7814. The only objection to that is, I suppose, that you do not get any return for it?—Not much.

7815. It is something very small?—Yes.

7816. But that is your only objection to it?—That is it.

7817. And is that one of the only things to which you could put very short sentence prisoners?—That is one of the only things.

7818. Although it returns nothing it keeps them employed?—Yes.

7819. And you have never seen any hardship arise from it?—No.

7820. Such as injuring people's fingers in any way?—No, it only hardens the fingers and makes them more capable of hard work.

7821. Just one word with reference to the warder in charge. Of course, he would not be placed in that position unless he was a superior man?—Quite so.

7822. And a warder in charge is, as we know, a man in uniform?—Yes.

7823. And he has a man in uniform similar to himself under him?—Yes.

7824. Do not you think that his position with reference to those immediately below him would be improved by placing him in a better position, like, being allowed to dress in plain clothes?—I quite agree with you.

7825. Then you would be in favour of the position of a warder in charge being improved in that sense?—Yes.

7826. That placing him in plain clothes, would rather elevate him?—Yes, I think it would.

7827. Then you would approve of that?—Yes.

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7828. There is one other question I want to ask you, and that is with reference to long sentence prisoners in your prison. I notice that in the return here the minds of judges and those who furnish you with prisoners do not seem to run much between 2 years, 18 months, 15 months, and 12 months. They omit the intermediate ones almost entirely?—Yes.

7829. This is the total prison population. I notice there are 119 of two years, which is the hardest sentence that there is, is not that so?—Yes.

7830. And that perhaps accounts for there being only 119. When we come to those of 18 months there are 679 of them and very few between. Then we come to 15 months where there are 217, but when it comes to 12 months there are 1,105. I mean that the go-by is given to the intermediate months altogether?—Yes.

7831. You are aware that in a convict sentence, a three years' penalty is really practically only a sentence of two years and three months?—Yes, he gets the remission.

7832. And we have heard it stated here that that remission is looked upon, of course, as a very great privilege. It goes for marks?—Yes.

7833. What do you say then about a short remission, or whatever you may like to call it, between 12 months and 2 years. If a prisoner earns marks sufficient to warrant that, would you be in favour of allowing a man to earn some little remission of his sentence?—Well, I have been thinking of it all round again after we spoke about it the other day, and I think I would have it as it is.

7834. You think it would be an advantage?—No, I would leave it as it is without any remission, because I think if the judges understand that, they do not put on the sentence in order to meet the remission.

7835. But apart from that, you know it is quite impossible to put down that anybody is able to estimate the punishment for a month because it runs from different periods, as for instance, from two years to 18 months?—You have confined the remission to two years' sentences.

7836. No, to what I call long terms of imprisonment, say from 12 months. I ask simply for the purpose of ascertaining your view. Do you think it would make people who do that look forward to more industrious behaviour?—No, not a bit of it.

7837. You do not think that they would look upon that as anything to be gained?—No.

7838. And that they would rather be without it?—Well, I do not know about that, I do not think that.

7839. Where do you stop between the two. You say you would not think they would wish to be without it?—The prisoner, of course, must not give himself his own sentence.

7840. I do not want to labour this; he is able to earn a remission of nine months in a sentence of three years' penal servitude?—Remission is not always a boon.

7841. Have you been to Wandsworth Prison?—No.

7842. I suppose I may take it that the number of skilled artisans who go to prison is very few?—They are very few; no skilled artisan comes to prison.

7843. May I take it that what I have mentioned here, and, indeed, I have put it down more than once to-day because there are labourers and whitewashers included in that, that there are only about 18 of what I have put down as rather skilled people, such as carpenters and bricklayers, and that sort of people?—They are very few. Now and then you get a good one, but every man who is said to be a carpenter is what carpenters would call a "duffer."

7844. (*Chairman.*) What is about your average number of weak-minded prisoners, that is, prisoners requiring special supervision?—About seven or eight.

7845. Are you quite satisfied with your hospital accommodation for men?—No; they are erecting an addition to it now.

7846. For the men?—Both for males and females.

7847. Do you get men sent on remand for the purpose of being seen by the doctors?—I am sorry to say, yes.

7848. Do you have a large number of them?—Well, very frequently, but then there is no good comes of it unfortunately, because directly a man comes to prison, supposing he is insane, there is a lull in the symptoms at once, because there is a change from his ordinary life. Directly he comes to prison there is a lull, and unless it is a marked case it does not show itself.

7849. It takes some time for the madness to develop?—Yes.

7850. (*Mr. De Rutzen.*) As a matter of fact, are there not a good many from time to time in your long experience who have been returned as insane within that period?—Committed as insane?

7851. No. As you say, a great many people are sent to gaol on remand for the purpose of having their sanity tested?—Yes, that is to say, of the remands.

7852. A great many of them are sent there for that particular purpose?—Yes.

7853. Are there a great many instances where they are returned as insane at the end of that time?—Yes.

7854. To whatever court they came from?—Yes.

7855. A great many may, I take it?—Yes.

7856. Which shows the necessity of having some places to which they can be sent for the purpose of seeing whether they are insane or not?—But from the surrounding inhabitants, and from the people which live close to them you would be able to tell better than in any other way.

7857. But a person who comes before the court if he comes at all comes charged with some offence?—Yes.

7858. And his appearance or something has secured the belief that that man is not in his right mind. There is a charge pending against him for which he may be punished or for which he may not be punished entirely in accord with whether or not he happens to be a sane or insane person?—Yes.

7859. And therefore pending that knowledge it is necessary that some inquiry should be made?—They can get the best information from the outside.

7860. (*Mr. O'Connor.*) How many medical officers have you?—Two. The effect of the lull in the symptoms if they are real is rather inclined to mislead the prison medical officer.

7861. It makes the diagnosis more difficult?—Yes; the doctor who knows him outside will know much more about him than the doctor who knows him inside the prison.

7862. With your large and shifting population and with many of them insane, do you think that two medical officers are enough?—No, I think the work is tremendous.

7863. You think they are rather overworked?—Yes.

7864. You think there ought to be another assistant medical officer?—Yes.

The witness withdrew.

The proceedings were adjourned for a short time.

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Major JAMES KNOX called and examined.

7865. (*Chairman.*) You are the Governor of Armley Prison?—Yes, Leeds Prison as it is called generally.

7866. How long have you been there?—Six months.

7867. Will you say what position you occupied in the service before you went there?—I am a major in the army. I had charge of Kingswood Reformatory near Bristol for four years. I was 20 years all but a few months governor of Gloucester Prison, and then six months at Leeds.

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7869. Speaking generally, do you think that as governor you have sufficient discretion under the present system in all matters relating to prison discipline?—Well, I had more under the counties.

7869. You had more discretion before 1877?—Yes.

7870. Do you think that the present system is sufficiently elastic?—Yes, as a system I think it is.

7871. Do you think it would be advisable to increase the powers of the visiting justices with regard to matters of prison discipline?—Personally I should like it very much.

7872. In what respects would you like to have larger discretionary powers?—I do not know that I can say.

7873. For instance, would you like additional powers in respect of visits to prisoners and letters, and the reading of books?—I think that is very fairly dealt with now, in the libraries and the visits.

7874. In what respect did you lose useful discretionary power consequential upon the change in 1877?—I cannot put my hand on anyone thing; but I felt this, that if I wanted anything I could refer immediately to the Visiting Committee, and it would be talked over between ourselves, but I do not think that is so now. We are all in a groove and we keep in the groove.

7875. We know that the prison service is highly centralised. That must involve considerable difficulties in making known wishes as they arise and special circumstances in any given locality. You think that inevitably carries with it certain drawbacks?—I think so.

7876. With regard to the classification of prisoners do you think that the present system can be improved upon?—I do not see how it is to be done, but I think you could have a broad distinction amongst the prisoners of which there is already a base in the present service. There are certain classes of prisoners of whom we need not take the description; they are persons who have been convicted of offences which would not entail further punishment on them if they were reconvicted. Perhaps I may explain it in it this way. A man who is convicted of a larceny, if he is tried for a larceny again before the justices at petty sessions those justices have no power to deal with that man but must send him for trial by indictment because the second offence entails a sentence of penal servitude. I believe I am right in the law.

7877. (*Sir J. E. Dorington.*) *Might* entail a sentence of penal servitude?—Yes, might entail a sentence of penal servitude, and therefore the petty sessions have not power to deal with it. But there are a certain number of offences we have sent down to us on a circular such as those under the Education Act and others which do not entail further punishment if a prisoner is again tried; and if I may call these "offences" as opposed to "crimes." I think that is a broad distinction, and one which is worthy of consideration for classification purposes.

7878. (*Chairman.*) You are referring to people who are not guilty of what you may call criminal acts?—Yes, "offences" rather than "crimes."

7879. Have you got a list of them?—Yes. It is the same in every prison.

7880. Then, as I understand, you would treat prisoners convicted of those offences as a class to be kept separate from others?—I think you could make a very good distinction in that way, because I think the criminal is, I was going to say, a born criminal and a thief is a born thief.

7881. Perhaps you will just read that list out to the Committee?—Yes. There are offences under the "Education Act; Local and Borough Acts; Vaccination; Public Health; Hackney Carriage; "Highway; Turnpike; Waterman; Railway; Attempt Suicide; Bastardy; Sureties; Vagrancy; "Refusing to work in turn; Deserting Family; "Hawking without license; Soliciting; Soliciting "Alms; Assault; Brothel; Poaching; Trespass; "Revenue." I do not know whether I should be in order in saying that a medical inspector of prisons visited my prison at Gloucester, and he was good enough to ask me about this. He said, that he thought there was a great deal too much labour given in prisons in making out descriptions and former records of prisoners. He asked me whether I could define any cases where it was not necessary to take the descriptions, and I sent him up the list; and the bulk of the above list is the list that I sent him up 8 or 10 years ago.

7882. But you would not be prepared to say that all those offences which are specified are of an identical character?—No, but I think they are not crimes.

7883. Conceivably, a desertion of a family or an assault *might* be a crime?—Not in the sense of burglaries and larcenies; poaching is a crime, but it is the sporting instinct in the man that prompts it though it is thieving, perhaps, as much as anything else.

7884. However, I understand the general drift of your position with regard to these offences. Now passing on to other classes, would you be in favour of separate treatment for drunkards?—Yes.

7885. Have you seen, or do you know of, the report of the Inebriates' Committee?—In the House of Lords?

7886. It was a Departmental Committee of the Home Office?—No, I do not know it; I knew there was such a thing, but I do not know the provisions of it.

7887. They recommended that habitual drunkards should be liable to periods of compulsory detention. You would be in favour of that?—Yes; at present the utmost they can get is a month.

7888. Drunkenness, of course, is an offence quite distinct from ordinary criminal offences; and should you say that the three days in prison has any considerable effect upon the class named as habitual drunkards?—No.

7889. They are known to be rather distinct from other classes in the prison?—Quite, I think.

7890. Should you then be in favour generally of a separate treatment?—I should very much. I have frequently had a prisoner say, to me "I have been "in here many times, but it is only for a drunk," as much as to say I scorn the idea of being a thief.

7891. Have you any views as to the treatment?—No, I cannot say I have. I think they should be shut up apart. It should be an imprisonment.

7892. Then taking the case of habitual criminals, are you of opinion that a succession of short sentences on men or women who have taken to crime as a profession acts at all as a deterrent?—I do not think it does.

7893. They lose their fear of prison?—Yes; I do not think they mean it.

7894. Even if because of previous offences a somewhat longer sentence is inflicted, unless that is a material addition to the sentence, would you say that it weighs at all with the offender?—I do not think the man who is going to commit a theft or a burglary looks to the sentence a bit.

7895. Then should you be in favour of cumulative sentences?—Yes, for larcenies, burglaries, housebreakings, and so on.

7896. You have had experience of reformatories?—Yes.

7897. Do you think that the reformatory system is a good one?—Well, I have been 20 years out of it, but I certainly did think it very good when I was there; and, of course, now I can only judge from the residuum, from the re-convicted.

7898. Who come to prison?—Yes; my own experience at Kingswood is that out of 90 odd—I took the trouble to inquire about this of the police and clergy of the parish from which these boys have come—and more than 60 had not in the three years gone back

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into prison. Some were dead and lost sight of, but some did go back.

7899. The record was generally satisfactory?—Yes.

7900. Should you be in favour of raising the age of admission from 16 to 18?—I would rather leave that to the justices, judging by the physical development of the prisoner, and not by the age that he gives.

7901. Well, in principle that amounts to the same thing. I understand that you would be in favour of sending to reformatories all cases fit for those reformatories up to the age of 17?—Not if they were big men.

7902. But I mean if you had an immature lad of 18 or 19 you would send him to a reformatory while you would not necessarily wish to send a lad of 15 or 16 who was more developed?—If he was grown, no.

7903. In other words, you would like to send to reformatories all lads or girls that you could?—Yes.

7904. Then of course that would involve a very clear and distinct system of classification in the reformatories?—Not in the single reformatories; in separate reformatories.

7905. It would not do to associate lads of 17 or 18 with lads of 14 or 15?—No, I always drafted them away as soon as they developed into manhood.

7906. You could have a system under which the more developed lads or girls could go to certain reformatories and the younger ones to their reformatories?—Yes.

7907. Am I to understand that you would be in favour of taking from the prisons as many of the younger prisoners as ever you could in order that they might be sent to reformatories for the special purpose of being reclaimed from crime?—Do you mean instead of giving them a sentence of imprisonment sentencing them more to reformatories?

7908. Yes?—Yes, I think that should be done.

7909. As a general principle, you would be disposed to act upon that?—Yes.

7910. Of course there are a considerable number of young offenders who might be too violent for reformatories to deal with?—I never had any difficulty at Kingswood.

7911. But there, of course, I had rather in my mind the more dangerous classes who up to the present have not been sent to the reformatories but who have been sent to prison. Take, for instance, the case of lads of 17 or 18 who will probably develop into criminals. It is quite conceivable that they might be beyond the power of the reformatories?—Yes, but then you have got the prison at your back.

7912. Would you be in favour of establishing a half-way house between reformatories and prisons where such young offenders could be sent?—And associated?

7913. Yes, and associated, and have the opportunity of learning productive work or a trade?—Yes, if there was a prison at your back; that is to say, if a well-developed young fellow was sent to a reformatory and it was found that it was beyond the powers of the reformatory to treat him, I would have the power somehow, I do not know where, to remit him to prison for the rest of his sentence.

7914. But I have in my mind an institution which should really be in the nature both of a reformatory and a prison; that is to say, that they should have all the methods and force in work at the reformatories for reclaiming and educating lads and at the same time that they should have the coercive and punitive resources of a prison in the event of a lad being contumacious?—I think it would be better to expel him to a prison.

7915. You do not think that the halfway house offers any advantages?—If you mean by a halfway house a bigger and more advanced reformatory for the better developed men, yes; but I have one or two persons in my mind now whom I do not think any reformatory treatment would ever do any good to. There is a man going to be tried next week whom nothing would reform.

7916. You think, at any rate, it would be met a good essential to have power by some process or carpenter is a magistrate's order or by some process of t to send an offender who is incorrigible to prisc verage Yes, and I do not think there would be 1 per cent. o them.

7917. Generally speaking, you would be strongly in favour of very special treatment and attention being paid to young offenders?—Yes, I am.

7918. With regard to punishments, are you in favour of the plank bed?—I have very rarely had complaints about the plank bed.

7919. You do not think it is an evil?—I think that it accentuates very much the difference between the prison life and the home life. Prison is a very comfortable place for a great many people who come there—much more comfortable than their homes are; but they have not got the plank bed at home.

7920. Are you in favour of unproductive labour?—No.

7921. Have you the crank?—I have a treadwheel by which we grind the whole-meal for Stafford, Derby, Wakefield, and for myself.

7922. You have not a crank in the cell?—No.

7923. Do you consider that punishment as far as possible should be rather in the direction of suspension of privileges rather than being of a direct character, such as dietary punishment?—No, the dietary punishment is a very strong weapon in the hands of governors.

7924. Do you approve of the dietary punishment?—Yes.

7925. The effect is to lower the prisoner?—In his health?

7926. Constitutionally?—Well he is always inspected by the doctor day by day.

7927. Still the general effect would be that no prisoner could be reduced to No. 1 diet without its having some effect upon his constitution; it may be only temporarily, but still it would have some effect?—Well, I am not in a position to say that. I should not have thought it for a three days' diet.

7928. But you think that that is a useful punishment, and one that ought to be maintained?—Yes, I do.

7929. Now to come to the question of labour. I understand you are against unproductive labour?—Yes.

7930. Are you in favour of giving to the prisoners as much productive labour as possible?—Yes, if it can be got, certainly. I do not quite follow what you mean; do you mean that they should be put to anything that does not pay?

7931. I ask whether you are in favour of their being put to labour that is productive in itself and calculated to teach them work which may be useful when they come out of prison?—Yes, if possible.

7932. At Leeds you have a good many hand looms?—Yes, we weave the flannel; I believe, for the whole of the prison service.

7933. You have 40 or 50 looms, I think?—Yes, I could not tell off hand, but it is about 40 I think.

7934. In passing, I observe that at Leeds the looms are in the prisoners' cells?—Yes.

7935. Where they sleep?—Yes.

7936. Do you think that is advisable?—No.

7937. But you have nowhere else to put them?—No, that is so. When we did weaving at Gloucester towards the end of the time. I removed the looms and made the men sleep in separate cells.

7938. I suppose there is dust set up and that it diminishes the air space in the cell?—I should think so.

7939. That in your opinion is distinctly undesirable?—Yes, but I have no other room for the prisoners; the prisoner must occupy that cell whether the loom is there or not. I have only a few vacancies now.

7940. With regard to this weaving do you know whether the prisoners who are taught to weave when they come into prison take to weaving subsequently?—Very rarely I should think.

7941. These hand looms do not train them for working in the big mills?—No, I should think not.

7942. Do you think from your experience that trades acquired in prison are followed when the prisoner gets released?—No.

7943. Have you any suggestion to make on that point to induce a prisoner to learn a trade which he could follow afterwards?—Well, at Gloucester I learned printing under John Bellows in order to teach the prisoners to print, and I think we taught about 16 or 17, but I do not think one of them became a printer afterwards.

7944. You have no suggestion to make on that particular point?—We have tried it, but you cannot ensure the work.

7945. Then perhaps it is best to try and teach prisoners the value of methodical work and methodical habits?—Yes.

7946. And industrial pursuits, so that they may settle down more comfortably at whatever they like when they go out of prison?—Yes.

7947. Do you think that industrial labour in prison is more likely to be a moral than an industrial training?—Yes, I think the prisoner would rather shirk when he comes out doing anything he learned in prison. The bulk of them would.

7948. But you have no doubt as to the moral value of labour in prison to the prisoner?—Well, I cannot say, I have no doubt.

7949. You think it is better for a prisoner to do some work with his hands in the shop as an artisan, or at a loom, or at some other occupation, than to be thrown back upon himself in his cell?—Than picking oakum, certainly.

7950. Anything that would employ his mind is better than keeping him in a state of mental vacuity?—Yes.

7951. You are certainly of that opinion?—Yes.

7952. Do you think associated labour is advisable?—Yes, but not under our present condition of paucity of officers.

7953. It is a question of supervision?—Yes.

7954. You have no garden at Leeds, I think?—No.

7955. Had you at Gloucester?—No; none that was cultivated by the prisoners.

7956. Do you think that gardening and agricultural labour are desirable for prisoners if you can get it?—It certainly is for the younger prisoners. At Kingswood I put every boy into the field when he first came. I gave him six months at digging.

7957. With good results?—Afterwards I passed them through the different shops, and if I found one more fitted to be a tailor I made a tailor of him; if he was more fitted to look after pigs I gave him that to do.

7958. Did you find that the boys took subsequently to the trade they had learned on their discharge from the reformatory?—I cannot say; I taught them no trade except shoemaking and tailoring; but, as a rule, I got them into service on farms, and some of them went to sea, some enlisted, and some emigrated.

7959. Do you think it is desirable that warders should be more specially trained for the purpose of teaching industrial work?—We have some very good warders, but I doubt very much whether you will get a very skilled artisan to become a prison warder.

7960. Do you think that the quality of the warders is up to the mark?—I have had very little to complain of in men under my charge.

7961. They are a very good class of men?—Yes, as a rule.

7962. But still you would say that the better they are the more advantageous it would be for the prisoners?—Yes.

7963. Have you had any complaint as to the hours of labour?—No, I have not had any; but I think the position of the warder compares very favourably with what the position of the same man would be if he had not come into the prison service.

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7964. You do not think the hours are too long?—They are long, but I do not think they are too long compared with the privilege a man gets by his 14 days' leave, and being sure of his Saturday half holiday, and that sort of thing.

7965. Do any of your warders sleep in the prison and are liable to be called up by the ringing of bells?—Everybody in their turn is. It comes about once a week to warders, but to females always.

7966. Then when a bell is rung by a prisoner, does the warder answer the bell?—The night watchman answers it, who rouses the officer in charge, and he and the night watchman together go to the prisoner's cell and see what he wants.

7967. The night watchman does not go to the cell in the first instance?—He may go and ask what he wants, but he cannot go into the cell. He cannot communicate with the prisoner directly.

7968. So that the warder who is sleeping in has to attend to it?—Yes.

7969. Does that night duty reckon towards his hours of work?—It is beyond the 10 hours a day, but it comes about once a week.

7970. It is over and above the 10 hours a day, and it is not specially paid for?—No; but if that man were kept up very much it would be made up to him. The other day there was something wrong with the steam early in the morning. The night watchman was afraid there was something wrong. As a matter of fact there was not anything wrong, but the night watchman thought there was, and a warder was up two or three hours over it. I took the responsibility of making that up to him in the way of leave afterwards. There are various necessities where, as governor, strictly speaking, I have no right to do that sort of thing; but we know it would be condoned by the Prison Commissioners if there was any fault.

7971. What was the special work that this officer was subjected to?—He had to go down and rake out the fire and make up the fire again to make the steam all right.

7972. Had he been in charge more than one night a week?—No; it was his turn to sleep in.

7973. As it happened it was work which was special for him on that occasion?—Yes; because he was working from 3 or 4 in the morning until the ordinary time, so that I made up the two hours to him in other ways.

7974. Are the warders who come on duty at 6 in the morning liable to be kept on duty until 8 or 10 in the evening?—Those who sleep in are; at least, the officers who sleep in can go away from a quarter to 4 until a quarter to 6 to get their tea. That is the rule throughout the prison service; but at Gloucester they were allowed 40 minutes. At Leeds they have two hours for their tea.

7975. Then do they come back and stay?—They come back at half-past 6 and stay until 8. Then the night watchman relieves them.

7976. That two hours of duty is supposed to be balanced by the two hours they are away for tea?—Well, in order to get them further fit for their night work.

7977. Are they kept beyond half-past 8?—No; it might be so just at odd times, but not as a rule.

7978. Have you a first-class matron?—I do not know; I believe she is a third-class matron, but I really do not know. I only think that is so because she has just been promoted to be matron; I cannot tell you her class. I think, however, she cannot be a first-class matron, because the matron whom she has replaced has gone away to be a first-class matron.

7979. Then did your last matron or does your present matron go round to all the female prisoners?—Yes, I only go once a week.

7980. As a third-class matron, does she do that?—Whoever is in charge has to do that. I should say she would have to do that whether she was a chief warder or not.

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7981. Whether a third-class matron or a first-class matron?—Yes.

7982. Whichever of them is in charge of the prison at the time performs exactly the same duty?—I think so.

7983. There is a statutory obligation that obliges the responsible matron, or at any rate, some responsible head, to visit all prisoners, male or female, once in a day?—Well, I have always understood it to be so, and that the head of the female department had the same statutory obligation that I have, although I do not think it is laid down.

7984. Do you think that the present relation of the matron to the chief warder, in the absence of the governor, is satisfactory?—Well, I was told that I should probably be asked that question and I asked the matron. She says that she has no feeling whatever that she ought to be, except under the chief warder's orders. I would not say orders, but she feels that he should be there for her to lean upon.

7985. I suppose you have never known a case in which a chief warder had any wish to usurp authority over a matron in the discharge of her special duties?—No; being in charge he would have the power of punishing; the matron would not punish.

7986. Have you any view as to the best and most convenient size for prisons?—Personally, I think my size at Gloucester was about the size. I have had 262 prisoners there. I should think it is as much as a governor can do properly to have 300 male prisoners to look after very well.

7987. You are not a believer in the larger prisons?—No, I am not.

7988. You have not yourself had any experience of larger prisons?—No, I left 505 yesterday morning, men and women.

7989. And you find your hands are quite full enough with that number?—Yes.

7990. When do you think a deputy-governor becomes necessary?—I think that is only a name, because the next in command is your deputy, whether he is a chief warder or a principal warder, or whatever he is.

7991. Well, presumably, a deputy-governor has nigher qualifications for his work than a chief warder has?—If it is a question of chief warder in charge and a higher qualification for being in charge, that is one thing; do you mean in that way, or do you mean whether my second in command should be a man of my own class of life, or a man of the warders' class of life?

7992. Yes?—Well, I have not found the want of it.

7993. Do you think it would be a satisfactory practice to appoint chief warders as warders in charge?—I think it is the most retrograde movement that ever was done.

7994. That you mean is since 1877?—I do not know when it was.

7995. Were chief warders made warders in charge before 1877 in the smaller prisons?—I could not tell you the date.

7996. You say it is retrograde. It is retrograde against what?—I think the tendency of all our official life has been to level up, and though amongst the warder class, and the non-commissioned officer class, I have some men whom I highly esteem and think very highly of; I think there is wanting amongst that class a sort of that delicate sense of honour which, for want of a better word, I will say exists amongst gentlemen. Although they are highly honourable, honest, and straightforward themselves, they would do little things which I may call sharp practice, and I think the tendency of the whole age is that they should be officers who are *sans peur et sans reproche*.

7997. Then you think that the appointing warders in charge from chief warders in prisons of 100 is not satisfactory?—No; I think they should be people of one's own class of life.

7998. You would not debar warders from promotion?—No; but amongst that class I mean you may very often pick out a man who is admirably fitted for it, and I would not debar that man from getting on, but to say that as a rule I think is a great mistake.

7999. Should you be in favour of establishing training schools for prison officials?—No, I think we train them ourselves.

8000. But when a warder is selected he is absolutely immature and ignorant of the duties he has to perform, and yet he has to begin at once?—He is appointed on probation and we teach him.

8001. You do not think it would be desirable to select a couple of prisons and appoint a highly experienced staff whose special duty it should be to receive probationers, train them methodically and scientifically in their duties, and let them work out their probationary period under their eyes so that they might see that they were fully qualified to be established as warders?—No, I think not; I think they are trained very well under the present system.

8002. But do not you find in the present system a great variety of men among warders, in fact all prison officers, some being highly efficient, some less so than others, perhaps, and some perhaps inefficient; but would not you get a higher standard of excellence by passing them through some such school as I have indicated?—It never has occurred to me before. I feel that it is the same as in a regiment; the regiment trains your recruits.

8003. Yes, but you do not send your recruit straight away into the field; he has to go to the depôt and go through some period of severe training before he is selected as fit for service?—I do not know about that.

8004. However you have not thought of that particular point?—No, I have not.

8005. In your experience do you think that the prison discipline and the system of imprisonment produces insanity?—No, I think not.

8006. You are satisfied on that point?—We have never been able to trace any insanity to imprisonment. It is true that in the last week or two there has been a case in my own prison of a man who was sentenced to be flogged at an interval of three months, first 30 lashes and then 20. In the interim he has been removed to an asylum, and the doctor thinks it is very much owing to the fear of the second flogging; but with that exception I do not think the average imprisonment has produced any result of that kind.

8007. Was there any idea that this man was in a dangerous state mentally?—Originally?

8008. No, before the first flogging?—No, he was a man of very bad character; he was a young fellow.

8009. But there had been no suspicion that he was verging on insanity?—No, none whatever.

8010. The attention of the medical officer had not been specially directed to him?—No.

8011. (*Mr. O'Connor.*) How long had he been in?—He was sentenced at the assizes which were held on the 25th of July, and he delayed his first flogging by pretending he had something wrong with his lungs and spitting of blood, which we found was due to a laceration of the inside of the gums. Then he had his 30 lashes, and, speaking without book, I should think it was a month after that that he was put into association.

8012. What was his offence?—Robbery with violence.

8013. He was sentenced by the court?—Yes, by Mr. Justice Grantham.

8014. He was sentenced to 30 lashes?—Yes, and to 20 more in three months. The other three had had their 50.

8015. And in the interval he became insane?—Yes.

8016. Was it a case of violent mania, or what?—No, it was not.

8017. Do you think that the treatment of unconvicted prisoners is satisfactory?—Well, I do not know how it could be made otherwise.

8018. Do you think the diet is sufficient?—The diet is, I think, very meagre.

8019. A man with money can make that good, but a man without money cannot?—Yes. Half of my

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unconvicted prisoners come from Leeds and Bradford, and there are, I should think, 20 dinners come in every Sunday for the unconvicted from Leeds.

8020. But those who have not friends outside with money you think have a very meagre diet?—Yes.

8021. And it lowers them?—I tried at Gloucester to experiment, but I had not been long enough there to produce any results. I weighed two or three men at first, but there was not enough done in that way to generalise them.

8022. Should you be in favour of giving them better diet?—Yes, I think they ought to have better food.

8023. Or any additional privileges, such as smoking?—Well, I do not see why they should smoke. They are allowed to drink, but they are not allowed to smoke.

8024. What Prisoners' Aid Society have you got? One at Leeds and one at Bradford. At Bradford for the Bradford prisoners and at Leeds for the Leeds prisoners.

8025. Do they work satisfactorily?—Well, I think it is very well in its work. I mean the Leeds one.

8026. But the Bradford one?—I have not had so much experience in that, but they had been unfortunate in their agents before I went to Leeds.

8027. Can you suggest any improvement in the way of Prisoners' Aid Societies working in connexion with prisoners?—No; I think they do really admirable work. At Leeds we have a very good male agent and a very good female agent, who visit the gaol every morning and see every male and every female prisoner before they go out.

8028. (*Sir Algernon West.*) Do they visit inside the gaol?—Yes, they come inside.

8029. (*Chairman.*) Under what authority do they come inside?—Mine, that is to see the prisoner just before going out. I do not know of any authority but I suppose there must have been an authority somewhere, I had an authority at Gloucester from the Prison Commissioners.

8030. Do you know of any authority at Leeds. Was it their custom to come and see prisoners before their discharge?—That was a custom there before I went there.

8031. Then there must have been some special arrangement made by the Prison Commissioners?—Possibly. Just before leaving Gloucester I thought there might possibly be a difficulty with my successor a chief warder, and I wrote to Mr. Ruggles-Brise to get authority for the male agent to come in, and also for the female lay agent to come in whenever the matron should apply for her.

8032. Do you find that the visiting justices at Leeds take any interest in the work of the prison?—No, they do not. A board of them come once a quarter and I have asked them many times to come more frequently. Since I have been there they have come three times. Except on the actual quarter day they do not come. At Gloucester we had a visit from them every other week and I think it is very essential to a governor that that should be so. It is a protection to the governor.

8033. Do you suggest any way by which their interest could be increased?—Well, their interest will not increase unless they have more to do with the working of the system and I think it is human nature that it will be so.

8034. Could you suggest any way in which they could have further powers put upon them?—I have not thought it out at all. Various suggestions have been made to me.

8035. Have they ever expressed any views to you on the subject?—No, they have not.

8036. They have not expressed a wish that additional duties and other responsibilities should be put upon them?—No.

8037. (*Sir Algernon West.*) Just in connexion with that, you evidently wish that great interest should be taken by the visiting justices and some more power given them. Would you think it a good thing to have ladies' aid committees to deal with the women's side of your prison?—No, I should not. I think one female agent is quite enough. She talks to the matron, and then any case is brought to my notice.

8038. That is the female visitor of the Prisoners' Aid Society?—Yes.

8039. And she works satisfactorily?—Yes, very.

8040. As to the chaplain system, do not you think it would be very advisable that there should be some change in the preachers at your prisons. I am not asking you a personal question, but from your general experience, do not you think the prisoners get tired of the same chaplain?—I think if a five years' change, or something of that sort, could be made it would be a very good thing.

8041. There was a warder, I think, when I was at Leeds by the name of Greaves who had been, before the taking over by the Government of these prisons, a skilled instructor. He had additional payment for being a skilled instructor. Do you know anything about that?—I could not say without referring, but that used to be the case under the old local authority that there were trade instructors who were specially paid. But trade instructors are not paid now, and I do not think he can have been reduced in his salary.

8042. No, I do not go to that extent; but do you think it was a good system which gave some extra additional payment to warders who were really skilled and able to instruct?—Yes, I think you would get a better class of skilled instructors.

8043. You think skilled instructors are more valuable?—Yes.

8044. Do you think it would be advisable that by way of encouraging good conduct amongst prisoners they should be allowed to earn some small wage?—They do earn a gratuity now.

8045. Apart from that gratuity, do you think that they should earn some small wage for good work done. I am talking of a small wage, but one which they might spend on additional comforts or luxuries you would call them?—The well-conducted man is different from a woman. The well-conducted man has a benefit.

8046. But that is different from a wage. What I gather you mean by a benefit is that, for instance, he has a plank bed, and a well-conducted man ceases the use of that plank bed?—Yes, he has a mattress.

8047. You would hardly call that an inducement. It is a cessation of punishment, not a gift by way of any encouragement?—No.

8048. And the woman has not even that inducement?—No.

8049. Because she has never had a plank bed?—She has a mattress. You never take the mattress away from her.

8050. Then would you be willing to allow women to earn some small wage?—Yes, but the per-centage of women who earn marks is something ridiculously small.

8051. Is that because they have very short sentences?—Of the women who were sentenced during this last year, 1893-94, there are 92·27 per cent. of them who have one month's sentence and less; so that leaves you only with 7·73 who earn marks.

8052. I quite see that, but the principle would be the same?—Yes.

8053. And you would not object?—I think a bird in the hand is worth two in the bush. Very often I think if there could be some encouragement then and there it would be a good thing, and something that you could take away.

8054. (*Mr. De Rutzen.*) I think I heard you say that you thought an increase of power to the governor would be a good thing?—Yes.

8055. Then I heard you say that you gave three hours extra leave to a man which you had no power to do, but that you did it, and you were quite sure you would be condoned by the Commissioners?—Yes.

8056. Do I understand by that that there is that sort of going back, that things of that description

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may be done by the governor, but that they are not done?—Well, they are not authorised to be done.

5057. But I mean as a general matter of fact?—I do not think that individually the Commissioners would find any fault with me for what I did.

8058. But if you did exceed the letter of the law they would not take the smallest notice of it?—I think they would condone it. I have never been found fault with yet.

8059. Could you suggest any single thing in which the governor's power should be increased?—I do not know that I can just now off-hand.

8060. You know what days the visiting committee are coming, I suppose, or do they come when they please and without giving notice?—At Leeds they always give me notice. At Gloucester I very often used to write and ask them to fix a day. I used to remind them of it. There were three visitors and they had alternate weeks. I used to write to the gentleman whose turn it was and say "Please remember next week is your time to come," and perhaps they would inform me when they were coming, and perhaps not.

8061. Then you look upon them as a great reliance to lean upon, do you not?—Yes, they were great friends at Gloucester.

8062. And they have very great powers. They kept a regular book of minutes?—Yes, they kept a book of minutes, but I do not think they had any power except to punish.

8063. But they have power to report anything to the Secretary of State?—Yes.

8064. If they found anything wrong of any sort or description, they would have power to report it to the Secretary of State?—Yes.

8065. And are therefore really, in a sense, inspectors of prisons in that sense, that if they saw anything wrong which they could find fault with they could immediately, quite apart from the commissioners, report direct to the Secretary of State?—Yes, and they do.

8066. They are independent of the commissioners?—Yes.

8067. (*Miss Orme.*) When you were at Gloucester some of the female prisoners used to do washing for the outside public, did not they?—Yes; we earned about 240*l.* a year.

8068. You do not do that at Leeds?—No.

8069. Have you any reason for that?—We have as much as we can do for the 500 prisoners.

8070. The prison washing?—Yes.

8071. So that it is not from want of custom but from want of labour that you do not do it?—Yes, from want of labour. The washing for prisoners who continually change as ours do, our prison population changing 11 times in the course of a year, gives a great deal of washing to be done.

8072. I notice that you employ some women in needlework and knitting?—Yes, on repairs.

8073. How many women do you have brought into the prison in one day? What is about the largest number?—14 or 15, with an average of four or five.

8074. Then you have ample accommodation in the reception ward, I suppose?—Yes.

8075. Have you a separate cell for each woman?—Yes.

8076. I mean, when she is brought in, in the reception ward?—Yes.

8077. Have you also boxes in which they are put before they have the bath? Have you seen those used in prison?—No.

8078. In some prisons they have a box into which the prisoner is put when she first comes in, and then after having a bath she is put into a clean cell?—No.

8079. What is your method?—They are received and put in their reception cell.

8080. In the separate cell?—Yes.

8081. That is when they still have on their own clothes?—Yes.

8082. Then after they have had a disinfecting bath they go back to that same cell?—I could not be sure of that.

8083. Your matron would know that probably?—Yes.

8084. You were telling us about the hours of the warders. In the case of the female side of the prison the night watchman would not be the one to answer the bell?—No.

8085 The warder in charge does it?—Yes.

8086. You do not call it night work; that partial work of being liable to be awoke by a bell does not count as part of her work?—No.

8087. She has that extra?—Yes, all the female warders sleep in every night.

8088. And they take it in turn to answer the bells?—Yes.

8089. And that is not counted in their regular work, but they have their 10 hours besides?—Yes.

8090. What is the latest hour you think your matron and the reception warders would be kept up when there is a heavy reception?—Never after 10 o'clock.

8091. You never get a late delivery?—No. I am not allowed to open the prison gate after 10 o'clock.

8092. But supposing one came in at 10, how long would you think the matron and warder would be kept before she was finally put away in her cell?—The Leeds prisoners come up in bulk about 5 or 6 in the afternoon.

8093. So that it is very rare to have late hours for the warders?—Yes.

8094. You gave us the very large per-centage you have of short sentences amongst the women?—That is not mine, that is the Commissioners' report.

8095. I presume you have a very large proportion?—About the same.

8096. Supposing some arrangement were made by which habitual drunkards were treated in a separate prison or a separate part of the prison with a distinct staff you would have very few prisoners left under the supervision of the matron?—25 per cent. of them are drunkards and 30·58 of the women.

8097. Supposing these were being treated in a separate prison the matron would have much fewer ordinary prisoners under her charge of course. Do you think that it would be a great advantage from the point of view of a reformative system that the matron should be able to study each case and that she should have very few to look after and that she should be able to devote her time to the study of those ordinary prisoners apart from the habitual drunkards?—To exercise a reformative element over them?

8098. Yes?—I doubt it very much.

8099. You do not think if she studied every particular case and studied the sort of work to give her that it would have an appreciable effect. I am speaking of the ordinary prisoners, not of drunkards?—They must have the same class of work. I do not see what other work they could do.

8100. Do you think any greater care can be exercised in choosing work according to whether a woman will have to earn her living when she leaves the prison, or whether she will return to the ordinary domestic duties of her family?—I cannot see how it can be done; there are only just two or three classes of work that we have.

8101. (*Mr. O'Connor.*) You have of males and females over 500 in the prison, I think?—It was 505 yesterday.

8102. Your second officer in command is what?—He should be a chief warder, but, as a matter of fact, I have not got one at the present moment. I have a principal warder.

8103. You spend all your time at the prison, you are always there?—Yes, a good part of the day; from half-past 6 in the morning on and off till 6 at night.

8104. As a matter of fact, you pass the official day there?—Yes.

8105. And you have got plenty to do?—Yes.

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8106. If you had a larger number I suppose you would consider it necessary to have some further assistance in the way of deputy-governors or warders?—Yes.

8107. Do you notice that the population which goes into your prison is, from a physical or mental point of view, rather below the average of the general population?—I should say so.

8108. In point of health it is rather lower?—Yes.

8109. Requiring rather more medical care than an equal number of the outside public would?—I do not know that it is so physically so much as mentally.

8110. In any way?—Yes.

8111. Have you a medical officer at all at Leeds?—A resident?

8112. Yes?—No.

8113. So far do you think your staff is satisfactory?—Yes.

8114. To that extent, then, would you say your medical staff is satisfactory or not satisfactory?—Yes, I think it is satisfactory.

8115. You think it is a satisfactory thing to have no resident medical officer?—Well, if he spends the greater part of his day there that is sufficient.

8116. Is it true that complaints have been made by the prisoners at Leeds that they have not had adequate medical attendance?—I have not heard of it.

8117. You have never known of cases where a man has asked to see the doctor and the doctor has not been on the premises?—Yes, they have sent for the doctor frequently.

8118. You are not prepared to say that in Leeds people have not complained that there was no medical officer, that he was a medical man in considerable practice in the town that he had not time to give to the prisoners, and that they had not proper medical attendance?—No.

8119. At any rate you have no resident medical officer?—Yes, that is so.

8120. The man who was medical officer is dead?—Yes.

8121. He was a man in considerable practice, was he not?—I could not tell you that.

8122. But he was in general practice outside?—Yes; he told me one day he had 30 persons to go and see after he left the prison.

8123. Thirty private patients to see in a single day?—Yes.

8124. And that practice of 30 private patients was supplemented by such attendance as he could give to the prison?—He had to be at the prison for certain hours of the day.

8125. But he was not there altogether?—No.

8126. Is your staff of warders sufficient?—I do not think so.

8127. Then not only in point of medical attendance but in point of warder staff you think something might be done to improve the condition of things at Leeds?—Yes.

8128. Your staff is practically starved at present?—Yes, we can do very little with it.

8129. Of your warders are some military and some civilians?—Yes.

8130. If you were to draw any distinction between them, which would you prefer apart from your military proclivities?—Well, all the senior warders I have had to do with in 20 years have not been military men, and I think very highly of them.

8131. Some of them I suppose would be fit to be chief warders in charge of a small prison?—They would like it.

8132. I suppose that here and there you find men in the prison service who are governors of prisons who have themselves been warders, and who are admirable governors?—I believe so.

8133. I suppose if a man makes an admirable governor at a large prison he would be fit to be a chief warder in a small prison?—Yes.

8134. Now about the schoolmasters. What schoolmasters' staff have you?—One.

8135. Is he a warder also?—Yes.

8136. As a warder his hours are from 6 until 6?—Yes.

8137. But as a schoolmaster under the regulations his hours are only from 8 to 6?—But he does a great deal of warder's duty.

8138. That is to say, you use the man as a schoolmaster under regulations which prescribe that the schoolmaster's hours shall be only from 8 to 6, and you make him not only a schoolmaster but also a warder, and you give him extra hours besides?—I think the position is that he is a warder acting as schoolmaster.

8139. But if he was not a warder and only a schoolmaster he would have less hours to work?—Yes.

8140. But being a warder besides being a schoolmaster he has actually longer hours?—Yes.

8141. As to the case of flogging which you told us about. I think it was a case of a sentence by Mr. Justice Grantham. That was in open court, was it not?—Yes.

8142. The prospect of a second flogging appears to have had at any rate a very serious effect on one of the prisoners sentenced. He is alleged to have become insane partly from dread of a repetition of his first experience. It is a very serious thing to sentence a man to flogging?—I think so.

8143. The Visiting Committee can sentence a prisoner to flogging, cannot they?—Yes, two members can.

8144. (*Chairman.*) How many lashes can they give?—I do not think there is any limit. The statute says "personal correction."

8145. (*Mr. O'Connor.*) And after having prescribed one flogging, on another visitation they can prescribe flogging again for the same man?—Yes.

8146. When the Visiting Committee comes who conducts the prosecution before them?—I suppose the governor would.

8147. Did it ever strike you that seeing the governor in charge of the place who has the man actually under his control is the prosecutor, the Visiting Committee are only a couple of justices who have the power of giving, I will not say unlimited flogging, but of giving very considerable flogging to a man over and over again, did it ever occur to you that it might be a good thing to allow publicity to the trial by the visiting justices?—For prison offences do you mean?

8148. Yes, for such offences as may entail corporal punishment?—There is no doubt publicity is a good thing.

8149. I can quite understand from a governor's point of view it would be rather a nuisance?—Oh dear no; I do everything I possibly can to stop flogging.

8150. I mean the introduction of reporters?—Oh, I should not mind that; you know there are offences as to which after an application to the Home Secretary the Visiting Committee can primarily deal with them in the prison where reporters are admitted. Supposing a man commits an offence just before going out, and the Visiting Committee think the man should be sent before the court, the evidence is taken and sent to the Home Secretary, who decides whether or not a prosecution is to be instituted. That would be in open court.

8151. But the fact is that a man under the charge of the governor can be brought up before a couple of justices coming from the outside, and there in the quiet of the prison on the prosecution of the chief governor of the gaol a man can be sentenced over and over again to flogging?—Yes.

8152. (*Sir J. E. Dorington.*) How many cases of flogging have you known in prison?—For prison offences?

8153. Yes?—Four in Gloucester.

8154. And in Leeds?—None at present.

8155. So that this question of the powers of justices to flog is not a very important one, as in 20 years you have had only four cases?—There were three last year, as Mr. O'Connor points out.

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8156. That is at Leeds?—But I was not there.

8157. This has been in force for 20 years, but you have been at Leeds only six months. Your treadmill at Leeds is a productive machine?—Yes, we grind corn with it.

8158. Your treadmill at Gloucester was as unproductive machine?—It pumped water just to clean out the sewers.

8159. Do you think it had any important effect on the mind of prisoner engaged in grinding corn?—No.

8160. I suppose being on the treadmil they hardly realise what they are doing?—No, I think a great many of them do not know.

8161. What was the effect on your prison at Gloucester of the change of administration; was there any marked distinction in consequence?—We lost all our productive labour.

8162. Was not that in consequence of the diminution of the prisoners?—Well, I think it was partly that. We had to give up the weaving and the mat-making, and we had a large trade in tin-smith's work, such as making cans, and so on; and then we did the washing and printing.

8163. On the change in 1878 were they stopped immediately?—No, they gradually died out. The washing died out. I think it was because the rate paid was rather less than the rate supposed to be paid outside, and gradually the prison industry dropped off.

8164. Why was the tin-pot making done away with? Was it for want of prisoners?—Partly from that and want of some one to look after the men.

8165. And mat-making?—The mat-making and weaving I had no special instructor for. That gradually fell off, and we had to stop the mat-making.

8166. Was that in consequence of the falling off in the number of prisoners or by the orders of the commissioners?—Mat-making was by the orders of the commissioners.

8167. In point of treatment of prisoners and discipline what changes took place?—I do not think much.

8168. The prisoners went on practically the same?—I think so.

8169. And instead of being controlled by the Visiting Committee you are controlled by the inspectors?—And by the commissioners; the inspectors only see that the commissioners' orders are carried out; I have never looked upon the inspector as having control over me.

8170. He can give no orders?—No.

8171. The Visiting Committee did give you orders?—Yes; I was the servant of the Visiting Committee the same as I am the servant of the Government now.

8172. Then you became the servant of the Commissioners who very rarely see you?—Once a year.

8173. And they use the inspector as their eyes?—Yes, he goes to see that their orders are carried out.

8174. Do you think such remote inspection by the commissioners as an inspector coming once a month is as effective a way of managing a gaol as a Visiting Committee coming frequently?—No, I do not think it is.

8175. You were rather intimating that you wished to be more in touch with what I may call "your masters"?—No, I think the Visiting Committee are a great help to a governor. I think he can talk about various prisoners, and they are also a protection to him, because a prisoner may bring a charge of cruelty or anything of that sort against me and I have no protection, whereas if a Visiting Committee comes once every alternate week every man has the power of complaining to them.

8176. But that Visiting Committee does act as a protection to you, does it not?—At Gloucester it did, but they have not come so often at Leeds.

8177. There they are deficient in the performance of their duty; at least they do not come so often as at Gloucester?—I suppose they are gentlemen engaged in business who cannot come so much as the justices in the county.

8178. You would rather like, I gather, to restore the prison industries that formerly existed?—Yes; but then I am not a fair person to ask that, perhaps.

8179. Would it be possible to associate the Visiting Committee more than is done at present with the management of a prison as the agent of the Commissioners?—I should think it would be advisable.

8180. What powers beyond those they now exercise would you give to them so as to restore their interest?—A great many have been suggested; amongst them the appointment of warders, and so on.

8181. Do you think that is a matter which would interest them very much?—I do not know whether it would give the Visiting Committee any more interest.

8182. Would it be possible to associate them more with the reception and discharge of prisoners; that is to say, that they should see all prisoners on reception?—I do not think that would be possible.

8183. Or within a few days?—Well if they came every other week, you see, they would see every man with more than a seven days' sentence.

8184. They might have them brought before them?—Yes.

8185. I suppose in the old days the prisoners were reported?—No; the visitors used to see them in the same way.

8186. And the Visiting Committee were not placed essentially then in a different position from what they are now?—No; of course they had the control of the expenditure.

8187. That would be impracticable now; you could not in any way associate them with the expenditure?—I should think not.

8188. You say you are under-staffed now; was that your experience at Gloucester as well as at Leeds?—Yes.

8189. Did you often have temporary warders in at Gloucester?—We are only allowed to have them on special occasions, such as for assizes, sessions, and things of that sort, and for men under medical observation, and so on.

8190. If you have men in hospital under observation you are obliged to get a temporary warder?—Yes.

8191. Is that of frequent occurrence?—It must be when there are unconvicted men who are at all off the balance of their minds.

8192. But you have no staff sufficient to deal with a case of that sort?—No. I think it was Sir William Harcourt's order that any man who was unconvicted, if the doctor thought he was not mentally fit, should be always under the superintendence of a temporary officer.

8193. Or a permanent officer if you had one, I suppose?—We always have to employ a temporary officer for that purpose; he is relieved by the permanent man at times.

8194. Is it desirable to get temporary warders?—I do not like it.

8195. How do you get your temporary warders?—In fact the other warders generally know someone who is out of work.

8196. So that anybody who is out of work is brought in as a temporary warder?—Yes, but they are not a very great help.

8197. At the assizes at Gloucester were these the men you sent into court?—Sometimes; you would use a temporary officer in the prison.

8198. And send the permanent officer to the court?—Yes.

8199. At Leeds have you any temporary officers now?—Yes, continually.

8200. I mean yesterday had you any temporary officers?—I have got one now who is always employed at Leeds because we are doing extensive drainage work.

8201. You have one temporary warder who has been constantly on?—Yes, for a couple of years I should think.

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8202. Have you had in four or five on any occasions during the last six months?—Yes, always at assizes and sessions.

8203. At the last assizes?—Yes, at every assizes and every quarter sessions.

8204. Are they obtained in the same manner?—One or two of them are; generally they are persons who are known to the others. It is always difficult to get them.

8205. In your opinion would it be possible to maintain a larger prison staff, so that casualties of that kind might be avoided?—I think it is only a question of expense; the theory is that there should be one disciplined officer for every 20 prisoners.

8206. That is 5 per cent.?—There is always one officer away one whole year for 26 fortnights in the year, so that, though on paper and in theory you have got 5 per cent., you have only got 4.

8207. And that necessitates his constant employment?—We are not allowed now to have temporary employment; last year we were, but that has been stopped recently.

8208. So that the staff has been rather reduced lately?—Yes, within the last 12 months.

8209. There has been no regulation increasing your staff so as to avoid the employment of temporary warders?—I believe the three officers have been increased at Leeds, but what they did without those three I do not know.

8210. I believe you have paid a good deal of attention to criminal statistics?—Well, I have some here.

8211. You have a large number of re-convicted prisoners in Leeds, and the statistics show there are a large number of them. Do you think the number of re-convicted prisoners is increasing?—I do not know that it is; years ago at Gloucester I used to think that 25 per cent. of the men and 30 per cent. of the women were recidivists. On the 14th of November there were in my prison 346 men and 97 women. Of those, 231 men had been re-convicted 412 times, and 61 women had been re-convicted 121 times.

8212. You do not know whether that is any growth in the re-convictions, whether there are more re-convictions than there used to be a few years ago?—Yes, I think so.

8213. You think there are really more?—Yes.

8214. The prison population has largely diminished?—Very much.

8215. The offences for which people go to prison have not increased?—No, the committals have gone up.

8216. So that the cause of the diminution of the prison population is a shortening of sentences?—Yes.

8217. You have sent me a diagram which shows a constantly diminishing length of sentences from 1880 to 1894?—Yes.

8218. The length of sentences diminished from an average of 48 days to an average of 34 days?—That is so.

8219. The same table shows a rise of previous convictions corresponding rather to the diminution of sentences?—The per-centage of previous convictions is now going up.

8220. It went up pretty steadily until 1891?—Yes.

8221. Then according to this it fell in 1892, it ascended a little in 1893, and in 1894 it went right up to the highest mark ever reached?—Yes.

8222. This is the sentences after previous convictions?—The committals. There is a difference in the police court where a man does not come to prison but is treated as a first offender and fined, and not sent to prison.

8223. So that notwithstanding the First Offenders Act has reduced the number of persons who are committed, the amount of committals increases?—It is increasing now.

8224. This is for the whole country?—Yes, this is taken from the Prison Commissioners' Reports from 1884 to 1894.

8225. The per-centage of first re-committals to committals is very steady?—It is very steady I think.

8226. Which looks as if the sentence on first convictions were quite as adequate as they used to be, that is to say, that you get no more re-committals now on first convictions that you did a good many years ago?—No, I have only got the returns from 1884, I have only got them for 11 years, and the second committals as compared with the first committals have been pretty much the same.

8227. But when you get to second committals and more, there is a very considerable increase?—Of previous committals, yes.

8228. And that pretty well coincides with the constantly diminishing amount of sentence?—If one goes down the other goes up.

8229. Yes that corresponds. As the first re-committals to committals are pretty steady the increase must be due to re-convictions of persons who have been more than twice convicted?—Yes, I think so.

8230. Your impression then will be that the sentences after persons have been more than once or more than twice convicted are rather inadequate and that it increases the number of committals to prison, and that it also increases the quantity of crime?—A great many of them are for drunkenness and you have not power to give a longer sentence than a month for that.

8231. As regards serious crime you have not tried to divide that?—I have divided it into three heads.

8232. For Leeds, and not for other places?—Only for Leeds; I have no knowledge of anywhere else.

8233. For drunkenness at Leeds it is 21·76 per cent.?—Yes, of both sexes. That re-committal for drunkenness does not mean that the first committal was for the same offence. In that total of re-committals I do not know that the first offence was drunkenness, but the re-committal was for drunkenness. The first may have been for something else, but I do not know that.

8234. There is no such diagram as this in the Prison Commissioners' Report?—I do not think so.

8235. That is your own preparation?—That is my own preparation.

8236. Perhaps you will put this in?—Yes. (*The document was handed in, see Appendix III.*)

8237. This table shows that, of the prisoners in the whole country, 96·22 have sentences of three months and less?—Yes, that is the Commissioners' report.

8238. So that only 3·78 have sentences of more than three months?—That is compiled from Appendix No. 7 of the Commissioners' last report, page 55.

8239. Of that 96·22 per cent., 86·82 per cent. have one month and less, 64·69 have 14 days and less, and 38·90 have one week and less?—Yes.

8240. So that the great amount of our prisoners have less than 14 days?—It is two-thirds; it is two out of three.

8241. What is your opinion with regard to cumulative sentences? Bearing these figures in mind, are you of opinion that some different kind of sentences would be advantageous to prisoners who had been frequently convicted?—That is what I was led to believe at Gloucester.

8242. Is it your opinion?—Yes.

8243. We waste a good deal of judicial strength in sending back to prison for short sentences persons who are determined to commit some sort of offence?—I do not think they are determined to commit it, because I think the habitual drunkard can scarcely help himself, and I do not think persons mean to commit crime when they come out; I do not think they mean to go back to crime, speaking, at all events, of a great many of them.

8244. Apart from the convictions for drunkenness, are there a great many people who are convicted of larcenies and what you have classed as offences which are re-convictions?—Yes, about 40 per cent. of each.

8245. And you would rather wish to see some different treatment with regard to those cases of re-convictions?—Yes.

8246. (*Chairman.*) How many weak-minded prisoners have you on an average at Leeds?—Who require supervision?

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8247. Yes?—Those are only unconvicted persons who have to be specially looked after and have a special attendant, and it is very rare that there is a temporary officer employed.

8248. Have not you any prisoners who have to be associated because they are epileptic or weak-minded?—Very rarely.

8249. (*Sir J. E. Dorington.*) With regard to the distribution of the Government grant for prisoners' aid, does the Prisoners' Aid Society get the whole sum certified by the Government or such sum as you certify in a lump sum, or do you certify in respect of each prisoner that he is to have a certain sum out of the Government grant?—The course is this: I report to the Discharged Prisoners' Aid Society any prisoner whom I think is deserving of help from the society, and at the end of the quarter that money is drawn in a lump from the Prison Commissioners, provided it does not exceed the quota dedicated to Leeds.

8250. You do not, then, certify for the particular sum in the case of each particular prisoner?—I have to certify to the Discharged Prisoners' Aid Society that I recommend a certain amount or that certain help should be given.

8251. You, in fact, do certify a particular amount in the case of each particular prisoner?—Yes, I think that is certainly where the Visiting Committee would come in very helpful. At Gloucester the Visiting Committee and the Prisoners' Aid Society were the same.

8252. There was no grant at Gloucester?—Yes, that is so.

8253. You administered the charity fund?—Yes.

8254. At Leeds you administer the Government money?—Yes.

8255. And you certify in each case what you think is a fitting sum for the prisoners?—Yes, that is where I think the Visiting Committee could come in very well to help the governor as regards people who had more than six months, and who could earn more gratuity.

The witness withdrew.

Barker (Salvation Army).

Colonel BARKER (Salvation Army), called and examined.

Major LAMB (Salvation Army), was asked to attend the Committee during the witness's examination.

8256. (*Chairman.*) Colonel Barker, you are an officer of the Salvation Army?—Yes.

8257. How long have you been so?—For 14 years.

8258. And Major Lamb is also an officer in the Salvation Army?—Yes.

8259. What is your official duty?—I act as secretary for the social operations of the Army in the Darkest England scheme.

8260. I think you did some work in Australia in connexion with prisons?—We commenced our prison gate work in 1883 in the Colony of Victoria. In our general Salvation Army work we found that men and women were discharged from prison without character, and by reason of their imprisonment had become estranged from their friends, and were unable to find work, so that they were driven back into crime, and in order to bridge the gulf made, we commenced to meet prisoners on their discharge at the gates of the prison and take them into a home. The work was most successful, and our results were most gratifying. We were compelled to extend this prison gate work to New South Wales, Queensland, South Australia, and New Zealand. I might say that I have letters from most Governments of the Southern Continent speaking of this branch of the Army's work. I think if you would not mind just looking through one, that it would be similar to the whole of them.

8261. I think I have seen the letters before, but no doubt the Committee will take it your work has been generally satisfactory?—In all these colonies the work is most satisfactory, indeed so satisfactory were the results that our influence amongst the discharged prisoners was considered so beneficial to the individual and helpful to the State that the Government of Victoria granted permission for us to hold meetings in the large prisons in the colony. Notices were posted in the various jails in the colony informing prisoners that if they desired it the Salvation Army officer could interview them previous to their discharge, and arrange to take them to a home on their release. A copy of the notice was hung in the Victoria gaols. The prisoners were informed that an officer of the prison gate branch had been authorised to see prisoners on the day before their discharge with a view to assisting them to improve their lives, and any prisoner desiring to see the brigade officer might give their names to the governor.

8262. Then the Government made you a grant, I think?—Yes, in the year 1887, in addition to giving us permission to interview prisoners and hold meetings once a week, the Government of Victoria made us a grant of 1,000*l.*

8263. 1,000*l.* per annum?—Yes.

8264. Do you still get that?—I believe we still receive 1,000*l.* for the Prison Gate Brigade. We have children under the "Neglected Children's Act." They are sent to us instead of being sent to a reformatory. They are placed under our care. This is what is known in section 28 in the "Neglected Children's Act" as "transfer of guardianship." For that the Government pay so much per head. Then the Corporation of the City of Melbourne pay 100*l.* a year for the Salvation Army officer to attend the lock-up, and interview people previous to their coming into court.

8265. May I ask if there are prisoners' aid societies in those colonies?—Yes.

8266. Did they have similar advantages?—No, we were the first, I believe, that were recognised in this particular way. After being met at the gaol gate a discharged prisoner is received into a home where a brief statement of his career is obtained from him and entered into the records of the home. He is seen by the officer in charge of the home and sent on to the workshop to such departments as he is most suited for. The intention of the home is to either get the discharged prisoner reconciled to his friends, or to obtain a situation for him, or to give him an opportunity of looking after a situation for himself. No wages are paid to the men, food and lodging being provided in return for willing labour, but small cash grants, say, from 6*d.* to 5*s.* per week, are given to worthy men to encourage them. Religious meetings are held in the homes every evening, and twice on Sunday. The idea is home life. Our experience proves that this is most efficacious. To prove this, I may say that the Queensland Government have just doubled their grant to the prison gate work by this last mail. I have had the privilege, I suppose, of meeting almost every leading Government official in the colonies; and being a representative of the Charity Organisation Society I suppose we have had thousands of this kind of men and women brought under our notice, and many are to-day respectable members of society.

8267. What is the size of these prisons in Australia?—Well, in the large stockade at Pentridge, near Melbourne, Victoria, it is 700 or 800, and they have, I believe, just built a new prison for juvenile offenders and a special prison for women.

8268. Then they are all rather large prisons?—We call them "stockades;" you call them "convict establishments" here. These men are sentenced to convict establishments or stockades on sentences of from three years and upwards. Before you go on to the juvenile offenders I would like to say that with regard to the criminals themselves the men in the prisons, from my own personal experience and the experience of the officers in the Salvation Army, is this—that if a man in Victoria receives a sentence of three years there is a month out of each year right straight off in what we call a model prison. Now I have known prisoners when they have been in the model prison who have been brought under religious influence by the chaplain and by other good people; and they have really felt their condition and their position; but when they have come out of the model prison and have been drafted into the labour yard or the factory, they have become associated with hardened criminals, and the result has been that the young men have been influenced by hardened criminals, and arrangements have been made by them to take messages (if not written) verbally, and they have got perhaps a young man who has received his first sentence of perhaps two or three years, as the case may be, and who comes out and takes a message to a low quarter of the city, so that he is at once known. Perhaps he has been followed by others, and thus he gets contaminated and finds his way back to prison.

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8269. What is the nature of this model prison, is it specially organised?—Yes.

8270. It does not answer to the local prison?—No, it is different altogether.

8271. What is the object of it?—The prisoner, I think, gets 22 or 23 hours out of the 24 in isolation, and most of the work is done in the cells. They lose their identity.

8272. It is a mere solitary system?—They do not call it solitary. It is called a model prison. It is more severe. I have a letter from Chief Justice Higinbotham. Previous to leaving the colonies I had a long talk with him on this very point, because we felt that apart from our organisation for the moment we were grappling with a very important problem, and we wanted to do what was right for the man and right for society. That was his letter to me previous to my leaving. (*Letter handed in. See Appendix V.*)

8273. Were the prisoners who were sent to the model prison convicts?—They were all, for over 12 months.

8274. Do you know Wandsworth?—I cannot say that I know it, but since I have been back I have wanted to thoroughly visit the prisons in England, because I wanted to have laid before you my own convictions upon them. I was deputed to visit the training ships and other institutions for juvenile offenders in New South Wales and report on them.

8275. (*Sir J. E. Dorington.*) Do you know any of our prisons inside?—I have been in one or two, I was at Gloucester the other day and I have been in Pentonville and others.

8276. Is the model prison like Pentonville or Gloucester. Is it not more like Holloway where there are large sections and cells. There is section A., section B. and section C. and you go as the case may be into section A. and you are there for your three months. The treatment of the prisoners in there would would be much the same as in section B.?—Yes, what I maintain is this, would not it be possible for them to distribute the special treatment so as to have a month in the commencement and a month in the centre and a month in the last portion before their discharge.

8277. (*Chairman.*) Of course that is the Australian system and it is a little difficult to follow it?—Yes, I only give it to you as I knew it. I only wish I was better able to speak of the prisons in England.

8278. (*Sir Algernon West.*) How long have you been back?—About four years. There we adopted the system I have mentioned as I suppose you do the same here; the labour in the prisons is non-productive.

8279. (*Chairman.*) I will come to that presently, but I want to ask you first about communications with the prisoners before discharge. I understand from communications I have officially had from you that you would be very glad to get the same treatment in England that you got in Australia with regard to prisoners before their discharge?—Yes, I put that before the Commissioners and through Sir Henry Lock, who knew me personally, and offered to show the Prison Commissioners that we are not prompted by any pecuniary or sensational motive in our desire to visit the prisons, but that we had a desire to benefit them, and that we felt very keenly on not being allowed the same privileges as we enjoyed in Australia.

8280. What are your means of access now?—None whatever. We were recently allowed to go to the gate and just inside the gate, but that privilege has been withdrawn within the last fortnight, I am very sorry to say.

8281. Then you are not allowed to go inside the gate?—We had a letter from Mr. Asquith which placed us on an equality with other prison organisations and other agencies doing prison gate work. (*Major Lamb.*) That privilege has been withdrawn, but instead of levelling us up to the St. Giles Mission, the St. Giles Mission has been levelled down to where we were. (*Colonel Barker.*) There is another letter from Judge Molesworth and from the governor from a large stockade. That is from the Department of Justice of New South Wales. That is ocular demonstration that we have been recognised in the colonies, and if we could be recognised there as having done practical work we want the same chance of gaining recognition here.

8282. (*Sir Algernon West.*) Were you conducting the same work there as here?—I might say that I came home on the invitation of the General on purpose to inaugurate a similar work here to that which was started in Victoria, as I shall show you presently. I should also tell you that I believe the Indian Government wrote over to the Government of Victoria, the South African Government wrote also, the Canadian Government and other Governments have written to Victoria, and said, "Now give us the exact position "of the Salvation Army prison gate and social "operations." I am very glad to say that we have come up to their expectations, and that nearly all through the southern continent we have access to the prisons. Since I have been back here we have received 1,200 prisoners, and when I say "received them" it is not merely giving them a breakfast and just talking to them. I have here a man with 15 convictions. He is what we know as a local prison man. He came out of prison. What was before him? He attempted his own life in the prison; he came before the Recorder at Exeter and the Recorder said, "Now how "is it you are constantly in trouble; have you never "had a chance?" He said, "Well, if your honour "will believe a prisoner I have never had a square "chance." The Recorder said, "Then I will give "you a chance"; and he passed a nominal sentence upon him. We communicated with the Recorder and the late Home Secretary, Mr. Matthews, and the result was that the sentence was remitted, that the man was sent to us and he is now a most expert fellow at his business. He is here to-day. Now this happened over three years ago and he is here to-day for the Committee to see. He is well known and moves in good society.

8283. What does he work at?—He is now an officer holding a responsible position in the Salvation Army.

The proceedings were adjourned until to-morrow, Friday, 30th November, at 11.30 o'clock.

SIXTEENTH DAY.

Home Office, Whitehall.

Friday, 30th November 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Secretary.

Col. Barker (Salvation Army).

30 Nov. 1894.

Colonel BARKER (Salvation Army) re-called and further examined.

Major LAMB (Salvation Army) was again in attendance during the examination.

8284. (*Chairman.*) I understand that you do not wish to have any superior advantages as against other Prisoners' Aid Societies?—Certainly not, but we want to be placed on an equality with other agencies. We should very much like to feel that neither we nor other agencies that were doing prison work were handicapped in that respect.

8285. Do you think that there is much danger of doing harm to the prisoners from encouraging them to think that there is competition for them?—None whatever from my own personal experience. As you know, I have had some experience in and out of all the large prisons of the southern continent, and from that experience I am able to say there is none whatever. We deal practically with the men. It does not matter to us what agency does the work, but let it be done thoroughly and well.

8286. It would be necessary, you would probably agree, to take measures to prevent unscrupulous prisoners from taking advantage of different societies?—Clearly so.

8287. That would mean that there should be intercommunication between the different societies, so that they should know what prisoners had been assisted and in what way?—The Penal Department in Victoria supply us with a monthly list, that is to say, a list goes to the detective office, and a list of the long-sentenced men comes to us, and any of those men have the option of seeing us. In addition to seeing them at the gate long-sentence men are brought to the detective office, and we take them direct from there.

8288. Then I think you said there were other societies?—Yes.

8289. They have access to that list also?—Yes.

8290. Do they know of the action you, for instance, would have taken with respect to a particular prisoner?—I could not tell you that.

8291. Was there anything to prevent a prisoner that you had helped first and who had left you and gone back to crime, from going to another society?—We were in communication with each other.

8292. You think that really would be necessary?—Yes, I think so. For instance, the Royal Prisoners' Aid Society here in London have on several occasions sent to us men and we have dealt with the men. We have had the men through the Royal Prisoners' Aid Society. I think I am right in saying there are very few prisoners homes in England at the present moment. There are a number of agencies, but as I was speaking to a gentleman the other week whose name is well known in connexion with prisons, he said, "Where your institution is, if I might use that "word, superior to others, is because you take them "direct to the home and you do not leave them until "you feel satisfied that they are going to do right, "and you can put them into a situation." Supposing we have got 20 men in our home to-day and we had got situations we could send each of them to in various parts of the country we can have at our command 3,000 auxiliaries, that is right round Great Britain, and we can command our officers situated in the various parts of England. We can write to them and say, "John Jones is going to arrive by such a train. "He is going to be employed at the Barrow Iron "Works. We want you to look him up and show "him that you are his friends." Of course it is the same in meeting prisoners in various parts of the country.

8293. Do you feel that you have been placed at any disadvantage by the action of other societies?—Well, I think so. I felt this on my return, as my official connexion with the various Governments of the Australian Colonies is known to you, and I did feel this most keenly. I wanted to co-operate as it were, so that there should be no over-lapping. Having been a representative of the Charity Organization Society in Victoria, I knew that there was need of being in communication with others, and naturally I felt most keenly one or two things—one especially. I do not think it is right I should mention the names here, because we could have taken advantage of one individual, and one gentleman that I spoke to said, "If "that is the case I will withdraw my contribution "to-morrow." We do not want such things as that. We want to work and co-operate with each other. Now here I have a photograph of a man (*handing a photograph to the Chairman*). That is how the man came to us. This photograph (*handing another photograph*) is how he is to-day. That very man has done 40 years in prison, and he has had 400 lashes in all. That man went to a certain gaol gate and was ordered away by an individual who was there representing another society. This gentleman went to the sergeant of police and said, "Look, if this man comes "here again you arrest him." That was after three years good character of that man whose photograph you have there. The officer said to the old gentleman, "Look here, if he puts his hand upon you again "I shall arrest him, not you." He said, "We are "glad to see you here. It is a great deal better to "be here doing this work than to be in and out of "prison."

8294. (*Sir J. E. Dorington.*) Do you mean he went to the prison gate?—Yes.

(*Major Lamb.*) The real difficulty we have here is that while other societies get inside the gate, and the prisoners who are most desirous of reclaiming themselves, avail themselves of the first hand that is held out to them, the result is that those that are indifferent come to us, that is to say, men who are not caring very much; and we have to use a certain amount of compulsion because a man on being discharged and who is desirous of retrieving his lost character, will seize hold of the first hand that is held out to him, not knowing that we are outside. That is the real disadvantage we are under.

8295. (*Chairman.*) Now, supposing a notice was handed to each prisoner before discharge, stating the names of societies willing and able in that locality to help prisoners, and also giving the name of a responsible accredited official of that society, would that meet your views.

(*Colonel Barker.*) That would materially help us. Then I should go a little further, and should ask, because the prisoners have an option, I believe, of being asked that by the chaplain as it at present stands in England. In Victoria or in the Colonies we have a notice board of the various societies, and the prisoners are acquainted with it. You have a copy of the notice with the statement. I think that representatives from special societies should be there, because I have found great benefit from my experience resulting from ladies of position such as magistrates wives who really were interested in the prisoners, and I think they should be allowed to visit on certain days during the week in addition to the ordinary Visiting Committee.

8296. Now I pass on to another point; that is the question of cumulative sentences. Does your experience enable you to form any opinion as to the practice of giving comparatively short sentences to hardened and habitual offenders?—I think short sentences do good as regards first offenders for certain crimes, but I would advise cumulative sentences in the case of habitual criminals.

8297. You think from your experience of these men that the short terms have little or no effect upon them?—Yes, very little.

8298. Do you think that they would be deterred by the knowledge that they might have three or four years' detention?—Yes, I think they would. That is my experience.

8299. Then I think we know your views or can anticipate your views on the question of juveniles. I do not think I need trouble you with any questions on that?—There is one point, and that is in reference to the inner working of the prisons. From my personal experience, I think if a man receives a sentence of five years, it should not afterwards affect him morally, so that he should be incapable of following his ordinary occupation when he came out; and a great number of the men that we are brought in contact with, really seem, as to some of them, to have lost their reason, and to be under-manned in every way.

8300. You are speaking now of the convicts?—Yes.

8301. (*Sir J. E. Dorington.*) And in England?—I thought you were speaking of the criminally sentenced men.

8302. (*Chairman.*) You are speaking of convicts in England?—Yes.

8303. Was it your experience in Australia that they came out in that condition?—Yes, more or less, but we have a little special treatment there. Ours is a short, sharp, and severe punishment.

8304. Do you imagine that this condition is produced by any special severity of prison discipline, or by the insufficient occupation?—Our experience goes to show that the present treatment of criminals is morally and physically weak, if not, indeed, a total failure. You ask us for our opinion: we put it plainly. The attendants do their best, but the system fails, because it is dealing with the men in the mass and not dealing with them as individuals. They want more discrimination. This applies to local prisons and to convict prisons. They are neither deterrent nor reformatory.

8305. With regard to prison labour, perhaps I might ask you now for information with regard to your prison home?—In our own home, not inside the prisons? We consider the labour in prison at the present time to be mostly degrading and non-productive.

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8306. I should like in the first instance to hear now about the work that you are doing?—(*Major Lamb.*) With regard to the labour there the chief industry in which the men are engaged at present is the salvage,—collecting and sorting—it is mostly waste paper. We have also tailoring and boot and shoe-making, and mat-making from time to time as men come in. We have appliances there, and we can always go on making and mending shoes that we stock and sell at the first opportunity, and the same with mats and clothes. We can always get work from amongst our own people so as to utilize the ability that a man has, and may have gained in prison. Wood-chopping we engaged in for the first 2½ years of our work, but we abandoned it, because the class of men we were receiving into our home were not adapted for this class of work. They were a steadier class than the ordinary English criminal. Also we abandoned it because the work was non-productive. The loss sustained in chopping the wood arose because a certain amount of skill was required, otherwise it is chopped to waste, that is to say, a piece of wood if it is not carefully chopped, instead of producing a bundle will, perhaps, only produce half a bundle; but with the paper sorting every effort of the man improves it, that is to say, he takes out this class of paper, say the brown and the ordinary waste material, and separates them so that there is no lost labour in the paper sorting and it is not so hard either, and therefore, it is more helpful to the man. Cleaning by doing household work and cooking the meals is all done by ex-prisoners. There are three officers in charge. They are ordinary officers in the army.

8307. Then what class of men do you take into your home?—Well, they are the first sentence men and the long sentences.

8308. The convicts?—Yes, and first sentence men.

8309. Why do you take those two classes?—Well, because the convict is a long-sentence man. If he has done five or six years the associations that he formed before going into prison are pretty well changed; and we take the first sentences because they have not been contaminated with criminals before. The casual criminal is dealt with at temporary relief works, of which there are five in London where we have the out-of-works, the man who gets into a casual ward, and afterwards gets into prison for tearing up his clothes or being drunk. We do not take those at the prison gate home.

8310. Will you give us the figures and the results?—Yes. Since the opening of the home in February 1891, 1,197 discharged prisoners have been dealt with.

8311. Of all classes?—Yes. We have not kept any record of the casual criminal. These are the first offenders and the convicts.

8312. Are those male prisoners?—They are all male prisoners.

8313. Then what are the general results?—The general results have been that 383 of these have been sent to situations in permanent employment, that is to say, they have either obtained situations or we have obtained situations for them. That is perhaps varying after from one to 18 months in the home. Of this number of 1,197, 383 went to permanent employment, seven have enlisted in the army, 376 have left after satisfactory conduct to look out for work for themselves, that is to say, they have had their resting place. They have used the home for a month or two and have worked well and given satisfaction, and then they have gone out with a fair idea of getting work.

8314. Of the 1,197 383 have gone to actual situations?—Yes, perhaps we have paid the train fare to send them to a situation, that is to definite situations, the names and addresses of which we have before the man leaves the home.

8315. But with regard to the 376, have you any authentic, definite information that they have actually

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gone to situations and that they have not relapsed into crime?—(*Colonel Barker.*) Yes. (*Major Lamb.*) The man gives notice before he leaves. He says, "I "have nowhere to turn. I have," perhaps, "been "reconciled to my friends, but I know that if I go "back now, having been working here and not going "direct from prison, it would be all right." A man will not go to his friends direct from prison, whereas, if he uses the home for a month or six weeks he then goes out. He gives notice and if he has done his work well to begin with, he leaves by saying, "I "propose going next week or to-morrow," and he says where he intends going.

8316. I quite understand that no doubt a large number of those would go to work, but have you actually proved to your own satisfaction that they have actually returned to honest work?—No. There is one point in connexion with this, and that is, that we rather encourage the feeling of a man to get away from the past, and, to some extent, to lose us, as well as everybody else that knows the past.

8317. In fact, you really set them on their legs to start for themselves?—Yes.

8318. With a large number of these men you cannot go further. You have given them a chance, and let them have a trial?—Yes; and, naturally, they want to be free from restraint. They do not want any connexion with the past. They want it cut away from them. We have sent to the farm, the colony, and other departments of our own work, 264 of them. This we regard as not so very satisfactory, that is to say, they have been in the Home for a short period. They have been met at the gates and received into the Home, but they have been of a lower class, and we have dropped them into these other workshops that we have, and we have passed them on to the farm, where, perhaps, they have been more suited for work. They are dealt with in our general figures. The number that we have had to discharge (and this is particularly worth noticing) as being unsatisfactory and unwilling to work, has been a total of 128 out of 1,197 dealt with. Those men who have refused to work, or who have been unsatisfactory have, perhaps, been taking up with undesirable associations, or they have got drunk, although we have not had much difficulty in that respect. We have had to send 39 to the infirmary. Then following on the satisfactory cases, that is to say, those that were followed, there were 383 that were sent to situations. Of these, including seven in the army, 390, after they had left the home for 12 months, were followed by us. This is, of course, dealing with the figures of 12 months ago, nearly; that is to say, the men who passed out of the home during 1893 we made recent inquiries about, after they had been out 12 months, and we found that there were 86 per cent. out of the 383 doing well, and that we knew we could lay our hands on those—names and addresses we had got—and that we could find them when we wanted them. Ten per cent. we lost sight of. Then there are doubtfuls, though not lost sight of, we were not just satisfied that they were all right. Then we know that two per cent. had returned to crime, and there was 10 per cent. we had lost sight of altogether.

8319. Do you find that the men you have taken in have learnt any trade in the prison which qualifies them for work outside?—Yes, we have a man now who learnt bootmaking in prison.

8320. Of course, there may be exceptional cases, but do you find any considerable number who by prison labour have been taught to earn their own livelihood?—No, very few. That is evidenced by the fact that while we have tailoring and bootmaking we have not had it continuously. Mat-making we find many work at now, but I may say we have a shoemaker occasionally, and we have a tailor occasionally, who have learnt it in prison.

8321. Do the prisoners you come across attach much importance to the prison labour?—The casuals do not as a matter of fact.

8322. I mean taking the higher class of prisoners the more intelligent, would they say that they think prison labour is a direct good for them?—No; they rather feel that it is not insomuch that they are not allowed to think; that they are compelled to do it in a certain way.

8323. Are they fond, do you think, of what is called unproductive labour, such as working the crank and the treadmill?—No, taking the convicts where they have had to do certain work they have had to do it in a fixed way; in fact, there are two or three instances which have been mentioned personally, where men have said they had done it in a way different from what the warders wanted it, and the warder had called their attention to it, and the man has said, "Well, I "have thought it better to do it in this way," and he has been told his business is not to think. His business is to do it in the way he is told.

8324. You can understand it is necessary in convict prisons to have strict discipline?—Yes, I quite appreciate that.

8325. But apart from convict prisons, dealing with local prisons, where you have people of varying terms of sentences, do not you think that those prisoners would feel that it was preferable to work at some profitable and more or less distinct kind of employment rather than being left by themselves in their cells?—Yes, that is so, but that is out of the fear that labour being non-productive is demoralising.

8326. Then you are strongly against what we call unproductive labour in prison?—Yes.

8327. Would you prefer that the work should be work of a productive kind?—Yes, absolutely.

8328. Such as would train prisoners in useful habits and give them good moral discipline?—Yes, as to the loafers particularly if I could just convey to the Committee the feeling that the loafing class have when they get into prison. If they do non-productive labour it is a source of real satisfaction to them to know that they are doing nothing and that they are being kept by the State. If they were put to productive labour the very fact of having to support themselves would deter them from going in. That is the loafing prisoner who is in and out.

8329. You actually think they have that feeling of satisfaction that they are swindling the State?—They say so. They say, "We will not work; we never did "work, and we don't intend to work, and if we are not "in prison we will be in the workhouse." It is a sort of satisfaction to them to know that their work is producing nothing.

8330. Do you think that they would draw a distinction between a treadmill which grinds corn and the purely unproductive crank in a cell?—Yes.

8331. And they would prefer to work the unproductive crank in a cell because that was still less profitable?—Yes, if they had a choice I have no doubt they would, but if they were told to do the other they would not be ready to come back because they would know that they produced something towards their own cost.

8332. We have it in evidence that though you may teach trades to prisoners in prison yet it continually happens that for one reason or another when men get out they will not take to this particular trade which is associated with prison and they want to turn their backs upon it?—I would say that that is because they had no opportunity of pursuing it. Supposing a man learnt shoe-making or tailoring in prison and he goes to look for work—he may be a very good man—but the question the employer puts to him is, "Where did you work last; why did you leave?" He says, "Well, in prison." Then there is a shrug of the shoulders, and no more is said to the man.

8333. That would be the main reason why they do not pursue the trade?—Yes, I should say it is. We have just started a man in business at bootmaking. I have asked him to come here this afternoon. He has had a large convict experience. He has been in our Home about 18 months. He learnt boot-making in prison. He qualified himself a little more with us, and now he is in business again. He has had 25 years penal servitude, and he felt there was no chance for him. His last sentence was ten years, and seven years' police supervision, for being in a place with intent to commit a felony. I have asked him to come here this afternoon. (*Colonel Barker.*) As to convicts on discharge, I would like to say that we find a great number of them incapable of pursuing any ordinary occupation. They are mentally weak and wasted, requiring careful treatment for months, after they have been received by us. In several cases they are men who are only fit to be sent off home, as feeble minded or to a hospital. We also find a considerable number who are colour blind. This we have found out in our paper sorting where cuttings are tinted, and where the tint requires to be sorted out. Ticket-of-leave men should be allowed to report through recognised institutions, or through the clergyman of the parish in which they reside to whom they would report themselves, instead of to the police. This man we have just referred to had some difficulty in reporting himself on one occasion. He went to the police station to report himself, and the superintendent said, "Get out of it; what do you want here?" He said, "I have come to report myself, sir, if you please, I am so and so." He said, "You are not; now go on." He said, "Very likely one of your men will arrest me, and I shall have to go back, and do my sentence." He argued the question for some little time, when he took the pedigree, and said, "Do you mean to say that is you?" He said, "Yes, it is." He saw he was a man who had one of those hard faces, and he said, "But I am in the Salvation Army Prison Gate Home." The superintendent said, "Why did you not tell me that before?" That is an instance of it. Now through the Home Secretary that man is reporting himself by letter. This photograph, which I have here, is the photograph of a woman who was sentenced to death for murder, which afterwards was commuted to penal servitude, and then she was released and sent to the Salvation Army.

8334. There is one point on what you have said. You say these convicts come out physically weak?—Yes, a number of them do.

8335. It is generally supposed that men improve in health in a convict prison, and come out heavier than they go in?—That may be, but that does not say they are physically strong. A man may make mats in a small cell with a mat-machine, and his lungs may be clogged up with all kinds of dust, and the food being of such a peculiar nature the result is that the man is more corpulent, and looking stronger than when he came in, but when he comes under other treatment he falls off. (*Major Lamb.*) The routine work of prison is not such a strain upon a man physically; he is all right in prison, and does his work, and may be very well behaved, but when he comes out of prison he is at a disadvantage.

8336. Do you find there is a considerable amount of lung disease among prisoners?—(*Colonel Barker.*) I cannot say a considerable amount, but we have found it.

8337. You do not consider there is anything special about it?—Not a great deal, we have plenty of cases. (*Major Lamb.*) Of course there is an average number of people who are always afflicted.

8338. (*Sir Algernon West.*) When you say that these men that come out of convict prisons are not fitted at all for ordinary work, what do you mean?—(*Colonel Barker.*) I said "some"; I did not say "all."

8339. I went down to Aylesbury where they are building a new convict prison for women, I think there were 300 men odd who were employed on it, and there was nothing different in their appearance from that of men ordinarily engaged in building a house so far as I can see?—They get better food for that, and it is outdoor work.

8340. Therefore would you be strongly in favour of outdoor work?—Certainly; that is what we laid before the governments in Australia, that if they gave them outside work, and allowed the convicts to think, it would be better because some of these men have got a mind, and instead of their being crushed, and their brain suppressed (God knows it is enough to think of the bitter past), if a gentleman fails, and you put him in a place to break stones, or to turn a crank, he has got sufficient weight upon him already. I know one gentleman, a bank manager, who used to be in charge of a prison quarry, and the result was that he came out a stronger man than he went in, because he took an interest in the work, and because he was allowed to think.

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8341. That is just what I want to get your views upon. May I ask you a question which I do not understand, about the religious part that you play in your visits to prisoners?—Yes.

8342. Is any particular religion an essential element in it?—Just the ordinary Christian religion, just reading the Bible to them. I will give an outline of my meetings. In the prisons in Australia, we receive them just as a chaplain would, and we read the Bible and give a short address; that is all.

8343. But when a man comes out and you receive him at the gate and take him to your Home, do you insist on any particular religion?—None whatever.

8344. It is not necessary that he should be a member of the Salvation Army in any way?—No.

8345. It is a mere question of charity and nothing more?—(*Major Lamb.*) Yes, the services really partake of the nature of family worship as much as anything.

8346. But when he comes to his employment do you treat one man exactly as you would another, quite apart from religion?—(*Colonel Barker.*) Yes, quite apart.

8347. Is colour blindness a thing that occurs frequently with a man in mid life?—Well, I am not a scientific man, but my friend, Major Lamb, might know something being a man of scientific knowledge. (*Major Lamb.*) We came face to face with the fact a short time ago.

8348. (*Mr. De Rutzen.*) Over what area does the district extend? I see here the figures 1,197. Is that for London alone?—(*Colonel Barker.*) Yes, for London alone. For the simple reason that we could not get the advantage of visiting the prisons. It was only when a prison chaplain or some magistrate would ask us to interest ourselves on behalf of some prisoner in some local prison that we could do anything. Otherwise we are completely shut out from it. (*Major Lamb.*) We have received a few from the provinces. (*Colonel Barker.*) That is why, from my past experience, I was glad when I knew this Prison Commission was about to be instituted. I think that if we could have been permitted to have visited thoroughly some of your large prisons and then given our report of our experience it might have been of service to the Commission, and I asked for a general "permit," some little time ago, thinking perhaps we might have been of some little service to the State, but we had a reply that a "permit" would be given when we wanted it, and I know what that means. It is just to meet the governor and go straight through, but I have been through so many prisons that that is not what I wanted. I just throw it out that even at this late hour we should be only too glad to visit any prison you may suggest.

8349. This number applies to London only?—Yes.

8350. 1,197 is a large number. In your homes have you any besides discharged prisoners?—None whatever, not in the Prison Gate Home.

8351. Then that is entirely apart from any other homes or shelters?—Entirely. (*Major Lamb.*) It is situate in Argyle Street, King's Cross.

8352. You have a great many shelters?—Yes, we have 1,000 every day in our workshops, and a great number of them are casual prisoners.

8353. I suppose some of those may be included amongst those who have passed through prison?—Yes. a great many of them.

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8354. A great many of them are known to you, I suppose?—Yes; but they do not own up to having been in prison.

8355. But you know they have?—Yes. We usually ask them the question when they come.

8356. A great many of them find their way in?—I think about 20 per cent. of those who come to us.

8357. I understood you to say the prison treatment is neither deterrent nor reformatory?—(*Colonel Barker.*) Well, generally speaking.

8358. With your large experience of prisons, what would you consider would have the most deterrent effect on an habitual criminal?—What would you mean by that?

8359. I do not take the first offenders, but I take one who has been in perhaps three or four times?—That is a very important question and one which perhaps wants a little consideration; but we shall be only too glad to give you our experience on that very important question in this way; that we believe that this class of men who are on short sentences would be deterred by solitary confinement. I refer more especially to the short-sentence prisoners, because I am sorry that through not being allowed to visit the prisons here as we did in Australia, we cannot judge of it so well; but in Australia I have known that the solitary confinement has had a wonderful effect upon these men. I have heard of them begging upon their knees to be excused when the day has come round for the special treatment, some of these men would go to the lash rather than go into solitary confinement.

8360. With that class would you suggest, that solitary confinement would be useful?—For short sentences, to make them understand that when they go to prison they go to prison, and to make them understand that their labour is going to help to support them.

8361. Have you ever heard in your long experience that they spoke of any discomfort arising from the plank bed?—Well, we have; but I have known this, that you have to take what prisoners say with a grain of salt in it. I know they come to us with so many tales; but we do not give you that from them.

8362. In your opinion would that have some deterrent effect?—Most decidedly.

8363. Are you of opinion that that would have a deterrent effect?—Certainly. There should be careful classification. That is very important. Young men are influenced by hardened criminals.

8364. I gather from what you said just now that you do not take a certain class of cases; for instance, you do not take drunken cases?—We take any cases, but in the Prison Gate Brigade Home we take special cases; but we take any prisoner into our labour yards.

8365. You do not take these drunken cases and vagrant cases?—We pass them on to the Elevator.

8366. You do not keep any account of them?—No.

8367. You pass them on somewhere else?—Yes. We take them into our own place, and not into the Prison Gate Home. (*Major Lamb.*) It is into a Home, the difference being this between the two homes (and this is where our discrimination comes in, I think), that in the Prison Gate Home at first the man's food does not depend upon his labour, that is to say, we find that the prisoners are better cared for than the average homeless poor. Therefore we treat them better in the Prison Gate Home than we do in our other unemployed labour homes. There a man is more on task work, that is to say, he must do a certain amount of work to earn a certain quantity of food.

8368. 1,197 represents the number that is in your Home in Argyle Square?—That have passed through the Home since 1891.

8369. Then you say that you do not take the drunken cases into the Prison Gate Home nor the people who have been refractory and torn up their clothes in workhouses, and that sort of thing. You do not take them into your Home?—No.

8370. What number of these cases do you take, because that would be apart from the 1,197 you received at the Home?—Well, this is the figure; 264 were sent to the other departments of the scheme. Of that number of 1,197 we have 264 who were sent to the farm colony and other departments of the scheme.

8371. But they come out of the 1,197?—They would be there a day or two; perhaps they would not give us a true statement of their character, and perhaps our supervisor in going from one place to another would see a man and say, "Look here, I have seen you before," and then perhaps we would get the true history of the man, in which case we would pass him on to the lower grade of the workshop.

8372. 1,197 as I understand is the total number who are received at this home?—Yes.

8373. And the 264 comes out of that number?—Yes.

8374. But I am now asking a question with reference to those whom you receive at the Prison Gate on coming out of prison, but who are not included in the 1,197?—They would not be very many.

8375. Have you any idea of the number?—Perhaps some weeks we get as many as ten, because we give them this assistance and they come to us afterwards.

8376. We will say it is ten weekly?—Yes.

8377. That will be somewhere about 500 people who have passed through the prison?—Yes.

8378. And those are not dealt with?—That is so—not in the Home.

8379. Now what course do these prison people go through at your workshops or wherever you send them? In the first place, how long do they stay with you?—On an average about two months. That is in dealing with 700 men on an average per day in these other workshops. The average length of time they stay with us is about six weeks or two months.

8380. Have you any kind of idea what becomes of them and what their future is?—Well; I can get a return on that. I have no information before me now, but the course that they go through is that we take a brief statement from them and set them to work under supervision immediately.

8381. Do you know that many of them go back to their old course of life and find their way back into prison again?—No, we do not find very much of that.

8382. You have not the means of knowing?—Only casually. Only if it came to us. That is all.

8383. (*Miss Orme.*) Have you a separate Prison Gate Home for women?—No, not a separate one, although we receive a certain number.

8384. For these first offenders and convicts where would you send them if they were women?—(*Colonel Barker.*) We should send them to our special home in Mare Street. Mrs. Bramwell Booth, who has had a great experience in connection with rescue work, would be glad to come and give her evidence before the Committee should you desire it. Quite recently I got a note from her to say that she has had 700 women who have been imprisoned who have been received by her, and of that 700 395 have been sentenced for criminal offences. (*Major Lamb.*) And passed through her homes.

8385. In that number that you gave of prisoners who are now in permanent employment, 380 odd, do you include those who are now holding positions in the Salvation Army, like that officer who visited the Prison Gate, dressed in uniform?—No, he is attached at present to the home. He is still an inmate to some extent.

8386. In which of your figures does he appear?—He does not appear in that 1,197 at all. If I had included the number now in, it is over 1,200.

8387. Of those who are in the permanent situations you mentioned are any of them in the Salvation Army?—I could not say at the moment. (*Colonel Barker.*) No, they are outside, mostly.

8388. With strangers?—I think so. We did prepare quite recently a list of the addresses of the men that had passed through, where they were, when they

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came out, the sentence that they had done, their previous records, where they went, and where they are to-day. The per-centage that have passed into the Army is very small.

8389. (*Dr. Bridges.*) The table that you have drawn out here showing 1,197 consists of all who have passed through the Home since February 1891?—(*Major Lamb.*) That is so.

8390. Then you gave one number as a number sent to permanent employment, which is 383?—Yes.

8391. Then you gave another number of those who enlisted in the army, which is seven?—Yes.

8392. The number leaving under satisfactory conduct of work is 376?—Yes.

8393. Those two items happen to come exactly to 383?—Yes, but I did not notice that before.

8394. That is purely casual?—Yes.

8395. The same persons do not appear in both these lists?—No, quite so. I never noticed that until now.

8396. I understand that you admit into the Home two quite distinct classes of persons; the first offenders and the discharged convicts?—That is so.

8397. Can you say at all how many of each you have admitted. How many of the 1,197 would be first offenders, and how many would be discharged convicts?—I would not like to hazard a guess. (*Colonel Barker.*) You could get that, because you could also get the numbers you have had through the Royal Prisoners' Aid Society.

8398. But about a quarter of them would be discharged convicts?—(*Major Lamb.*) That is my impression.

8399. And the other three-fourths, as far as you remember, would be first offenders?—Yes, that is my feeling.

8400. In determining whether they would be first offenders you take, I presume, the report of the authorities of the prison?—That is so, where we can get it. We cannot always get that. We have to take the word of the men, and we sometimes find what I have explained, that in going round we see a man who may have been in with us before, or is known to have been in prison. Then he is dealt with in the lower number of 264. He is sent into the lower class of workshop.

8401. You observed, I think, that a great number of the men received into your Home are weak and wasted?—Yes, that is so. The food is insufficient, I believe.

8402. At any rate they come to you weak and wasted from whatever cause?—Yes. Of course, we cannot speak to the cause, but we speak from what we do know.

8403. Are you quite sure that you are distinguishing them, and that when you see persons come to you weak and wasted you have made a clear distinction between those of your admissions who are from the convict prison and those who are first offenders?—In saying that they are weak?

8404. Yes. In saying the persons admitted to your homes are weak and wasted, are you able to say that the persons who are weak and wasted are persons who have been in convict prisons or persons who have been in the local prisons?—I should say as much the one as the other, although more of the local prisons.

8405. Of the weak and wasted the larger proportion would be persons who have come to you from the local prisons?—Yes.

8406. You are aware of the nature of the work done in convict prisons?—Yes, to some extent.

8407. From hearsay at all events: for instance, that a large number of them are employed at Dartmoor upon the land?—Yes.

8408. And that at Portland they are employed in the quarries?—Yes.

8409. Would you say that kind of work was work calculated to make them weak and wasted?—I do not think so if the food was sufficient.

8410. The remaining three-fourths that have not been in convict prisons have been in prison for the most part for a short time?—Yes.

8411. Would not it appear to you likely that the weakness of which you speak belonged to them before they went into prison?—No. I have a man in my mind now who came to us about 18 months ago, he had been in prison for six months; he came out; he was naturally a big, strong fellow, and when he came out of prison he was over 10 stone in weight. After he had been with us 10 months he weighed 17 stone, and he had only been six months in the prison. I could not say exactly what he was when he went in, but I know he was not 11 stone when he came to us, and that after he had been with us about 10 months he weighed 17 stone.

8412. (*Sir J. E. Dorington.*) May we have the name of that man?—Yes, his name his J. B. R.

8413. That case could be traced?—Yes. (*See Appendix VII.*)

8414. (*Mr. O'Connor.*) Do you mean that he put on half a pound a day in weight?—That is what his weight was. (*Colonel Barker.*) You can have the pedigree of the man, his father held a most responsible position.

8415. (*Sir J. E. Dorington.*) When did he come out of prison?—(*Major Lamb.*) Nearly two years ago.

8416. In January 1892?—The early part of the year.

8417. What I wanted is to identify this particular prisoner, and to see the prison record. Do you know what prison it was?—Pentonville.

8418. (*Dr. Bridges.*) And he was discharged about what date?—In the early part of 1892. There were two warrants out for him in E—— at the same time.

8419. And he was only in prison six months, you say?—Of course I am only speaking from memory. I would like that to be clearly understood.

8420. And his statement to you was that he lost weight in prison?—Yes, very much.

8421. To the extent of some stone?—Yes.

8422. (*Sir J. E. Dorington.*) Do you think he was in prison under the name you have given us?—Yes, here is his photograph.

8423. "J. B. R., discharged February 1892." Perhaps you will let the secretary know the date of his discharge from prison?—Yes.

8424. (*Dr. Bridges.*) You say that in the course of a certain number of months he was with you?—He is with us now.

8425. When you weighed him you found him 17 stone; that would be how long after he came out of prison?—It would be 10 months, probably.

8426. What was his diet during that time?—Perhaps it was 10*d.* a day for food, and we reckon to make the food pay; that is to say, in our food depôt we have a profit. He has 3*d.* for breakfast, 4*d.* for dinner, and 3*d.* for tea; that is, he has three meals a day, and paying all working expenses out of that.

8427. You spoke of many of those who come into your home as being very feeble-minded?—That applies more to the convicts.

8428. Do you find that of the convicts many are feeble-minded?—Yes, that is so.

8429. You feel pretty confident of your distinguishing in your Home between those who have been convicts and those who have been first offenders?—Yes; of course we have no opportunity of making a comparison between the time a man went in and the time he came out of the convict prison.

8430. You spoke of colour blindness; have you any record of colour blindness that you have seen?—No; I just mentioned that because it was a real difficulty that I was brought face to face within the working of our Home, that when the foreman went round and examined the work, he found tints that should have been separated; and not only tints, but distinct colours. It was not merely a matter of tinting, but it was a matter of distinct colouring, and on protesting to the man he said, "It is that colour."

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8431. You have applied extremely good tests to distinguish colour blindness, perhaps?—Yes.

8432. Are you aware that taking 100 men haphazard anywhere, you will find a certain per-centage who are colour-blind?—I believe that is so; but at the same time we have two places where this particular class of work is done. We had the shavings or trimmings of waste paper at two of our depôts, and we have had more difficulty in the Prison Gate Home than we have at our workshops. (*Colonel Barker.*) It would cost half-a-crown a week, including the officer's salary, to keep the girls in Mrs. Bramwell Booth's Home. They earn the other half of their keep.

8433. (*Miss Orme.*) I will visit the Home and report to the Chairman, and we will consider whether we can take the evidence?—Yes, I will arrange for Mrs. Bramwell Booth to be there to meet you.

8434. (*Mr. O'Connor.*) I see you once went in for wood-chopping?—(*Major Lamb.*) Yes.

8435. You have abandoned it because it did not pay?—Yes, and because the work was too severe for the men we were getting. That is to say, we were getting a number of clerks and men not used to manual labour.

8436. And also because there was a loss sustained?—Yes.

8437. Salvage collecting and sorting does not involve a loss?—I have the exact figures for last year.

8438. Does it or not involve a loss? Is there an absolute loss on it?—Yes.

8439. Then it does involve it?—But it can be made to pay, that is to say, we have just started and we have got to learn it. We have got a certain amount of initial cost that we are not spreading over any number of years, and our loss this year is less than it was last year, and in certain other departments where we are doing waste paper it does pay, and we have the hope that it will pay also at the Prison Gate Home. There is no reason why it should not.

8440. The labour of the men connected with that salvage collecting and sorting pays for their keep?—It simply pays their keep, and it pays something towards rent, rates, taxes, and general management.

8441. For administration?—Yes.

8442. What is salvage collecting and sorting precisely. Is it a rubbish heap distribution?—No, it is mostly waste paper, although we take other things that may be worth our while, that is to say, we have men going to firms in the city saying that we collect waste paper, and they leave a card intimating that we will supply sacks and collect the paper when necessary. Then we employ the better class of men to go, perhaps, with one reliable man, who can represent us to the firm and another man with a barrow who does the collecting.

8443. Do you know what is the average weekly wage of the men or women employed in distributing the matters in rubbish heaps?—I do not quite catch the point of your question.

8444. There are large rubbish heaps in the neighbourhood of London which are rummaged and the materials of which are distributed. I do not know what the professional name of that industry is, but at any rate the people employed under him receive a certain weekly wage. Can you tell me what it is?—Of course we do not do it, but my impression is that it is about 8*s.*

8445. What do you say is the cost of maintaining one of the people employed under you in salvage collecting?—Are you talking of ex-prisoners?

8446. Whatever their antecedents are, what is the expense of their weekly keep?—The expense of their weekly keep is 7*s.* per week.

8447. Then the people with you get a shilling a week less than they get at the ordinary rubbish heaps?—It is like this; we do not pay them wages, I was going to explain that; and 7*s.* a week is what it costs us whether the man has earned it or not.

8448. That is why I asked you whether upon the whole the salvage collecting paid; but the point I want to ask you is this—how do you account for the fact that people of this description come to you when the consideration received from you if it were measured in money is less than, or at any rate does not exceed, the market value of their services elsewhere?—If you will allow me to finish I will explain that the cost to us of a man whether he works or whether he does not is 7*s.* per week. If he earns more (and in this lower class of labour yards the work is task work after the first few days) the men are then paid according to the value of their work.

8449. What is the highest rate of wage you have ever paid in connection with that work?—Well, we have kept a man in food giving him three meals a day and his lodging and 5*s.* a week.

8450. That would represent about 12*s.*?—That is so.

8451. Then he has the advantage of certainty of employment?—No. The next step would be we make him foreman and probably pay him 2*s.* or 2*s.* 6*d.* a day.

8452. But he is sure of employment; you will not turn him away?—Not until he betters himself.

8453. Whereas in the open market, I suppose, it would be perhaps a little fluctuating and uncertain?—That is so.

8454. (*Sir J. E. Dorington.*) What advantage do you consider you have over other Discharged Prisoners' Aid Societies in dealing with men?—The advantage is that we can receive a man and give him the chance at once to work and to tide him over the difficulties that present themselves to the man immediately on his discharge.

8455. In fact you have got better appliances, and more agents?—We think we have better appliances and more agents generally speaking.

8456. In fact you have agents all over England?—Yes.

8457. You would be inclined to say you are more highly organised than all other Prisoners' Aid Societies?—Yes, that is what I would say.

8458. Do you think you gain any special advantage from your agents being rather more of the social class of the prisoners?—Yes, and our people are of course in close touch, by visiting every day the people as they leave. Another advantage is that when our people go in uniform they are easily seen; and if it is a particular case our agent has to see—for instance, if we send for a clerk or any one like that who might not care for uniform, we send a man in private clothes. For instance, this week we met a man at the gate by arrangement. Our officer met him in private clothes; although our man in uniform was there waiting for the ordinary rank and file of the prisoners.

8459. How did you get to know that man was coming out; how did you make your arrangements, because I understand you are excluded from the prisons at the present moment?—That was by a police court arrangement; he was sentenced to two months' imprisonment, and immediately after his conviction he was seen, and arrangements made to meet him at the prison gate when he came out.

8460. Would it satisfy your purpose if in the prison a prisoner could put himself down as being desirous of meeting your agent at the gate on coming out?—No, I want to see him before he comes out, because we may want to communicate with his friends beforehand and get to know his antecedents, because with some people it makes all the difference how you begin, because you want to begin with a man as you propose to finish. His friends may help him.

8461. You want previous communication in the prison with the prisoner?—Yes, I think it is very desirable. (*Colonel Barker.*) It has been a great help to us abroad.

8462. In some prisons I think communication is allowed to Prisoners' Aid Societies in the prisons, and in other prisons, it is not?—I believe that is so, and some Prisoners' Aid Societies are allowed to communicate with the prisoner. If we had a similar privilege to what we enjoyed in the southern continent, we might be placed on the same basis as other societies. My experience goes to show me that if you can get hold of a man previously, and talk to him and know something about him, you can better help him.

8463. We had a governor yesterday who apparently makes himself the medium of communication between a prisoner and the Prisoners' Aid Societies, and who makes the arrangements under which they are to receive them outside?—(*Major Lamb.*) Yes, Mr. Manning has done that with us several times.

8464. Does that answer your purpose?—It is better than nothing; it is better than being simply outside the gate, but still it is a long way from what we should desire.

8465. You understand there are certain difficulties in the prison organisation as regards the admission of outsiders into the prison?—Yes.

8466. That it requires the attendance of a warder, that it takes people off their duty, and to some extent makes difficulties in the prison?—I may just say that it was mentioned yesterday that the South African Government wrote to Australia with respect to the work there. I was stationed in Kimberley and Cape Town three years ago, and we had permission to go into the prisons there. Our officers had two hours visiting the prisons on Saturday afternoon when there was no work done, in addition to conducting a service on Sunday morning.

8467. Did any other Prisoners' Aid Society go in besides yours?—No, I do not think there was.

8468. How many people did you send into the prison—one?—No, two.

8469. I suppose a warder always accompanied each of them?—No, they visited together, and I do not think there was a warder with them.

8470. Then the prisoners were brought to them?—I could not speak definitely on that point.

8471. You mean two persons going into a prison could not see any prisoner unless they were in possession of the key. Of course a warder must go with the key to each prisoner?—Yes, and there would be so long allowed for each. I know the warder was not in the cell when the visit was going on.

8472. But he was standing close by?—Yes, outside.

8473. I do not suggest for a moment that the warder is wanted for personal observation, but he is wanted for the purpose of getting the prisoner into the cell and locking the door again?—Yes.

8474. Then you would ask that you should have permission to have access to all prisoners who desire your aid?—Yes.

8475. And if you could not get that you would like then to have an arrangement by which prisoners could put their names down to be met by you at the prison gate and that that should be communicated to you?—Yes, that is the next best thing.

8476. I put it in two methods in order to get quite clearly what you desire. I quite understand your desire is also to be placed on an equality with every other society?—Yes.

8477. That is reasonable enough?—I think so.

8478. (*Mr. O'Connor.*) How far will you go with me in this proposition? The chances of a man getting into prison a second time may depend a great deal upon his getting employment when he comes out?—Yes.

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8479. The prisoners are so keenly alive to that fact that they will often prefer to take even a lower wage or a poorer consideration than the ordinary market payment for the certainty of immediate and continued employment?—Yes.

8480. And that therefore it is advisable that every facility should be afforded for the securing work for men who come out of prison?—Yes, that is so; they are most grateful for it. Just to confirm the very point you have raised, I may say that I was talking to a man and his own statement to me was, that he knew he could command more money outside, but he said, "I have scarcely been with you six months and I "have no character," because with a character while the actual value of a man's work to an employer may be equal only to that of another man, yet the market value of the man with the character is more than that of a man without a character.

8481. (*Sir Algernon West.*) You are asking permission to see the prisoners in the prison. I suppose you would limit it to those prisoners who are shortly about to obtain their release?—(*Colonel Barker.*) To any prisoner, because in Australia any prisoner can communicate with the officer of the Salvation Army by permission of the governor at any time.

8482. If he asks?—Yes.

8483. But I mean to say if you were to go into a prison you would be satisfied by seeing this man who solicited to come to you?—Yes, on Saturday afternoons we used to have a meeting of perhaps 80 or 90 of the various classes of prisoners, and then afterwards we could go to their cells. I had made some important notes with regard to juvenile offenders, and I would like to say that the Salvation Army were the first to be recognised under the "Neglected Children's Act" for the transfer of guardianship. I have explained it fully to the chairman of this Committee. When I mention that, I think it will be sufficient to tell the Committee that we thought we were doing some little practical work for the purpose of benefiting the State. I would like to press on you again with regard to the prisons in England, that if you as a Committee were desirous that some one of us should visit the prisons and give you our opinion we should be glad to do so. As I told you we visited one Colony and reported in regard to juvenile offenders, and we should be glad to do the same for you. We came here feeling that we were not acquainted sufficiently with the English prisons for the simple reason that we could never get that access to them that we required. Mr. Gladstone has seen all my credentials in regard to the Australian Governments and for some years we received 1,000*l.* for the prison gate work there. Previous to that we had 1,000*l.* for rescue work. I hold credentials from most leading members, I suppose, of the last few Australian Governments, in regard to this special work. I have here the form which the magistrates fill up.

8484. (*Sir J. E. Dorington.*) You will send us the particulars of this man J. B. R.?—Yes. (*See Appendix VII.*).

The witness withdrew.

Mr. D——.

Mr. D.—— called and examined.

8485. (*Chairman.*) You are now in the Salvation Army Home?—Yes.

8486. How long have you been there?—In my present employment I have been there for nine months, but as an officer I have held an appointment for just over two years.

8487. I understand you have had some experience of prison life which you wish to lay before the Committee?—Previous to my coming to the Army I was sent by the Home Secretary, Mr. Matthews, to the Salvation Army. It was through Mr. Bucknill who had me interviewed previous to my conviction, and he asked me the reason of my being continually in prison. I explained to him the reason. I told him it was simply because when I came out of prison I had really no other resources open to me but to go back to the same life again, because I was really friendless.

8488. I do not want to press you to say anything you do not wish to say freely, but perhaps you will tell the Committee what imprisonment you have had?—Well, I have been in Reading, Gloucester, Exeter, Bodmin, and St. Albans. I believe the whole time comes to a little over seven years. But it must be remembered that whatever I say relates solely to local or county, and not to convict prisons.

8489. You have had seven years' imprisonment?—Yes. That is putting the whole amounts together, including waiting for trial. Sometimes I have been

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waiting for trial for two months; it was 12 weeks on one occasion.

8490. Are you an Englishman?—Yes.

8491. Of what part?—Devonshire.

8492. Did you find when you came out of prison that your old associates were looking out for you?—Well, once or twice I have met prisoners that I have made appointments with inside the prison.

8493. You had no difficulty in making communications?—No. In my experience (and I look back on it now after being out for four years) I feel that no matter how stringent the rules may be in prison, it would be utterly impossible to keep prisoners from communicating in some way or other, if it is only with the fingers. I can give you an instance of it. If a new man enters the prison, it might be only in the exercise yard, but if that man has 12 months, he would simply put his finger to his ear. If he has six months he would clench his hand. It is a sort of alphabet that seems to get known. I have seen even little boys when we have had to exercise in the yard, and perhaps for the first day they have been really broken down; but after a day or two exercising with the men they have been able to make us understand how long they have come in for.

8494. You mean little boys in the sense of 16 or 17?—No, boys of 11 or 12 years of age I have seen do that, or boys of about 12 years of age, but they would be quite boys in their appearance. I should judge some of them to be about 12 years of age. Perhaps they have been sent there previous to their going away to schools.

8495. And they were exercised with the older male prisoners?—Yes. They have exercised with us.

8496. In what prisons?—I have seen them at Readidg and in different prisons I have been in. I believe there used to be an exception made to their being in chapel. I know that then they would be fixed more like being in the front.

8497. And these boys have been communicated with by prisoners?—Well, in the way that prisoners have they would in some way communicate with them. Even if a fresh man enters a cell if he sees there is a man in the next cell to him, perhaps this man will give a rat-tat on the wall, and he will let him know now long he has got. The other man, perhaps, will answer on the wall by so many knocks; if it is days he will go through the whole of the days; if it is months he will knock the number of the months, but if it were seven days he would knock seven days on the wall. I have often thought of this since I have been out of prison. I have felt that no matter how stringent the rules are that may be adopted, that even if they were only in sight of one another, there would be some means of communicating.

8498. Then you think from your experience that this power of communication, which is evidently of a very limited kind, is an evil?—Yes, I do. I can give you an instance in this way: I got to know things at once at Reading; I used to assist in the washhouse there, the females were having the first three days for their washing, and the last three days, or the latter part of the week we men used to do our washing. Still, I found out through other prisoners being down there that even at that time they were communicating and leaving written papers from one to the other. I remember a man named Rose that I became acquainted with in Reading Gaol that knew several prostitutes that were in there, and I know one girl in particular who was convicted at Newbury, was really making appointments on those notes to meet him outside. Of course, we got to know these things, and it would be utterly impossible, no matter what the vigilance of the officers may be in any way to counteract this, because they would not have any idea in any way of what was going on.

8499. I think you said the women were three days at washing?—Yes.

8500. And subsequently, not on the same days, you would be washing?—Yes, we should use the same wash-house, I have done that both at Gloucester and at Reading.

8501. Would those notes be put in any particular place?—Yes.

8502. Did you know that to happen anywhere else?—The only other place where I have seen the notes was at Reading; I saw them there; I was there at the time that Captain Blyth was in charge as Governor.

8503. What year was that?—It was about 1883, I think.

8504. Do you think that of recent years the discipline with regard to these points has become more stringent?—Well, I believe it has. In my last term I found there were far more strict rules.

8505. In any prison where you were was there associated labour?—In working at Reading we were all congregated together in the stoneyard with, perhaps, the distance that there is now between myself and the Chairman. We were there stonebreaking and sometimes two or three men, perhaps, would be taken away to carry coke to ship or anything like that; but we always had an officer with us.

8506. Was there talking there?—Well, there would generally be one officer at Reading who would be in charge of us, and considering the quantity of men he would have to spread over the distance he could not see everything; some men, perhaps, were good practised telegraph men, and you would see the working of their mouth and yet they would not be talking.

8507. Do you attach much importance to the isolated work in the cell?—I have suffered from the seclusion of cell work, and I believe it would tend to make men better with a certain amount of strict surveillance over them, but the association of seeing other men would be better than being so much confined in cells. I know sometimes I have not seen the outside of my cell from after chapel time for the whole of the day, or perhaps two days, as if it should happen to be a wet day we would get no exercise. Some days, of course, it would be continually raining, and then we would have to exercise in the corridors inside, and I know how depressing it is even when working in the cells. I have been mat-making and I have been in some of my cells where I have had frames so large that I have not had more than three or four feet of my cell to walk about or move about in, in fact when the bed has been down to lay the board on there has been scarcely room to pass the board by.

8508. Were they in the cell or not?—Yes.

8509. In the cell you slept in?—Yes.

8510. The frame was left in all night?—Yes. With the Synnot mats I have made mats with boards as large as this table. The trestles would have to be kept in the cells, and the borders we were working had a certain amount of the stuff that could not be detached. In some prisons they would take out the work, but in different prisons I have found they did not always take it out. In some prisons they take out your clothes; in other prisons they leave you your clothes in.

8511. Did you suffer at all from dust?—Yes, particularly in winding for the mat-making and also in oakum-picking. Of course, in picking oakum, we have to beat the oakum, because of course we get it very hard. We have to beat it with our feet, I have often had to take my shoe off, and to hammer it in that way, although we are not allowed to do it; and really sometimes the dust is suffocating. In mat-making I have been fairly choked with the dust penetrating my lungs.

8512. You think that sort of employment ought not to be carried on in the cells where you sleep?—No, it ought not, and in working all day I know the cells have got really foul even with the ventilators open, and especially in the summer time.

8513. I suppose in the course of the time you worked, you had a good deal of time upon the mill?—No, I did not work on the mill, I was never passed for first class labour. My principal work was either oakum-picking or mat-making. At Reading I had to go on the pumping of water, but the doctor after a time exempted me, because I happened to be suffering from rupture, and he took me off.

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8514. Do you think prisoners prefer productive work?—Yes, I have felt (and I can say it more plainly now after this time), that if something was done for prisoners, so that, for instance, after I came out of prison after doing my 12 months (if during that time I had been learnt a trade, or could have gone to something to improve myself), when I came outside I need not have gone and committed another theft. But I simply was kept at oakum-picking and stone-breaking, and having no trade previous to my conviction, I was simply thrown right back on my own resources again. I feel as to the Prisoners' Aid Societies that they help you with money; but that in my experience is more injurious than anything to a prisoner. It helps him for the time being to go off, and when the money is gone he is just in the same position as when he first came out.

8515. Still you think the money is, as a matter of fact, helpful?—It is helpful if a man has got means, but every man has not that ability to lay it out.

8516. It gives him time to turn round and get employment?—Yes, but how is a man placed when he comes out? You dare not tell an employer you are just out of prison. They tried to get me on at Palmer's place at Reading, but there was no chance. Some prisoners had gone there and they had turned out badly, and consequently it made it bad for everybody else.

8517. You think it of great importance to teach prisoners trades?—Yes, something that will answer outside as well as in. Something they could fall back upon, that would be every day work outside.

8518. Do you think that the majority of prisoners would prefer associated labour to working in their cells?—Yes. They would prefer association, I believe.

8519. But your opinion would be that it would be better for them?—Yes, my opinion is, according to my own suffering, that the solitary system tends in every way to bring out that which is devilish and bad in a man, because from the morning service you have right on till the next morning to dwell upon your faults. The picking of oakum does not require much extension of thought to think about what you have to do, nor does mat-making after you once know the way, because I could almost do it with my eyes closed. Consequently, your mind being occupied you are continually dwelling on how you will get on when you go outside. I remember thinking that I would do so-and-so. I remembered some houses that I knew at my own home in Devonshire, and I really formed plots in my head how I would go to those houses and commit a burglary in those houses, because I knew them so well. If I had had associations round me I could not have thought of those things, and then I would go to sleep. I have in my cell, perhaps, completed my task by dinner-time, and then I have had the whole afternoon to sleep or to dwell upon anything that I thought of, simply having only one library book a week, and sometimes we did not get one a week.

8520. Did you find that was not enough?—No, you would get one small book, and, perhaps, nothing in that book to improve a man's mind. A man would require literature to draw his mind off from trouble. He does not want altogether a religious book.

8521. Was there a rule there that only one book a week should be given?—Yes. Only one book a week besides your Bible. Sometimes I have had a very small book and have got through it between dinner-time and the time of lights, which would be put out at 8 o'clock, and the remainder of the week after I have had nothing to read.

8522. If you had made a personal appeal to the chaplain would not you have had another?—No. You are only granted one book a week. I have asked for large ones, but you have to take whatever they choose to give you.

8523. Did you find there was a rigid rule in all those prisons where you have had experience that only one book, and sometimes a very small one, was allowed in a week?—Yes, I have never known more in my experience although I have said I wished I had something to read, because in my prison experience I think I got on very well. I think I was only reported in the whole of my time but twice in the seven odd years. I believe my first report was for laughing in chapel, but it was rather comical and I could not help it. It was this: when the prisoners were repeating the Belief a prisoner at the back of me began to talk, and when they said, "I believe in God the "Father Almighty," instead of repeating it, he said, "A good beef steak, a bottle of ale, and a long pipe," and being fresh in prison I began to laugh, and I was brought before the governor and was admonished. As to the chaplain, I think that if we had those prisoners dealt with differently instead of having the same thing every morning—because the Church service, beautiful as it is, becomes rather monotonous—and I think if we had a service twice a week the prisoners would look forward to it and appreciate it really far more than they do.

8524. Do you think they would appreciate sermons now and again from other people than the regular chaplain?—It was our greatest treat at Exeter, and I believe at Gloucester and other places where we had a fresh clergyman in from the outside.

8525. May I ask what education you had before you went to prison?—Pretty fair. I was educated at the west end schools in Devonshire at my home.

8526. So that you had more education than the average prisoner?—Yes.

8527. You would feel, naturally, the want of books?—Yes, I did. On one occasion I did say I wanted something good, and I asked if they had Gibbon's "Roman Empire." At Reading I felt there were different books I would really like, and I would have liked to have taken notes about them and carried them on from one book to another, but we were only allowed one book at a time, and I thought that it would not have hurt us if we could have had a chance of making notes of what we had been reading.

8528. Before even the question of association do you think there was any considerable evil arising from what is called contamination?—No.

8529. Do you think that the worst men really corrupted the less bad?—There I feel, of course, that there were those I got to know in my first imprisonment. I speak as a prisoner, and I think that there ought to be a certain amount of division and separation by keeping the old offenders from the men who are going to prison for the first time. I can give you an instance. I got acquainted with a gang of smashers in my first conviction in Reading Gaol and was asked to meet them when I came out; and I should have done so if I had not been apprehended at the gate the second time. When I came out there had been a warrant issued, which was waiting against me at the gate; so that I was apprehended. Well, I felt then, although perhaps it saved me from that which was a great deal worse, that if I had not had another warrant out against me I should have gone right into this gang of coiners and entered into a thing I knew nothing about. Of course, these men were old offenders and I have often wondered whether it was possible that first offenders could be entirely separated from the others. Again, the different class of prisoners that there are strikes one. I know how repugnant it must be for a man who was a gentleman, if he made a slip and had to exercise and sit in chapel with one of the greatest criminals, perhaps a man who has done penal servitude and everything like that.

8530. Do you think that the dietary is too trying?—Yes. Of course in my work I have had to deliver the food and carry it round the different corridors. I have had to collect the tins afterwards, and from my own experience the sameness of the food has a tendency to injure you, although it is good gruel and the soup is good; but, of course, you find a different

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quality in some prisons from what you do in others. In some prisons it is much better than in others. Reading was a splendid prison for food. It was better than any other prison.

8531. How do you account for that?—I do not know. We had far superior bread at Reading to what we had anywhere else.

8532. Is there much difference in the actual cooking?—The soup would come out better in some prisons, the bread would be better in some prisons, and you would get your food much warmer. Sometimes on pudding days I have turned away with disgust because it would simply come up very cold. Then, sometimes, you have pudding made with mutton suet. No matter how hungry a man might be, his stomach would naturally turn from it. Again, there is the sameness in the food, and I feel that for our first nine months we have not a single drop of thin food. It is nothing but gruel for supper and breakfast until the nine months is completed. For the first four months we have porridge that is really quite thick. In fact, it is thick enough to stand a spoon in, and a man taking that day after day really turns from it by the very thickness of the stuff. We have no change to cocoa until after nine months and I know I used to hail the day that would first bring me cocoa as really a feast day.

8533. Did you feel that physically you were lowered by the want of sufficient food?—Yes. When I had it first I was brought very low. Of course the food was different to what I had been used to when I first entered the prison, and I became very weak through it. In fact I think it affected me mentally for the time being. I got weak in the head, and often I have taken my bread when I could not eat it to the w.c. and thrown it away there. We were not allowed to leave it in our cells, but we could put it outside in the trays if we were not able to eat it; but a man who has a "fourth class" diet (which is really the best class diet), if he is an ordinary man, can do very well on it. My Friday's dinner or Monday's dinner I could not usually eat the whole of.

8534. Of course it is not the object to make food particularly pleasant?—No.

8535. That is admitted?—Yes.

8536. Do you think it was unduly and unfairly weakening to prisoners?—No, I do not think it would be.

8537. You do not think that there is any special hardship arising from it?—No, not in my experience. Of course it would greatly depend on a man's constitution when he entered whether he would feel the effects of it. If a man was very strong before he went in, it perhaps would tend to weaken that man much quicker than when he was living hard outside, because he would not feel the difference so much in that case.

8538. Do you think the attention of the medical officer was adequate?—Yes. I myself received the greatest assistance from him. When I first complained about my food at Reading the doctor ordered me beef tea, and I was allowed beef as well with milk at different times of the day.

8539. Your pretty wide experience makes you form a favourable experience of the work of the medical officer?—Yes, my opinion of the doctors is that where a prisoner needs better treatment they give it.

8540. Do you think that is the general opinion of prisoners?—Yes, I know there would be men who would try to shirk or to sham illness, but I have always been attended to kindly if I have applied to the doctor, even with an attack of bile. Of course in Exeter I suffered very much from that. I had every care I could possibly have in food and in treatment. Of course I was taken and put away in association in the hospital with two other prisoners besides.

8541. Do you think that the warders, speaking generally, do their duty well and efficiently?—Well there is a certain amount of harshness about them. I suppose those I have come in contact with myself have been military men or army men and have some of them a certain amount of style about them, I believe it is more with the manner than with the heart, and they have a firmness in treating men, but my experience is that as I have been civil to my officer and did as they wished me I have always had good treatment from them.

8542. You never came across a man who was unfitted from his temper or other circumstances for the post?—Well, I had one at Gloucester who was very much down on me at first when I first went there, for what cause I do not know; but I threatened him at the last that if he treated me so and spoke to me in the way in which he did, more as if I was a brute, that I should report him to the inspector when he came round at the end of the month or to the visiting justices. From that time that man altered very much to me, but I have seen it in the case of other prisoners where without a moment's thought they have turned round and answered the officer back again and that officer has shown them a certain amount of resentment.

8543. You do not naturally expect perfection from anybody even from warders, but having regard to their rank of life and their qualifications, do you think that as a whole they are well selected men?—Yes, I have not the least doubt of that; that is, of those I have come in contact with.

8544. Were you in any prison where convicts were undergoing their first nine months?—Yes, both at Exeter and Reading.

8545. Do you think their presence in the local prison is desirable?—I do not fancy so, because I believe (in fact, I know from experience) that some of those who were undergoing imprisonment in the local prison knew some of these convicts. Of course we dare not turn our heads, but still there would be times when they were coming out of chapel perhaps, and there would be certain parts of the prison, where it would be utterly impossible but what their eyes and faces were bound to meet. I believe I was at Exeter the first time they were drafted there from the convict prison to do their nine months' confinement.

8546. You have not any very strong opinion about it?—I do not think it ought to be, because we as prisoners could very soon tell whether a man had been used to prison or not; by the way even that a man would behave in the exercise yard, so also in chapel; but even as to the younger prisoner, you could meet a man well enough to know whether he had been in prison, or not; though it is quite possible to deceive, because I have myself deceived in prison where they had not the least suspicion that I had been in prison before. When I was sentenced at Bodmin, I passed through there as for my first conviction, and I think I went nearly through half my sentence before they found it out; and they did not find me out until, by the police reports, they had me photographed, and found I was wanted on another charge, but up to that time I passed right through as a first offender.

8547. (*Sir Algernon West.*) Although you had been in three gaols before?—Yes.

8548. (*Sir J. E. Dorington.*) What was your longest time in prison?—When I was in Reading I had nine months, and I was apprehended on another charge, and taken back again.

8549. To Reading?—Yes, to Reading Gaol; and I think Captain Blyth told the magistrate, when I was at quarter sessions, that I had been in the prison just two years.

8550. Then you got 15 months the next time?—No, they were different cases. I was tried at Reading, and I was tried at Newbury.

8551. Altogether you spent two years practically continuously in prison?—Yes, waiting trial and with my sentence.

8552. How long were you at Bodmin?—I think it was four months.

8553. And at Gloucester?—I had two nine months, and awaiting trial as well.

8554. You had nine months twice over?—Yes, Major Knox was there when I was there.

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8555. In Exeter?—Yes.

8556. How long?—Twelve months. I was at Exeter twice. My last sentence there was 12 months, and then six weeks. That was when I had my release. I was sentenced to six weeks, but I did not certainly complete the six weeks, as the Home Secretary released me.

8557. And in St. Alban's?—I was two months awaiting trial, and I had two months' imprisonment.

8558. Did you gain or lose weight in prison, generally?—Well, I came out weaker.

8559. Lighter?—Rather lighter. Sometimes I would gain. I believe that at Reading I had gained rather more when I came out after my first nine months. I believe in that first nine months I gained something, because I had different food allowed me.

8560. You had two sentences at Gloucester?—Yes.

8561. When you went to gaol for the first time at Gloucester, did the Prisoners' Aid Society do anything for you?—No. I appealed to them, but there was nothing for me.

8562. Had you gained a gratuity?—Yes, ten shillings.

8563. Where did you go to when you left the gaol, were you taken to the railway station?—No, I had to find my way anywhere, because I gave in as having no home and no friends.

8564. And you were left absolutely alone?—I was left absolutely alone to go my own way. I feel that a man after being incarcerated is dazed for days after coming out.

8565. Did not Major Knox try to do something for you?—No.

8566. What did you do in the washhouse in Gloucester?—We were washing, we had to wash our own clothes. When they would be short of female prisoners we had to do our own washing.

8567. Do you remember the form of the washhouse there?—Yes, it is a circle.

8568. Did you leave notes there for the women?—No, not there, that is what I saw when I was first at Reading. I never saw it in other prisons except at Reading.

8569. Leaving notes?—Well, of course, that was going on. Jack Rose I know had been doing months because he was going to meet me when I coming out of the gaol if I had not been apprehended again.

8570. Was there any intermediate sentence between the two sentences at Gloucester?—Yes.

8571. You went somewhere else?—Yes.

8572. And came back again to Gloucester?—Yes, after 12 months' I got to Gloucester again.

8573. You got into trouble again?—Yes.

8574. Was that at Bristol?—My first sentence was at Bristol, and from Bristol I was transferred to Gloucester to complete my sentence. I stayed in Bristol about a fortnight, and then 26 of us were transferred.

8575. Your second sentence was in the county of Gloucester?—Yes.

8576. Where from?—From Gloucester Town, from the city of Gloucester.

8577. Was anything done for you by the Prisoners' Aid Society when you came out?—No.

8578. You applied to them?—I said something about getting work, but I believe I was told there was no chance of any work there, or something like that; and on my second sentence I was apprehended when I came out of Gloucester again and taken back to Exeter. That is where my second sentence was.

8579. What were you brought up to?—My people were publicans in London. I was brought up as barman, but I fell through the drink. In Reading I assisted in making the uniform of the officers. If I had any chance of improving myself there I could have come on and got my living at tailoring.

8580. Were not you long enough at Reading to learn the business?—No, besides there was no one there to show us.

8581. You wanted a better instructor?—I felt that if I had had a thoroughly good practical man to show me the work, to take it right through and how to do it properly as it should be done in a workmanlike way, that I would have had a chance on coming out, after a time, of being sure of being able to work at the trade my own self.

8582. How did you get your chance of turning over a new leaf; from what gaol was it?—From Exeter Gaol.

8583. What happened that led to that?—Well, I dreaded the existence that I had to go back to; and when I was in the cell at Exeter I found in the lock-up a piece of cord with which I tried to strangle myself. Of course, I knew the life I was leading and that there was no other chance for me, because I had tried it. I remember I walked from Bristol to Exeter and I had nothing inside my lips on the road except a drink of water, because I did not like to beg. I went to Mr. Pitcairn, the chaplain; and I told him that I was going on to Plymouth to see a lady, and would he help me. Whether he had had a lot call on him I do not know, but he gave me sixpence, that was to help me on my road to Plymouth.

8584. In Exeter Gaol you attempted to strangle yourself?—Yes; this was previous to my conviction. I called on the chaplain once I was free from prison, and wrote a letter to a lady in Plymouth who was interested in prisoners, asking if she could do anything for me. I went to her house. She lives at Muckley. She professed wonderful interest in prisoners at Exeter, and she wrote a letter to me to say that anything she could do for me when I came out she would be glad to do. I came really with the expectation that she would do something for me. I wrote to her, but I did not get a letter, and consequently I walked from there on to my place at Plymouth. I went to her house at Muckley and she simply gave me a piece of dry bread; she told me she was very sorry, but she had so many that she could not help me. I felt thoroughly indignant. I felt like insulting her for building me up with hopes and telling me she would do something to assist me, and if I wanted a friend she would help me. I felt thoroughly insulted and indignant.

8585. Then where did you go to?—I walked from there into Cornwall, where I committed a felony, for which I was apprehended and taken to Bodmin.

8586. How did you get your start from Bodmin Prison?—From Bodmin, of course, there was another conviction against me, and I was caught there to await trial at Exeter, and was tried at the Somerset Assizes.

8587. Then you were imprisoned at Exeter?—Yes, and after that I was apprehended again. After being apprehended and taken to Exeter I attempted suicide in my cell. That was previous to my last conviction; that was before I was tried and whilst I was waiting in the police station.

8588. Then you were convicted, and then you served your imprisonment?—Mr. Bucknill, the Recorder of Exeter, sent down a solicitor to ask me if I had any friends, or why I was there and was going on with the life I did. I simply told him just how I was placed—that I had not a friend anywhere to help me; that I had no other means of living; that if it were possible to earn an honest living I was only too willing to do it; but I had no friends to help me, and I felt my life was simply a burden to me, and that is why I attempted to take my life.

8589. Mr. Bucknill took you in hand after you came out of prison, did he?—He interceded for me; he said he intended giving me penal servitude, but he would just try me and see if I were willing to turn over a new leaf; and instead of giving me penal servitude he gave me six weeks. I believe he asked the governor to give me as lenient treatment in prison as he possibly could, and the consequence was that I was put in association for the time being up to within a week of the time before I came out of prison.

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8590. Then you went straight to the Salvation Army?—I completed three weeks of my sentence and then the governor sent for me and told me that the Home Secretary had given me a reprieve and respited my sentence on condition that I went to the Salvation Army; but before that the Salvation Army had written to me to say they would provide me with a home and help me. Therefore their officer fetched me straight from inside the prison and took me away to London to their Home.

8591. And then they gave you work for a bit?—Yes, I worked at mat-making there, the same as I did when I was in prison. I was rather clever at that, and then I went up to their other place as cook. I kept myself straight and worked my position up. Then I was put as second in charge of one of their shelters, and now I am in charge of one of their largest food depôts and shelters for the homeless. I have hundreds of pounds passing through my hands in the year, and I believe my superior officers can bear me out that I have not given them one single cause for complaint.

8592. Do you think any large number of prisoners if they had the same chance would go into the Salvation Army home?—I am sure they would. If I had a fortune to-morrow I would not give a prisoner a single penny on coming out of prison in the way of money, but I would provide every prisoner with a home.

8593. But a great many of these Prisoners' Aid Societies do provide places for men?—I will give you an instance. Once in coming from Reading Gaol I applied to Mr. Wheatley at Brook Street. I told him I had come out of Reading. I gave him the name I was convicted in, and said, Could he help me. He gave me three shillings worth of india-rubber tickets. At that time I was walking the streets. I passed the word to him and said, "How am I to do?" He said "that would get me some food. There "was no work there, I could look for some work." How was I to do it when I had to walk the streets the whole of the nights as well as the days? This 3*s.* I spent in food at one of Mr. Lockhart's places.

8594. You think they do not provide sufficient help?—They do not provide it in the right way; and what we as discharged prisoners want is, not money or to be left to our own resources, but we want to be taken into a home where there are home ties. My experience of men has been that as to most men the home ties will touch them when nothing else will. It need not be a religious institution altogether, but it should be a home where a man can have everything that is good to help him to face this world. Money should be kept from them. If I had had money I know it would have been a temptation to me.

8595. Supposing the gratuity was turned over to one of these homes?—It would be far better.

8596. A man would go there and stay there?——Well they would have the chance. I said if I had a chance I would improve by it, and I believe that 8 out of every 10 prisoners would avail themselves of a chance.

8597. (*Mr. O'Connor.*) Would you mind telling me how old you were when you were first charged?—I did not give my right age.

8598. But how old were you?—I was about 30.

8599. What date was that?—I believe it was about 1883; I seem to forget the different dates now exactly.

8600. What was the date of your last discharge?—Four years come this April. It was on the 27th of April, that I was discharged from Exeter.

8601. It was in 1890?—Yes.

8602. Then were you pretty continuously in prison between 1883 and 1890?—Yes, off and on.

8603. What is the longest period you were out of prison during that period?—Some months.

8604. Was that in London or in Devonshire?—In London; I was at all parts of the country.

8605. And I suppose you managed to get a living by taking what you could get?—I tried my hardest, but I simply had to live on the public.

8606. Now, when you were first committed for trial, or while you were a remand prisoner, did you find the diet exceptionally bad?—It was very low.

8607. Worse than the other diets?—Yes, I suffered more in waiting trial, than what I did afterwards. The food was a greater punishment to me in waiting trial, than what it was after I had my sentence. I had less food. For instance, one day you have 6 ozs. of potatoes, and I think it is 4 ozs. of pudding.

8608. At any rate it is not so good a diet?—No, it is very poor diet. Of course it is very much the same kind.

8609. What was your first sentence?—Nine months.

8610. Then when you were convicted again, it was known you had been previously convicted?—Yes, because I was apprehended at the gate of the gaol.

8611. But that was for an offence which was committed before your first imprisonment?—Yes.

8612. Then as on subsequent conviction, were any previous ones proved against you?—Yes.

8613. Sometimes you escaped without detection?—Yes.

8614. What was the sentence you got on the occasion when previous convictions had been proved against you? Was it longer than the previous one?—Not always. Owing to my being at previous times apprehended as I came out. Because many times I have been apprehended at the gate; on one occasion, when I was tried at Taunton Assizes, I had been apprehended at the gate, and Mr. Justice Cave discharged me with one day's imprisonment, because he considered that in my previous conviction I had suffered for the whole of my offences.

8615. What was the sentence you got when a previous conviction was proved against you?—From Newbury I was sentenced to three months, after doing my nine months in Reading Gaol.

8616. Was that nine months proved?—Yes.

8617. On the subsequent occasions when previous convictions were proved, what were you sentenced to after that three months?—Two months, after waiting two months for trial. He gave me four months, [illegible] that included two months waiting for trial. That [illegible] at St. Albans.

8618. What was the longest sentence you e[illegible] received?—Twelve months.

8619. On that occasion had a previous convict[illegible] been proved against you?—Yes.

8620. Do you think that if you had received sentence 50 per cent. longer than the first sentence your second conviction and that on your third con[illegible] viction you had received a sentence of 50 per cent longer than your second and so on, the punishments themselves would have been more deterrent, or would they have had no effect on you at all?—They would have had this deterrent effect on me; judging by experience when I knew I was apprehended at the gate. I had a feeling that I did not care. It simply hardened me to go through my next conviction.

8621. That was by reason of your being taken immediately?—Yes, it hardened me instead of breaking me down.

8622. But apart from taking a man up immediately without giving him a chance at all, supposing you had gone on for some time and then again were convicted; if on that further conviction you had received a sentence substantially longer on account of the first sentence, do you think such an increase would have been beneficial or the reverse?—The reverse, because as a man who had several imprisonments I should have felt I had suffered according to the law and I should take it that I was being punished twice over for doing one act.

8623. You told us about a man in Reading making an appointment by writing on the wall with someone else in the same prison as to a meeting afterwards outside; but I suppose that meeting might have taken

place without the appointment and it probably would have taken place when they were both discharged?—If they were discharged both at once of course it would; but when a man is going out three months before another prisoner's time is up it is different.

8624. Still I suppose probably these men had some common house of call or some link by which they would have come into each other's presence?—I do not think so.

8625. What is the particular harm in one prisoner making an appointment with another prisoner to meet him after they are both outside?—None whatever if it is towards anything that is good, but where it was as in the case of my own self—and I said I would meet prisoners to join a gang of "smashers" or counterfeit coiners—it is different. I knew nothing of them, but under the circumstances if I had had my liberty I should have gone and got into that and entered into that concern with them.

8626. You might have made the same appointment with them outside?—Yes, possibly I might, or it is quite possible, of course, for a man to go through life and know nothing about it.

8627. About the convicts in the same prison, seeing local prisoners and recognising them by their eyes or faces, what harm is there in that?—Well, I do not think there is any harm in it.

8628. Supposing even they had shaken hands what harm is there in that?—None whatever; in fact, I believe that to a certain extent the regimen of the prison might be even lessened a little. It would not tend to harden a man so much, because where everything is so hard he would continually be hardening day after day. I take it that naturally that hardens a man.

8629. And your food you rejected when you went into prison on one occasion?—Yes.

8630. You have said you were in the infirmary; you were sick?—Yes, I was taken sick.

8631. Did you have any contraction or drawing up of the hands or arms at all on that occasion?—I do not exactly remember that.

8632. Did you have a headache?—I suffered terribly from headache.

8633. Was that the same occasion as you used the cord?—No. I used to suffer when I was mat-making. I used to suffer greatly from indigestion.

8634. Was it when you rejected your food that you attempted to take your life?—Well, I did not take my food at that time. I can tell you how that was. Of course, I felt very low, and being in chapel I had recollections of my home. I had a Christian training, and it seemed to come over me, and of course, not being strong, I could not control my feelings, and I burst into tears.

8635. You were hysterical?—Yes, and feeling the dread that I would be punished for it when I came out of the chapel, as the governor stood at the top, of course, I made a rush to throw myself over the railings. I had that feeling on me that I did not care. There seemed to be no hope whatever for me.

8636. With regard to the warders, I suppose some prisoners can get on a great deal better with them than others?—Yes.

8637. Men who have been in several times who are self-possessed and accustomed to the place?—Yes.

8638. And who know how to keep their tempers with the warders?—Yes, they know their work.

8639. Some men of less experience would with even less provocation manifest resentment at the harshness of the warders?—Yes.

8640. Have you ever in your experience known of harshness by warders to other prisoners besides yourself, to provoke insolence or violence or anything of that kind, or resentment in any form?—I have never seen it; I have heard officers speak roughly. Well, I suppose they would have their likes and dislikes. There were officers I know I preferred to be under much better than being under others.

8641. Officers are not free from weaknesses?—No.

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8642. You have known a good many prisoners in your time and a good many prisons?—Yes.

8643. Would you agree with me in saying that there is more of weakness than of malice in most prisoners?—Yes.

8644. And that if they were treated accordingly the prison system would be more successful than it is in training them?—Yes; my experience is that everything in prison pretty well tends to harden a man.

8645. I forget what it was you said about the nine months passed by convicts in the local prisons; did you approve of that or not?—Well, it was according, perhaps, to how a man would feel. I know we seemed to say, "Oh! they have brought convicts here," and there seemed to be a sort of feeling of resentment running through the other prisoners against their being brought there.

8646. (*Miss Orme.*) When you say these coiners made an appointment with you, I suppose they were convicts doing their first nine months?—No, they were local prisoners who had got two years. They were tried at Windsor, and were doing two years.

8647. You said you would approve of the gratuity being given to a Prisoners' Aid Society?—Yes.

8648. Do you think it would be any use giving a prisoner a choice before his discharge whether it should be paid to him, or to the Prisoners' Aid Society?—No; a great many men would take them; in fact, as a rule, the word is passed, "We will have a booze when we get out."

8649. So that you would have to do it without giving them a choice?—Yes.

8650. (*Mr. De Rutzen.*) Do you attribute your drifting into crime as arising from drinking?—Yes.

8651. And you gave way to it?—Yes.

8652. And that you say was the starting point of your career?—Yes, of course. Through drinking and having no work, I committed a felony.

8653. Were you ever a strong man, physically?—Yes, I enjoyed good health.

8654. You did not ail anything?—I had no serious illness whatever.

8655. Were you excused hard labour?—The only thing I suffer from is hernia, and of course I was exempted from hard labour in this sense, that I was not put on a wheel.

8656. You might have been put down as a "non-effective" in prison discipline?—The only thing I was ever exempted from was the wheel. I broke stone and that sort of thing. All other labour I was passed through.

8657. Of course, I suppose you would agree that one of the objects is to make the prison not a desirable place for a man to go?—Certainly. I felt that as regards punishment and the labour, as far as I have had labour, my tasks have been perfectly easy. I could always manage to get through my task every day in far less time than was allowed me.

8658. For any person sent to gaol for the first time, would you advocate that he should be kept there in such a way as to deter him from coming there again?—Yes; and I feel that perhaps there should be a certain amount of treatment shown him, that if he came back he would have it worse the second time than he did on the first occasion.

8659. You never had what I call a short sentence to start with?—No; still I feel sometimes that men could be dealt with. I do not know whether it is that the chaplain's time is taken up, or whether it is a matter of indifference with him, but you know there is really no personal dealing, or very little personal dealing, with prisoners in prison by the chaplain. I have, perhaps, just had a visit, and the chaplain has come in and said, "Good morning, have you anything "to say?" and then he has gone out of my cell again.

8660. Do you find any fault with the prison treatment, looking at it as a sufficient deterrent to stop a man from coming again?—Yes.

8661. In what respect?—Well, I feel that I do not think that any man that is in his right senses, if he has a chance when he leaves the prison of doing better,

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would wish to go back again. I passed the same remark to Mr. Bucknill. I said, "Do you think, Sir, "that, man as I am, I desire to go back to be incar- "cerated for the best part of my life in prison? Do "you think I wish it, or that there is anything "enticing to draw me there, if I can do anything to "prevent my going back?" I do not suppose, taking men right away round, you would find one who was desirous of going back of his own choice, if he had the opportunity of doing better, or means provided for him to do better. I believe there are cases of men where crime becomes a sort of mania with them. I feel that for these habitual criminals, to a certain extent, they should not be allowed their liberty; that they should not be kept in a prison, but should be more confined to a home, or an establishment, or a colony, or something of that sort.

8662. That they should be deprived of their liberty?—Deprived of their liberty so that they should not mix with the public. I think after a man has had a certain number of convictions so that you would take it that a man is continually in and out of prison that he is bound to steal. It is the same as it is with a man who has given way to drink and is powerless from that, so that it becomes a sort of mania with him. I think it is as much a madness in regard to that man as it is with a man who continually drinks. He has no control over himself.

8663. What you would like would be that they should find some home to go to when they come out?—Yes.

8664. Which they might avail themselves of or not as they please?—Yes.

8665. But you do not find any fault with the prison treatment?—No, but I have been exceptionally fortunate. I have gone through seven years of it, and I think it is only two reports that I had brought against me. They were very simple; they were just for laughing or talking; otherwise my treatment has been really as good as I could expect.

8666. At all events as good as you could reasonably expect?—Yes, as I tell you, taking it right through.

8667. But assuming that there was some little change of diet you really would find no fault at all, would you?—No; well you would find fault in this way; you would miss your liberty and certain privileges, but nothing that would really tend to lower a man and make him worse. Now as regards the books or visits——

8668. I will not ask you anything about that. You have explained that fully?—Yes.

8669. (*Chairman.*) In answer to Mr. O'Connor, you said that you thought it would be an injustice to a man to have a longer sentence passed upon him upon his third conviction?—Yes.

8670. I think you said he would be then punished twice for the first offence?—Yes, of course he would take it to be so.

8671. But of course, as you know, there are a large class of habitual prisoners?—Yes.

8672. There are a large number of men in prison who belong to what are called the habitual class of criminals?—Yes.

8673. And these men carry on criminal work which does not expose them as a rule, to very long sentences?—Yes.

8674. And they come in continually under short sentences?—Yes.

8675. Now my question is as to that class of criminals who are distinctly from calculating motives going in for a class of crime which only exposes them now and again, when they are caught, to short terms of imprisonment, do you think that class of criminals would be deterred by the knowledge, that when they had been convicted a third and fourth time, they would be subjected not necessarily to imprisonment for an additional time, but to considerable periods of detention?—Yes, I think they would; that would bring out my meaning, that where a man is in prison continually like that, he is not responsible for his actions. It is a sort of mania with him, and that man ought to be confined.

8676. You would hold the same view with regard to drunkards?—Yes, that they are not responsible for their actions.

8677. You think it is very little good to send a drunkard to prison for three days or a week continually time after time?—No, it is very little good.

8678. He requires different treatment?—Yes, different treatment altogether.

8679. I think you said you described yourself as a first offender without its being discovered that you were not during the first three months of your sentence?—No, when I passed as a first offender I was in Bodmin Gaol. That was the one previous to my last conviction. I passed through there as being a first offender, and was tried by the magistrates as a first offender.

8680. And on other occasions you passed as a first offender?—No.

8681. Only once?—Only once.

8682. Of course on your original conviction you were actually a first offender?—Yes.

8683. And on the last conviction but one you again passed yourself off as a first offender?—Yes.

8684. Do you think that many prisoners successfully pass themselves off as first offenders?—Well, they might perhaps if they got into a different county, because there seems no manner of knowing a man unless he is known by the police reports. I do not see that the warders could tell a man, because, as an instance of it, when I was at Bodmin none of the officers knew me and I had never been there before, and the police did not know me there, and they had no means of knowing that I had been in prison, nor could they prove it.

8685. Do you think that the present prison system affords any reformatory influence on the prisoners?—That it tends to reform the men, do you mean?

8686. Yes?—No, I do not.

8687. Would you say that without any qualification?—Yes, I do, because I feel somehow that the surroundings and the isolation tends every way towards developing all that is evil in a man.

8688. And if you hold that view would you then consider that the prison system as it exists is seriously defective?—Yes, it is not a deterrent to crime, I take it, owing to there being so much seclusion for the prisoners.

8689. You think it is an admirable machine and fairly conducted as such?—Yes.

8690. And fairly administered?—Yes, as regards rules and cleanliness and everything that way, but the system for reforming, I think, is very defective, because if the chaplain would go round where he could have personal dealings with a man and reason with him (as I feel men ought to be reasoned with to show them the errors of their ways, apart from what they hear from the pulpit), and I believe if philanthropic gentlemen were allowed to go in and mix with the prisoners, and visit them on a different footing from what the visiting justices do, and really become acquainted with the prisoner and his friends in that way, it would have a wonderful effect on the prisoners. I believe if it were possible for other denominations, or for Congregational ministers to take the pulpit for a change occasionally, it would do the prisoners good, and to visit them as well. Many a man, perhaps, would say, "I am not a Wesleyan, and I do not belong "to the Church of England," and therefore he takes no notice of them. If a man is a Roman Catholic he has the opportunity of having his own priest to visit him, but if he says he is a Protestant, then whether he is a chapel man, or a Church of England man, or anything else, he is compelled to listen to the Church of England clergyman. I myself was always brought up as a Wesleyan, and I felt often that if I could have applied to some Wesleyan ministers and told them what I thought, and placed my view before a minister of that church, that possibly their influence would have been greater on me, and there might have been a great deal more done for me than there was. I could have felt more friendly towards them.

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The witness withdrew.

The proceedings were adjourned for a short time

Captain FRANK JOHNSON called and examined.

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8691. (*Chairman.*) You are the governor of Dartmoor convict prison?—I am.

8692. How long have you held the post?—Two years and nine months.

8693. What posts have you held in the prison service before that?—I joined it at Dartmoor as deputy-governor in September 1877, and I remained there until February 1880, when I went to Portland. I remained there until November 1886 as deputy-governor; then I was promoted to be governor of Dover prison where I remained until March 1889 when I was promoted to be governor of Parkhurst, and I remained there until February 1892, when I went to Dartmoor.

8694. What is Parkhurst now?—Parkhurst is a convict prison.

8695. For men?—Yes.

8696. Have you any opinion upon the practice of sending convicts for nine months to local prisons?—On the advantage of it?

8697. Upon the existing practice. Do you think it works well?—I think it used to work better when they went to Pentonville.

8698. For what reason?—I think the discipline of the men that came from Pentonville was better on the whole than it is with the prisoners that now come from the local prisons.

8699. Do you find that there is evidence of different treatment and different kinds of discipline now in the various local prisons which act deleteriously on the men?—I do not know whether it is the different system of discipline, but I think at Pentonville the discipline was more consistent; it was all under one man, and it was all carried out on one system, and I think it is better than where you have a variety of governors. Some are more strict than others, so that you get variety in that way.

8700. They were all disciplined under one distinct plan at Pentonville?—Yes.

8701. Should you be in favour of going back to that now?—Well, I do not think really that it makes any very material difference.

8702. Should you be opposed to the prisoners coming direct after conviction to the convict prisons?—No, I should not, because I get them now almost direct. I get them as separate confinement prisoners very often at Dartmoor. I keep them there the first nine months. I have got about 40 at this moment who are doing their first nine months separate confinement.

8703. Where do they come from?—They come mostly from Wormwood Scrubs Prison when it is a little overcrowded.

8704. They had been in Wormwood Scrubs for some little time?—Only for a month or two.

8705. Have you adequate arrangements for cellular treatment in Dartmoor?—I carry out the treatment in Dartmoor the same as they would in a local prison.

8706. With regard to classification, what prisoners compose the star class?—Well, the first offenders.

8707. Are they all first offenders in the star class?—Yes, they are all first offenders in the star class.

8708. Have you any power to put other prisoners in the star class?—None at all.

8709. Do you keep these apart?—Those are kept apart.

8710. They are associated together in labour?—Yes, but not with the other convicts.

8711. Do you keep them apart in chapel?—Yes, they sit distinct from the others. Of course, I have no star class at Dartmoor.

8712. Why not?—All the star class are kept at two prisons now; the bulk of them are at Portland, but some few of them are at Parkhurst. I have no star class whatever at Dartmoor.

8713. You have no first offenders?—No; if I get a first offender I submit his name for Portland or Parkhurst.

8714. Then have you any particular classification that you carry out at Dartmoor?—No, none at all, except that as far as I can, I always put the young convicts to work at trades as much as I possibly can. I would rather give them the preference to work at a trade than I should an habitual criminal.

8715. Do you think there is not as much danger from the point of contamination from young prisoners as from old?—Well, I do not think there is much either one way or the other. Some of the young prisoners are some of the worst I have got. I do not think they would be contaminated by the older men. I think in many cases there would be a tendency for the younger ones to lead away the older.

8716. Have you formed any opinion as to the condition of prisoners when they are discharged. Are they generally speaking healthier than when they go in?—Considerably, I think. I think there is no doubt about it.

8717. You think that both physically and mentally they are better?—Yes, decidedly.

8718. You are quite satisfied about that?—Yes, quite satisfied. I know that when a man has done his first nine months separate confinement (of course, he has been shut up all that time working in his cell) he looks pale and somewhat sickly; he has not been exercising his muscles in any shape or form; but directly he gets out upon the works he is sunburnt, strong and healthy. No doubt there is a vast improvement in physique during the time they are in prison.

8719. It is suggested that the eyesight deteriorates, and that sometimes colour blindness is produced?—Well, I have never come across a case of that kind.

8720. The convicts are not allowed to talk?—No.

8721. But I suppose as there is so much associated labour there would be more opportunities of talking in convict prisons than in local prisons?—Yes.

8722. And they do talk?—They talk whenever they get an opportunity, I mean to say we are constantly getting prisoners reported for talking. It is kept down as much as possible, but it is absolutely impossible to stop it altogether.

8723. It would not be true to say of the convicts that when they go to convict prisons they are condemned to continued silence?—No, practically it is not so; besides, they must talk about their labour; they must necessarily talk to the officers or instructors about their work.

8724. You have of course a great deal of associated labour?—It is practically all associated labour with the exception of those few separate confinement convicts that I have got.

8725. How many of your men work on the farm?—Of course the numbers vary according to the able-bodied men we have, but I should say that taking an average there are about 300 on the farm itself; but the numbers vary according to the numbers in the prison, and if I get an increase in the number in prison I put them to work on the farm.

8726. That is 300 out of about 1,100?—At the present time I have got 1,030 of whom about 300 are on the farm.

8727. How much land do you cultivate?—The amount of land under cultivation is, I think, about

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1,050 acres, and I have got about 950 acres to bring under cultivation—to reclaim.

8728. How many men are working on reclamation, and how many men are working on the land?—The number working on the land for reclamation now is about 80. Then in addition to that I have got 14 men building a wall round the place as part and parcel of the reclamation of the land.

8729. The rest would be on the farm?—Yes, the rest would be on the farm proper; working the cultivation of the land.

8730. You could put on almost an indefinite number for the purpose of reclaiming the land, I suppose?—Yes, there is no limit to that except the limit of the staff to look after them.

8731. What class of men do you put on that work?—Able-bodied men; men who are passed by the doctor for first-class labour.

8732. Do your men prefer farming?—That depends on what they were when they were outside. The agricultural labourer does prefer it, other men who were not accustomed to digging would prefer the lighter work.

8733. It is severe labour?—No, I do not call it severe labour, but every man has his task to do, and he cannot shirk it. I do not call it hard work.

8734. Would you say it is one of the best forms of prison labour you could have?—Yes, it is a very good form of prison labour.

8735. In the case of mechanics and artisans, do you try to make them, as far as you can, follow their previous avocation?—Yes, we are only too anxious to get them.

8736. And a man likes his own occupation?—Yes.

8737. He prefers it?—Yes, as a rule he certainly prefers it.

8738. You would not then send a man to a farm whom you could employ as a fitter or a plumber?—Certainly not; but they themselves would be very apt to want to go to the farm. That is one of the difficulties I have. I put a man to his trade, but after a time he will ask me to put him on to the farm or to one of those small parties which are called privileged, where there is more scope for freedom, and easier work, they are not so much looked at. Then I will say to him, "You are a good plumber" or "a good "carpenter, and I cannot allow you to go there;" and he imagines he has a sort of grievance; so that the consequence of that is that although you may yourself think you are doing your best for the prisoner, (you would really be doing so by teaching him a trade and keeping him to it) he thinks it is a grievance, because he is thereby prevented from going with a privileged party, that is, with a party where he does not have very much work, or where he has easier work.

8739. Sometimes the artisans prefer to go to the farms?—Yes, they will come up and ask for it. They cannot go to the farm to look after the cattle, &c. until the last 12 months of their sentence or thereabouts.

8740. Have you any unproductive labour?—None at all, except as a punishment. We have the crank.

8741. That is just a crank in the cell?—Yes, that is the only form of unproductive labour, I think. That is simply a punishment for breach of prison discipline.

8742. Do you think that better distribution of labour could be made as between convict and local prisons?—I do not know exactly what the system of local prisons is.

8743. I mean the difficulty of providing labour in local prisons is chiefly due to the fact that so many men are in for very short sentences?—Yes.

8744. And that prevents the authorities from training the man to do anything like skilled work?—Yes.

8745. But there are certain articles which require a certain amount of skill which also can be made with a comparatively short period of training and consequently those particular occupations are very well suited to local prisons?—Exactly.

8746. It was represented to us the other day that at Lewes they had been until recently making large quantities of coal sacks for the Navy, but that it had been taken away from them altogether and transferred to convict prisons. I think you make coal sacks?—Yes.

8747. It does not require a high degree of skill?—No, a man within a fortnight will be able to make a coal sack and to make pretty well one a day.

8748. You would agree, then, generally, that it would be desirable to give to the local prisons that class of work that would be most suited for them?—Yes, coal sacks, hammocks, mail bags, or things of that sort; any convict ought to be able to make one of those after about a fortnight's practice.

8749. Who settles what particular kind of work shall be done?—At the convict prisons the directors do. They send me down certain articles to make and then, of course, I dispose of the labour to the best advantage.

8750. You have just to make them?—Yes, I make them.

8751. Did you ever find it difficult to make them on account of the want of skilled warders?—No, in fact the difficulty I find is in getting sufficient work. I can do more work than I can get given me to do. Of course, in certain trades I have a difficulty in working up to the time, such as, of course, basket-making and boot-making. I must of necessity have sufficient time to make the number of articles that are required, but I have never had any difficulty in turning out all that has been required, though, of course, there is a limit to my production.

8752. Do you supply Government departments direct?—Yes.

8753. When you get an order you consign the articles direct to the Government department?—Yes, to the dockyards or to the War Department or General Post Offices.

8754. Do you find a difficulty sometimes in being punctual with your deliveries?—No, not at all. I am working very well up to date, but there have been times when I have been behindhand, but not at the present time.

8755. Do they complain of the quality of the work?—No, I have had no complaint. Of course a few articles are condemned, but then they are sent back to me and I replace them, but the articles which are condemned are very few.

8756. Do you have any work in the cells which produces a good deal of dust?—No, none at all.

8757. You avoid giving work to be done in the cells if you can?—Yes, the only men that work in the cells are those separate confinement convicts. At the present moment they are mostly doing tailoring. Of course they have worked at hammocks and coal sacks that I had to supply, but I am putting them now to tailoring.

8758. You have regular workshops so that they do no work in the cells?—Yes, I have regular workshops.

8759. Are you satisfied with the size of your cells?—I am not. Of course the old corrugated iron cells are too small, they are 7 by 7 by 4. They are too small and personally I should like to see them abolished.

8760. How many cells of that class have you?—586, and I think about 730 large cells.

8761. When the convicts are sent to you from Wormwood Scrubs do you put them in the larger cells or in the smaller cells?—The convicts from Wormwood Scrubs are in the large cells, all the separate confinement convicts are in the large cells.

8762. Do your convicts complain of want of ventilation?—Some few do. There is a good deal of diffesence of opinion on the point; some convicts prefer the smaller cells, some prefer the larger.

8763. You do not like them yourself?—I do not.

8764. From your own personal observation, do you think they are close?—Yes, you really cannot get sufficiently good ventilation in so small a cubic space. Not only that, but I think it is bad for discipline. If I had all large cells the number of reports would be very considerably reduced, because they cannot talk together in the large cells, but in the small corrugated iron cells they can.

8765. Freely?—It is very difficult to detect them with only one officer on patrol. We do detect them, but a good deal of conversation can go on before they are detected.

8766. What is the thickness of the partition?—Certainly not one-eighth of an inch. It is merely corrugated iron.

8767. And a whisper could be heard through it?—Perhaps it would be a little above a whisper. Some of them try to make holes through, and that sort of thing, by which they can communicate a little more freely. It gives a deal of trouble.

8768. Have you made any representations to the Commissioners on the subject?—Of the iron cells?

8769. Yes?—No, I have not, because I think it is so very well known that I do not think that it needs any representation. It is a thing the evils of which are very well known.

8770. Are you satisfied with the regulations which govern visits to prisoners and communications which they may make to the outside?—Yes, I think so. The only thing I think is this (I do not know whether it would be against the law or not): They get so many visits according to their class. Now, assuming that a man was due for a visit to-day and he sent a visiting order to his friends, and his friends could not come to visit him at that time, then in a short time that man might commit himself and get under punishment, by which he would be reduced in his class and would not be entitled to a visit. Thus if a man was in the third class and due for a visit and committed himself before the visit took place, he would be reduced to the probation class, and in that class he would not be entitled to a visit. Well, at that particular time, his friends might wish to visit him, but by the rules he would not be allowed the visit. I am inclined to think that if a man were due for a visit at any time, that a subsequent offence should not prevent him from having that particular visit that he had earned at the time it became due. That is the only thing which I think is rather hard upon him.*

8771. You think that some further discretion should be given to governors in such cases?—Yes. If a man had once earned his visit he should have it, although he was reduced in class after the visit had become due.

8772. Would you increase the discretion of governors with regard to letters?—Yes, I would, in the same way. Of course, a man can write a letter when he likes. When his letter is due he has only to apply for power to write his letter; but the visit, of course, depends upon the man's friends and not on himself.

8773. Are you satisfied with the regulations as to prison offences?—Yes.

8774. You have no suggestion to make on that?—None at all.

8775. Do you often have to have recourse to flogging?—Very seldom. I have had very few cases.

8776. Do the warders complain to you at all about their hours of labour?—They have not done so recently, because, I think, they are all fairly well satisfied. I think one thing would be a great boon to them, and that is, if some scheme could be adopted by which they would not have to turn out so early in the morning.

8777. That is a question of strength, is it not?—No, I think it is more a question of arrangement. I think some arrangement could be made by which they could come in at 6 o'clock in the morning instead of a little after 5 without interfering with the hours of labour.

8778. Why do they come in so early?—Well, they have to come in early. In the first place they have to unlock, and empty all the slops, and things of that sort, and then to give all the prisoners their breakfast, and serve the breakfasts out; then they have to go to their own breakfasts and come back again in time to take the prisoners to chapel and go out to labour; so that they have got their own breakfasts to get and to perform the duties of the ward.

8779. Do they come in at the same hour both in winter and summer?—No, they are later in winter than in summer.

8780. How much later?—About half-an-hour later.

8781. Do they complain of that?—They have not made any actual complaint, but they have spoken about it. They think that getting up at 10 minutes past five every morning in the winter in a climate like Dartmoor is very trying.

8782. Are you satisfied with the class of men you get as warders?—Yes; as a whole they are very good. Of course, we get some who are very indifferent and some who are very good.

8783. Have you ever known of a case of bad ill-treatment of a prisoner by a warder?—Very rarely.

8784. But it has been so?—Of course, we have known of cases where a warder has ill-treated a prisoner and has been dismissed for it; but I have never known of anything very serious.

8785. Are the warders in charge of the small local prisons generally taken from the convict prisons?—I cannot call to mind one, with the exception of a principal warder at Portland. When I was there he was employed as a clerk, and I think he got some appointment at a local prison; but otherwise I do not know of any from my experience.

8786. Are you satisfied with the work of the Prisoners' Aid Societies in respect of convict prisons?—Well, the prisoners very often complain that they do do not get anything done for them. I have known that, of course; but whether it is the fault of the prisoner himself I do not know. I rather think it must be.

8787. I see that the chaplain at Dartmoor reports that unless something more is done a great number must relapse into crime?—Well, I quite agree with that.

8788. Is it not desirable to put the Discharged Prisoners' Aid Societies into more direct communication with prisoners before discharge?—As to what they will do for them.

8789. Yes?—Well, before we send a prisoner's name up to the Aid Society we ask the prisoner what he wants to do, what class of labour he wants, and what he wishes done for him; and we state that on the report we send to the society. We say whether he wants to go to sea or what he wants.

8790. Does not that leave the initiative rather too much to the prisoner?—It is a guide to the Aid Society as to what the man wants to do.

8791. I quite agree it is good as far as it goes; but my point is this, would not it be desirable to give opportunities to the accredited officials of the *bond fide* societies to see the prisoners before discharge if the prisoners wish it?—I do not see that there is any objection to it at all. I should think it might work very well.

8792. Would you agree that when a prisoner is discharged there may be a rush made for him on the one side by the Discharged Prisoners' Aid Societies and, on the other, by his old criminal associates; and it is rather a chance which side gets hold of him. If you enable the Prisoners' Aid Societies to see him, would not it be putting them at an advantage as against the criminal associates?—I do not see much practical advantage in it, because now they go to the Aid Society before they are discharged from Pentonville Prison. For instance, if a man is discharged for London he is discharged from Pentonville, and he goes to the Aid Society before he is seen by his own friends. I can see no objection to it. It might do good in some instances.

8795. Would you agree generally that anything that would give the societies a better grip of a

* For Col. Garsia's evidence on this point, *see* 11,727-9.

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prisoner ought to be encouraged?—Yes, it could do no harm, and I think it would probably do good.

8794. I see the chaplain expresses a desire to have an assistant?—Yes.

8795. How many Protestants have you?—We have about 650 at the present time, I think, but we have had about 720, and I daresay we shall again.

8796. The remainder are Roman Catholics?—Yes.

8797. You have a Roman Catholic priest?—Yes.

8798. (*Mr. O'Connor.*) As chaplain?—As priest. He is the Roman Catholic priest.

8799. But is he the chaplain?—Yes, he is the priest of the prison.

8800. (*Chairman.*) Six hundred and fifty is a very large number for a chaplain to have to look after?—Yes.

8801. Is it really possible for a chaplain to get acquainted with all the men?—Yes, he could get acquainted with them by degrees, but it is certainly impossible for him to exercise influence with them in particular cases, because the time he has for visiting these men is very short. They are out at work during the day, and the only time he has for seeing these men would be during the dinner hour from about half past 11 to one, and in the evening up to the time of the lock up, which practically in summer would be from about a quarter or half-past five to half-past six; that is about practically the only time for him to see them.

8802. What time do you lock up?—Well, the prisoners are all locked up by a quarter to seven.

8803. What is the rule of the prison about books?—Every man can have a library book and change it every week.

8804. Do you think that is enough?—I think so. There is a certain amount of elasticity about it. In fact, the system is this: Every man has the opportunity of getting a fresh volume every week; then the following day the schoolmaster goes round and sees any convict that wishes to complain that he has had the book before, and if so he changes it for him; but all educated men who are anxious to have an additional volume get it on application to the schoolmaster. They are allowed an extra volume of a higher class.

8805. And if an uneducated man, let us say, a man who can read but not do very much else, asked for another book, would not he get it?—Not as a rule, because I think as a matter of fact the book which is given to him is quite enough to last that class of man for a week if he is not a quick reader.

8806. You do not see any objection to giving prisoners books as quickly as they desire, provided you have got a staff to distribute the books?—Not at all, but I think the present system works very well.

8807. Have you formed any opinion as to the comparative advantage of long and short sentences on habitual prisoners?—Well, I am more in favour of long sentences, because I do not believe in the advantage of a short sentence on an habitual criminal. I do not believe in the reclamation of an habitual criminal.

8808. You do not think a short sentence would deter him?—No, I do not.

8809. Do you think the probability of having a long sentence arrived at by a cumulative process would deter these hardened offenders?—No, I do not think the sentence would make any difference whatever on the regular old "lags," as they call them in the convict prisons, that is the old habitual criminal. I do not believe it has any deterrent effect at all on them.

8810. Still going by statistics, there is a distinct proportion, even of the habitual criminals who had been in four, five, six, or seven times, who seemed at that stage for some reason or another to leave a career of crime?—But what becomes of them? Do they die off, or do they turn over a new leaf? They disappear from the scene it is true; but what becomes of them? Do the statistics show that they have turned over a new leaf, or that they have died off?

8811. Well, we had one before us this morning who had been in prison five or six times. He was not a convict; he was only in the local prisons?—Of course I have got convicts who have been in four or five times who have been in penal servitude for 20 years of their lives.

8812. But I gather you do not think, as far as reformation is concerned, that the fear of getting a long sentence would induce an habitual criminal to change his mode of life?—I do not suppose it would make the slightest difference.

8813. (*Mr. O'Connor.*) Who inspects your prison?—Mr. Ruggles-Brise is the director at the present time.

8814. How often has he visited it during the last year?—Well, I get a visit once a month from the director always.

8815. And Mr. Ruggles-Brise visits once a month?—No, he has been about four times.

8816. But a director inspects or comes down to the prison once a month?—Yes.

8817. How long does he stay there?—Some hours; they generally arrive about from half-past 10 to 11 o'clock, and generally leave somewhere about 3 or 4.

8818. What other inspection is there except that by a director?—Only by the visitors who are appointed.

8819. How many visitors are there appointed?—About five at my prison.

8820. And how many of those have met in the month?—They do not come in that way; they have to come so many times a year.

8821. And in the present year how many visits from these visitors have you had?—I have had four or five visits this year; I think that is more than usual.

8822. Besides those, is there any independent inspection of the prison?—No, not at all.

8823. The visitors are appointed by the Secretary of State?—Yes.

8824. There was a Commission on the working of the Penal Servitude Acts in the year 1879; I would like to ask you whether you agree with that Commission that the inspection by directors or visitors is not enough, and that there should be inspection by other persons independent of any Government department, such as the chairman of quarter sessions or the magistrates?—Well, I do not see the necessity for such inspection myself, neither do I see the advantage of it.

8825. Have you read the report I refer to?—I am not sure that I have, but I think I have.

8826. They recommended "That some gentleman "of authority and experience should be requested to "undertake the duty of visiting the convict establishments, and reporting to the Home Secretary any "matters which appear to them to require attention. "They should, of course, have free access to the "convicts and to every part of the prisons, but they "should have no power to give any order, or to "interfere in any way in the discipline or management"?—That is done now. They are the independent visitors from the Secretary of State as the outcome of that report. Mr. Seale-Hayne is one, and Sir Matthew Lopes is another. They have nothing to do with the prison itself, but are merely visitors to inquire into it.

8827. You are aware that in connexion with the local prisons there are visiting committees, and the local justices at any time have power to inspect?—Yes.

8828. And all the convict prisons in England are down in the south?—Yes.

8829. I suppose you have a good many prisoners from the North of England?—Yes.

8830. Have you ever had anything to lead you to suppose that in individual cases there has been hardship upon a convict or upon his relatives by reason of the distance they are removed and the expense of the journey their friends would have to make to see them?—Yes; of course in many cases the friends cannot

afford to come and see the convict on account of the distance.

8831. Have you any idea of the proportion of the men who come from the Midlands, or from the North of England?—No.

8832. Would it be half and half, should you think?—Yes, I should think so.

8833. You have a good many from Lancashire and Yorkshire perhaps?—Yes; from Manchester and Liverpool, &c.

8834. Of course a large number of the relatives of prisoners would not have the means to come?—That applies also to a great extent to men who come from London.

8835. But there is a substantial hardship in that?—Yes.

8836. When the men are to be discharged do you send them from Dartmoor to the local prisons to be discharged?—No; men that are to be discharged are discharged direct from Dartmoor. We put them into the train and give them their warrant and they are free.

8837. To the place from which they are sentenced?—Yes, or to the place to which they wish to go.

8838. That is to say if it is not further than the place of commitment?—No, if it is further than that they are informed that they have to pay the difference in the fares.

8839. Do you think that the severance of home ties is not attended with disadvantage to the convicts?—No, I do not think so; we get individual cases that might be benefited according to certain influences of that description, but I think in the majority of instances they are far better separate.

8840. I suppose in any case a certain amount of discretion would be exercised in admitting friends or relatives to see convicts?—Yes.

8841. Then would you go so far as to say that the majority of people who happen to be under sentence of penal servitude have no relatives whom it would be advantageous for them to keep touch with?—I should say in many cases there is absolutely none.

8842. You do not take a very hopeful view of what is called the criminal class?—I do not.

8843. I notice that in the report on the working of the Penal Servitude Acts it is said that "After the "first nine months convicts are removed to a public "works prison, and there enter upon the second and "longest stage of penal discipline. Excepting some "invalid and aged convicts at Parkhurst and Woking "who live entirely in association, convicts on public "works sleep and have their meals in separate cells, "but labour in association, all communication, "however, being prohibited beyond what is indispensable for their work." That is as far as possible rigidly carried out?—Yes.

8844. The reason of it being the risk of contamination?—Yes.

8845. You told us, I think, how far your experience went back?—It goes back to 1877.

8846. That was before this Commission. Can you say whether any new regulations were made in consequence of this report with regard to isolation or the prevention of contamination?—I think the star class of convicts have been formed since, and first offenders have been kept distinct.

8847. At any rate all communication was prohibited?—Yes.

8848. But do you think that that system under the new regulations has been successful?—Yes, I think so, certainly.

8849. Then how would you account for the fact that the number of re-convictions has risen according to the returns from 18 per cent. in 1879 to 29 per cent. in 1893?—Well, I suppose in the first place in giving shorter sentences you have more men sent out; and that that would increase the re-committals to a certain extent.

8850. I am speaking of a per-centage, so that the number of prisoners would not affect it, and the per-centage is 18 in 1879, whilst for 1893 it is 29. Take another feature of it: how do you account for the fact that the number of revocations of licenses has increased from 11 per cent. in 1879 to 13 per cent. in 1893?—I should account for it by saying that the system is not so deterrent as it used to be. I think the tendency of the age is to make a prisoner more comfortable.

8851. We started with a new regulation which enforced more rigidly the system of isolation and made the punishment more severe with the results as shown in these statistics. Would not you say that those statistics would suggest to you the suspicion that possibly the increased severity has missed its mark?—No, of course I cannot say whether there is any increase in severity. That Commission was held since I joined the service, but I can see no increase of severity. There was no talking allowed when I entered the service first, and there was just the same regulation in force that there is now.

8852. I thought you said there was some new regulation?—Yes, the star class, but talking was prohibited before I got into the service.

8853. I suppose you would agree that sentencing a man for punishment is a delicate matter, requiring training and experience?—Do you mean to prison punishment?

8854. Yes?—Yes, I think it is. It requires judgment, no doubt.

8855. It is a power that should not be placed in the hands of an untrained man?—I do not think it should.

8856. You do not think that the power of ordering flogging should be placed with such men?—No; I think it would be a very excellent thing in certain cases that the governor should have power to order a flogging; but, taking it as a general rule, I should say not.

8857. Who has the power to order the flogging now?—Only the directors at the Home Office.

8858. Has the director who visits Dartmoor had any practical prison experience himself?—I do not think so; he has only just recently come into the service.

8859. And he has the power to order flogging?—Yes.

8860. Is Dartmoor a very healthy place?—Very healthy. I think, if you can stand the climate at all, it is a very healthy place.

8861. Your annual average was 1,077?—Yes, that was about the average last year.

8862. And your deaths were 17?—Yes.

8863. That is 15 per 1,000?—Yes.

8864. Do you know what the death-rate is in the Irish prisons?—No, I do not.

8865. At any rate it is 15 per 1,000 at Dartmoor?—That was for last year.

8866. And for the same period in Irish prisons it was 5·33?—Of course it depends a good deal upon the age of the convicts who come in.

8867. I am taking them all round and taking all the convicts. Do you know what the death-rate in local prisons in England is?—No, I do not know anything about it.

8868. It is 7·6 per 1,000, whereas it is 15 per 1,000 for Dartmoor. The total general average of convicts in all the convict prisons is 14·1; local prisons are 7·6; the Irish prisons are 5·33. The average for Irish convict prisons altogether is 6. Have you had an exceptional mortality during the last 12 months?—Yes, I think they were rather heavy. We had an attack of influenza.

8869. Can you say from memory what proportion of your comparatively very heavy death-rate arose from that?—I fancy at least half of it arose from that. Of course I could not say for certain, but I know there was a considerable proportion from influenza or the result of it.

8870. I see that for the five years ending 1894 the death-rate with you has been 7·7 per 1,000, and it has been 3·9 in Ireland; so that you appear to be constantly twice as high as the death-rate in Irish prisons?—Yes.

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8871. Do you consider your rate of punishment is high?—No, it is very low.

8872. You have flogging?—Yes.

8873. Do you think you could do without it?—No.

8874. How is it they do without flogging, or have done without flogging, in the Irish prisons for the 12 months?—I do not know. I have known a convict prison go on for pretty near 12 months without a flogging; but I would not do away with it if occasion should arise. They are very few floggings at Dartmoor at present I am happy to say.

8875. I suppose you would not say that the Irish prisoners are more amenable to discipline than the English prisoners?—Not in the least.

8876. Or that the Irish warders are better tempered than the English warders?—Certainly not.

8877. Then how do you account for the very great difference there is in the punishment records of the Irish prisons and of the English prisons?—I do not know exactly what the proportion of punishments in an Irish prison is.

8878. And it is the same in the local prisons too?—Of course you cannot compare the local prisons with the convict prisons.

8879. But is there any reason why there should be a very much lower rate of punishment in the Irish convict prisons than in the English convict prisons or than in Dartmoor?—I do not know what the state of discipline in the Irish prisons is.

8880. I have cut out of an Irish paper to-day a paragraph about the sudden death of a man. The medical man being away there was nobody on the premises who was qualified to administer anything to him in the absence of the doctor. Have you a compounder of medicines at Dartmoor?—Yes.

8881. Is he a man who holds a certificate from the Pharmaceutical Society?—I think he does.

8882. When did he get it?—He has had it for some years.

8883. You are sure of that?—Yes, I am nearly sure of that. He is a qualified compounder. I remember certainly that he has a certificate from some Society.

8884. If you find that he has not will you write to the Secretary and say so?—Yes, I will; I should like to be quite sure of that of course.*

8885. (*Dr. Bridges.*) I understand the death-rate at Dartmoor was heavier in the last recorded year than in the preceding year?—Yes, I believe it was.

8886. Your ordinary annual death-rate would not be represented by 15 per 1,000?—No, certainly not.

8887. But considerably less than that?—Yes, considerably less than that.

8888. I think you spoke of an attack of influenza that you had had?—Yes.

8889. May I take it that that attack disabled a great number of the staff as well as the prisoners?—Yes, several of them.

8890. And put you to considerable inconvenience, I suppose?—Yes, it did.

8891. Coming to the question of the nine months' system of which you have personal experience at Dartmoor, and having seen some of your prisoners under the nine months' treatment, what is your opinion as to the effect of that upon their health?—I think they get rather debilitated from being shut up so long.

8892. What amount of exercise do they have per day?—An hour per day.

8893. Do they have any exercise on Sunday?—Yes, on Sunday they have rather more than an hour, but they have an hour every day.

8894. Let me ask you one question as to agricultural labour; does the labour on a farm require a larger staff to supervise it than your other forms of labour?—Yes, it does to a certain extent, because there are so many of those small parties that require an officer, and perhaps eight or nine men would require an officer and a guard; whereas in a shop I can work 25 men with one officer; so that the staff must be proportionate; but I do not think it requires a greater staff than any other kind of outdoor labour.

8895. You have experience, I think, of Portland?—Yes.

8896. Comparing the work itself at Portland, would the farm work at Dartmoor require about the same staff as the quarry work at Portland?—Yes, about the same staff as the quarry work at Portland.

8897. You were asked a question by the Chairman about the cells in which the day workers are kept. You think them too small. Those cells open into a large hall, as they do at Portland?—Yes; I do not say those cells are too small.

8898. I am speaking now of these corrugated iron cells?—The corrugated iron cells are too small, but they do not work in those. The separate confinement men, during the first nine months, work in large cells.

8899. But these corrugated iron cells are used for the people who have passed their nine months and who are employed at out-door work or associated work?—Yes.

8900. My point is this: do these corrugated iron cells open into a hall?—Yes; and they have no direct light from the outside.

8901. How is that hall warmed?—By the hot air playing down the corridor.

8902. Is it not warmed by any gas jet?—No, the cells have no gas jet at all; we have the gas jet in the passages but not in the cells. The cells are lighted by candles.

8903. (*Miss Orme.*) In the suggestion you made about altering the rule for a visit, did you mean that you would like to have a fixed rule made that in a case of that sort the prisoners should not lose his visit, or that you, as governor, should have discretion?—I meant that I should have discretion.

8904. You do not propose that a fixed rule should be made that in a case like that he should lose his visit?—I think it would be as well to have the power to prevent it if the man's conduct was very outrageous; but otherwise, I think, as a rule, if a man has earned his privilege, he ought to get it, if it is through no fault of his own.

8905. (*Mr. De Rutzen.*) A great number of the convicts, I understand, are employed on the farm?—Practically, about 300 are employed on the farm itself.

8906. As you have said just now, digging is a most salutary form of work for them?—Yes.

8907. But there must be considerable breaks, I suppose, owing to the weather—the frost and the snow?—Yes, very considerable.

8908. During which time that form of labour cannot be pursued?—That is so.

8909. And it may be for three weeks or a month at a time?—Well, it sometimes goes on for weeks.

8910. But at all events, with long breaks owing to the weather?—Yes.

8911. How are those men employed then?—We employ them in breaking stones principally, or failing that by picking oakum, or any work that we can do inside the prison. We have not only wet weather, but we have fog, which prevents them from working. They can work in fog inside the prison walls, but they cannot work outside.

8912. And, of course, the same difficulty would apply with reference to any other scheme arising out of the land?—Yes, to any other scheme; in fact, to any out-door labour.

8913. Any out-door labour must be interfered with?—Yes, you cannot help it.

8914. I suppose, the smaller the area the greater the difficulty?—Yes, exactly.

8915. You have a great plot of land to fall back upon?—Yes; practically we can employ in fine weather any number of them. There is only occupation for a limited number at certain seasons of the year.

8916. Who is your chaplain?—Mr. Rickard.

* Captain Johnson subsequently informed the Secretary that the compounder *does* hold a certificate.

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8917. What is about the age of your youngest prisoner?—I fancy now it is about 20 or 21.

8918. And ranging up to what age?—I have got some of over 70, and even up to 75 and 76 I think I have got them.

8919. Are there any considerable number about that age?—I think there are not so very many over 70, but I have got several of 60.

8920. Who, when discharged, you would not expect to see again in the ordinary course of things?—Well, a good many of these old men do come back.

8921. Even at that age?—Yes, perhaps not at 75; but many of the older men do come back.

8922. What is the Princetown School? Is that in any way connected with the prison?—Yes, it is a school for the warders. It is managed by a school board, of which I as governor am chairman and correspondent.

8923. Then it is not in any way connected with the prison?—Yes; it has not anything to do with the instruction of prisoners, but it is for the instruction of the officers' children. Of course we admit those who are not connected with the officers' children; that is, we admit the children in the neighbourhood.

8924. In answer to the chairman you said, with reference to the Prisoners' Aid Society, that something more might and ought to be done with reference to the aid given them?—Yes, I think so.

8925. Now, in what direction would you say that that something more should be done, what form do you say that should assume?—Well, I think certainly the form that it ought to assume is in getting them work if it is possible to do so. Of course, I should not think that giving them much more money would be of any real advantage unless that money was the means of obtaining them employment, such as getting them tools or anything of that sort.

8926. You mean that the something more which should be done would be that the only good which was likely to arise to the prisoner would be getting him work to do?—Yes.

8927. And nothing besides that, you think, would be of any salutary effect?—No, the fact is that now with these short sentences a man gets out of prison quickly. Say he gets a three-years' sentence, then all the money by way of gratuity he can take out is a maximum of about 26*s.* I am talking of a three-years' man. Supposing that man cannot get work, what on earth is he to do? 26*s.* will not last him long. I say, practically, that the gratuity is not sufficient to keep him going for a length of time.

8928. That is nothing as compared with the good of getting him work, you think?—Yes, the gratuity is not sufficient to keep him unless he can get work; and it is not sufficient to buy him any tools: and I think the assistance should be in giving him work and even in a little gratuity to assist in starting him.

8929. What would be your view, supposing there was a home where you could shelter him just long enough for him to turn round and settle down?—Well, instead of drawing their little gratuity all at once, I would like to see the gratuity increased to a certain extent and given at the discretion of the Aid Society to a man if he deserved it. I mean to say, supposing a man has a 6*l.* gratuity like a man gets with a six-years' sentence (who can get 6*l.*) then he can go out with his gratuity and he spends it. But then he has nothing left; and if an agent of the Aid Society could see that that man was really deserving of assistance, and was striving to do well, I think it would be a great advantage to be able to increase that gratuity for the man's benefit, but with power to withhold it if it was shown that he was making a bad use of it.

8930. But assuming that he obtains that gratuity, what is your opinion on this: would it be better bestowed if he also had the advantage of a home of some sort?—Yes, I think so, certainly; if he had the advantage of a home where he could go to he would be far less likely to fall into crime than if he goes to his own friends, who are often a great deal worse than he is himself. If you keep a man away from evil associates, he has a much better chance of getting on in the future.

8931. We have heard, and we know, that prisoners who have been sentenced to three years' penal servitude are able by good conduct to obtain a remission and go out on ticket-of-leave?—Yes.

8932. They obtain a remission of nine months?—Yes.

8933. Does that act as a great inducement to them?—Very great.

8934. You find that it acts well?—It does certainly.

8935. And of course they naturally value that remission of sentence, but do you think that it has a very marked effect upon the conduct of the prisoners?—Very great. I think you will find that out of every 1,000 prisoners practically about 700 of them hardly ever get reported at all and will earn nearly the whole of their gratuity.

8936. And you think that that is the natural outcome of the system?—Yes, I think it is. I think the system tends to give them habits of discipline and good order, and I have no doubt whatever that the fact that they can earn that gratuity has a great influence upon them, and also the earning of privileges received from good conduct. I believe the whole thing tends to promote good conduct in prison.

8937. It has a marked effect upon them?—There is no doubt at all about it.

8938. Assuming that to have a very marked effect upon them, is there any kind of reason why that should not have a similar marked effect upon prisoners sentenced in local prisons to a term of two years?—I can see no objection to a man sentenced to two years earning a certain remission, but I suppose the difficulty is in making one law for the whole of them, because some of them are only a few days in prison.

8939. We can pass over these very short sentences and come to those who have a long sentence, and you think the marked effect you have discovered in convict prisons would have a like effect upon them?—Yes, I think it would have a very good effect upon the local prisoners.

8940. May I take it that that would be your opinion—that the remission, however short, would be something to look forward to?—I think it would act well in promoting good conduct in prison. No doubt there are many prisoners who would work better and be more contented in every way if they knew they were earning something in the way of remission, because often when I have got a convict who by misconduct has lost his remission, he would say, "I have "got nothing to gain," and would behave badly, but if they have got a little remission left they will go on straight in order to obtain it.

8941. (*Mr. O'Connor.*) Has your attention been called to this, that there are prisoners who go from one end of a year to another without a visit from the chaplain at all?—He has often spoken to me upon the subject, and said that he has not time.

8942. There were prisoners who passed from one end of the year to another without seeing the chaplain?—Yes, I have no doubt that is the case.

8943. And you think there ought to be an assistant chaplain?—Yes, I certainly think it is advisable.

8944. Will you look at this book, which is the 16th Report of the Irish Prison Commissioners, at page 60 first of all, where you will see the heading "Corporal Punishment." How many cases of corporal punishment do you find inflicted in the local prisons in Ireland in that year?—I do not find any.

8945. Will you kindly turn to page 120, "Convict Prisons." How many cases of corporal punishment in the year were there in Ireland?—I do not see any there.

8946. Can you suggest how they manage to carry on the convict system without corporal punishment in Ireland if it is necessary here?—Well, of course I cannot say what the nature of the 54 cases of violence which are put down here are.

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8947. I thought you gave us to understand that the Irish prisoners were not more amenable to discipline than the English?—I do not say they are, but there are here 54 cases of violence, and the question is if some of those cases of violence had been treated with corporal punishment whether the number of cases would not have been diminished.

8948. And how do you account for the fact that there is a smaller proportion of offences to the average number of prisoners in Ireland as compared with England?—*Do they* keep up as strict a discipline in Ireland as we do?

8949. You think the relaxation of discipline might possibly result in a smaller number of offences, and that therefore there would be a diminution in the records of punishments?—Yes, you may by laxity of discipline reduce punishment, but you will not increase the discipline of a prison. *You may nominally* show a low per-centage of punishment and yet not have your prison in the same state of discipline and good order as it ought to be.

8950. (*Chairman.*) Does the chaplain still continue to give weekly instruction in religious knowledge?—He does.

8951. How long a day would that take him?—He generally takes a class in the evening.

8952. But how long would it take him?—That would be about an hour.

8953. That is a considerable demand upon his time?—Well, I do not think there is any very considerable demand upon his time, because you see his work commences in the morning. He comes into the chapel and reads prayers the first thing in the morning at 7 o'clock, and then he goes out generally about half-past 12 or 1. Then he would have nothing to do until the evening. They are not very long hours of work, but the prisoners are all out at work and he has not the opportunity of seeing them.

8954. You think it is a change, perhaps, for him?—Yes.

8955. Is there anything else you wish to state to the Committee bearing upon the reference?—No, I do not think so with regard to the treatment of prisoners.

The witness withdrew.

Col. Plummer.

Colonel PLUMMER called and examined.

8956. (*Chairman.*) You are the governor of Borstal Convict Prison?—Yes.

8957. How long have you held that post?—For two years and four months.

8958. What other posts have you held in the service?—I was first deputy governor of Borstal for seven years; then I was deputy governor of Dartmoor Prison for seven years; then I came back to Borstal as governor, and I have been there for two years and four months.

8959. You have plenty of accommodation now at Borstal?—Yes, we are only using two halls out of four.

8960. Are the cells large?—They are corrugated iron cells.

8961. Like those at Dartmoor?—Yes, only larger; they are a better class of cell than the corrugated iron ones at Dartmoor.

8962. Do you think they are adequate?—I think so. The men are very healthy.

8963. But they can communicate through the partitions?—Yes, that is a difficulty; but there is just this to be said, that the communication is almost as easily heard by the officers outside as by the prisoner in the next cell. It is heard in the hall, so that attention is very quickly drawn to it.

8964. Are you in favour of sending convicts for the first nine months to local prisons?—I should like to shorten the time myself.

8965. Do you see any advantage in the practice?—No, I do not.

8966. None at all?—Well, I think that probably three months would be very much more satisfactory; that is my opinion.

8967. What would be the advantage of three months?—Simply that the men who were really very backward in education, and who were also, perhaps, suffering a good deal in health from leading evil lives, would have an opportunity, I think, of settling down before they came to the convict prison.

8968. I suppose, if that is so, the local prisons would really be glad to pass them on to you at once?—I am sure they would.

8969. But, as a matter of discipline, you do not see any advantage in sending them to the local prisons previously?—No, I do not at all.

8970. Have you any star class men?—No, we have none at Borstal.

8971. Have you any view to represent to the Committee upon the subject of classification other than the star class in convict prisons?—I think, of course, the star class works admirably. I have not had them under me, but from all I can gather from those who have worked them, I think it works remarkably well. On the other side, I cannot quite formulate anything that is really practicable, but what I should very much like is that men of long service, when finishing that service, should have some relaxation of prison discipline for the last year before they come out. It seems to me that men of long sentences go back to the world totally unfitted to be outside; they have been for so long mere machines in prison that I do not think they really are fit to take care of themselves for the first week or two after they go out of prison, and I think many of them get into trouble before they have found their legs again.

8972. The contrast is too great, you think?—Yes. We have done everything for them, we have treated them like babies, we have nursed them, we have changed their clothes when they are wet, we have really taken such care of them as nobody else in the *English kingdom is taken care of; certainly not* soldiers. Then suddenly the man is shot out into the world with nobody to do anything for him, and I think the transition is too great for him in many instances.

8973. In what direction do you think it should go?—It seems to me that in order to do it successfully, you would have to have a small prison entirely for them, and to give up one prison entirely to them because you could not mix the disciplines, but if you had a prison where all prisoners with long sentences of over seven years, or, say, of over five years, did their last year under relaxed discipline where there would be more talking, and a great deal more visiting allowed by outsiders, I think the men would go out in a much better position to start the battle of life.

8974. In the case of a three years' man, would you treat him the same in point of time as you would treat a 10 or 15 years' man?—No, I do not think he needs it; you see after all he has no longer than the ordinary local prison man, so I should class him with the local prison man. I do not think he is so long in our hands as to get into what I call a comparatively helpless state with regard to the world, but I have often noticed men who have had, say, sentence after sentence of seven years, winding up with a 10 years' sentence, who have spent, you may say, 20 years in prison, and really when they come to go out they seem to me to be most unfitted to go out.

8975. Do you think that something might be done in connexion with the Prisoners' Aid Societies?—Yes, if only the Prisoners' Aid Societies could get money to do it with; but you see the public do not support the Prisoners' Aid Societies as they ought to do. One of the best you have in London, Mr. Wheatley's, is almost always out at elbows; they have not money to do one half of what they might do. I am constantly

getting letters from other aid societies telling me of a man who could be got work if only a little money could be given. I would, of, course, willingly give it myself if I had it, but I have not. I think that those are cases in which, if each aid society had a small capitation grant, not to be used for each prisoner, not to be counted as his in any way, but as a general fund which the Aid Society might use in furthering the interest of any special man, it would be an enormous help.

8976. Who would settle which aid society should have it?—I would give it to them all. It would not be any very great sum, but it would just put such a sum in their hand as would enable them to push on special cases which could be helped if the money were really in hand. I was trying to adapt that so as to make it fair all round to everybody, because I think if only the London societies got it the country societies would feel they were not being fairly treated.

8977. Do you think it is advisable to give the Prisoners' Aid Societies better opportunities of seeing the prisoners before discharge?—Yes; I am sure it would.

8978. You think that just meeting them at the prison gate does not give them an opportunity of getting hold of them?—No. I think that if they could come in the day before a man leaves, it would be a great advantage; and there would be no difficulty about it, because we keep a man in his cell the whole time.

8979. If a prisoner wishes to see a representative of the society, can he see him?—Yes; we should admit him without hesitation.

8980. Does he often express such a wish?—No; because being away from London he would not think it possible. Of course I may say our chaplain is unwearied on the subject of doing all he can for them in the time previous to going out, by learning their wishes, &c. He comes to me and we communicate together, in many cases with the Aid Society. I myself take the opportunity of asking every prisoner before he goes what he wishes to do. There is not a single man leaving that I do not have a private interview with, and I am very happy to say I have often had very happy results from it.

8981. Do you think many of your criminals originally offended through drink?—I should put drink down as a secondary cause, not as a primary cause; I mean he begins to go downhill before he takes to drinking. With the young men you may consider that there is one history for most of them; that is to say, a young man becomes very independent, he sets his parents at defiance, he is too proud to go to Sunday School, he gives up going to church, he simply acts on his own will and takes to spending his Saturday evenings at the music hall or at the public-house, and he gradually slides down the hill; but it is the one simple thing in all cases, it is the throwing off of all the good that a man has ever had; and this leads to the second step, which is drink. They all seem to me to be very like each other in these young men's cases. I hear a great many of their histories. In your private interviews with them you hear their whole life from each of them, step by step, I should say that godlessness was the first step and drink the second.

8982. Have you plenty of opportunities of giving labour in the prison?—In the prison itself do you mean?

8983. Yes; in and about the prison?—Do you mean the actual convicts?

8984. Yes?—Yes. Of course we exist simply to make the fortifications for Chatham.

8985. That is your general work?—Yes. Besides that we have only the shops that are really needed to carry on our own prison work, such as a little tailoring which is chiefly mending, a little carpentering, and then the blacksmiths to mend the tools for the War Office.

8986. What is your number?—275 is our strength. We have 270 to-day.

8987. Have you any farm?—Yes.

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8988. How many men work on that?—We only use 15 men on the farm, but now and again at harvest time I increase them by a few; but that is about our strength.

8989. What amount of land have you?—About 70 acres.

8990. Do you find it is satisfactory work for the prisoners?—Very satisfactory.

8991. Is it the best?—Well, I would not say that. The fortifications are really admirable work for convicts, especially the long barrow run; there is nothing better than that; everything goes by clockwork, and no one can shirk his work. The officer in one second can see whether anyone is trying to throw his work on to anybody else. Barrow work is by far the best work we have.

8992. You have no unproductive work?—No.

8993. Except as punishment?—Yes, our great drawback is that in a small prison like that we have no provision for trades; and that I look upon as a serious weakness.

8994. Does your experience lead you to think that a trade taught in prison is followed outside?—I think so in many instances, especially where a man is really changed, and many of them do really go out changed men. I think if they go out with a trade, they do not come back again. I think also there has been a great improvement of late years with regard to the feelings of the prisoners with regard to their sentences.

8995. Are you satisfied with the working of the mark system?—Yes, very much so.

8996. You have no suggestion to make?—No, of course it must greatly depend on the human instruments that administer them; but I really think, by the constant supervision we have, everything is very fair, and there is a very marked difference to-day from what it was five or six years ago. In the old days if a man was stopped a mark or many marks by the governor he took not the slightest notice of it; now a man counts every mark he gets, and if an officer stops a mark the prisoner is down to see the governor the next day. There is not a single mark stopped that is not brought before me. There is quite a change brought about in their spirits in that way. Every man is trying to see how soon he can get out of prison, and that he earns everything that he possibly can.

8997. What proportion of them lose marks?—We had 220 last year without a single punishment.

8998. That is during the year?—Yes.

8999. And a great many who were in through the whole period of their sentence, I suppose?—Yes, a very large number; in fact, you may say that crime is in this state that if I could send away 30 men I should have no crime.

9000. Have you any suggestion to make with regard to the regulations governing visits to prisoners and communication with them?—Well, the visits I think are sufficiently often. I do not know that I should interfere much with that. Of course I think you want possibly a little bit more to break off the monotony of the life. I should be glad to see a little more visiting from either inside or outside, it is a little difficult to fit in with a due regard to the fact that the man is doing penal servitude and therefore that you must not unduly relax his punishment, but I think either by an increase in the Scripture readers, or if gentlemen from the outside who are really suitable could visit a man and see him once a fortnight it would have a very happy result. The chaplain with his best efforts cannot visit every man much oftener than once a month, and I think that is not enough.

9001. Do you think it is desirable to give the governor greater discretionary power as to that?—Yes, I think so, certainly.

9002. Then with regard to punishments and prison offences, have you any suggestion to make to the Committee?—Well, I am thankful to say that I notice a wonderful change in the last ten years. When I joined the service the punishments were very severe

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for all offences in prison. It seemed to be the rule that everything should be punished with severity. I am glad to say those days are gone, and I think that is one main cause why our prisons to-day are so exceedingly well conducted—(I do not know about other prisons so much as my own, but I can honestly say that it is so)—is because now their offences are reasonably treated. They are not unduly punished for what outside you would call trivial offences and which ought to be called trivial offences.

9003. From your personal knowledge you can say that the proportion of punishments to the population in prisons has materially gone down within the last ten years?—Very much and in Borstal marvellously so.

9004. Do you keep your younger prisoners apart from the older men?—No.

9005. You make no distinction?—No, we are rather peculiarly situated in that way. No prisoner comes to us who has more than five years of his sentence to do. We are supposed to be situated in a peculiarly insecure position, and we are therefore granted an extra guard. We work right out in the open and have to go to and fro between the forts. The men are never sent to us if they are long-sentence men unless they have got within five years of their time. You may say the generality of men who come to us have only three years to do, so that we have no opportunity of classing them in ages. We have no very great opportunity of seeing really aged men.

9006. From your experience do you believe in long sentences?—No, certainly not. I do not see how in some cases it is to be avoided. There is no doubt the professional criminal, who is a very hard person to deal with, who comes in with the intention of using the whole of his time in prison in making fresh plans, and he really does not seem to be able to see that his course is wrong. He looks upon it as being quite like a trade. He is a very difficult person to deal with, and I do not know what you are to do with him except to shut him up.

9007. For such a man as one who regulates his crime so as not to be exposed as a rule to long sentences but who is continually getting his six months, should you be in favour of a cumulative sentence?—Up to a certain point—not above two years. I think if the men had two years' rigorous imprisonment that is what the extent should be in that way. Of course there are crimes for which you must go beyond it, I mean crimes of violence, crimes of manslaughter, abominable outrages and things of that sort. Of course there is no help for it, and for crimes of that sort a long sentence is the only possible punishment; but what I am thankful to see is altering to-day is the enormous cumulation of punishment a man used to draw down on himself by simply a continuation of petty larcenies, where the whole amount that he might have really stolen during that time might be even less than 1*l.*, and yet he may have had to be imprisoned 15 or 20 years for it.

9008. Do you think that the warders' hours are not too long?—Not now, certainly.

9009. Have they made any complaints to you?—No, we have had no complaints for a long time. We happened to come to a time at Borstal when through sickness it had come very heavy on them, and there apparently was not the means of strengthening us at the time. That did cause a little feeling. They were very hard worked, but the staff was immediately afterwards increased, and now they only go on night duty once in five weeks. Before they were doing it once in two weeks or once in three weeks, but generally once in two weeks. Now it is once in about five weeks, and I think they are perfectly contented in all respects, with the exception that there is now a state of affairs coming on that I think, myself, wants looking into, and that is that promotion, owing to the break up of the large prisons, has become hopelessly slow; the consequence is you have got a lot of old warders now who are not old enough to retire, and yet who are too old to expect any further promotion. These men would like some scheme which would allow them to leave after 26 years' service. They have nothing further to hope for in the way of promotion, and if they were asked to retire on pensions reduced at the same rate the police pension is, because the police contribute towards their own pension, and if that amount were deducted and the pension granted to them, I believe it would be taken as a very great boon.

9010. Would you limit it to the old warders?—No, I would simply make 26 years the time. You see a warder cannot retire until he is 60, so that I would say after 26 years' service the conditions of pension should be as follows. I take the police as the model which suits the conditions, only I remember that the prison pensions would have to be reduced, because the police have been contributing all through their service to their own pensions.

9011. Have you any views to express to the Committee on any point that has not yet been raised?—I noticed in reading over what has gone before, that there seemed to be an opinion generally adverse to the use of the crank.

9012. You only use the crank for punishment?—Only as a punishment, but it is very valuable as a punishment. I should be very sorry to see it done away with. There are particular cases of idleness, and, strange to say, some cases of lightheartedness, where the crank acts admirably.

9013. I think the crank has been used rather as a form of labour than as a punishment?—That is quite a different thing. Then there is one thing I might mention, and that is the rules with regard to the special class. A man is allowed to have a special class, that is a seven years' man, if he has passed through the first class with exemplary conduct. That sounds very well, but it does not work well, in my opinion. A prisoner may behave most abominably all through his sentence down to the day on which he reaches this point. He enters his first class, and he then behaves admirably, and he gets into the special class and gets 6*l.* on discharge. Another prisoner has been, perhaps, the whole of his sentence until within a short time of the period, when he would come within the rules, admirably well behaved. He gets into a little trouble and falls under two or three minor reports, and it just prevents the certificate of his first class being exemplary, so that he loses the blue dress. He certainly ought to have it, and the other man ought not, in my opinion. I think if it were a reward simply for general exemplary conduct during his service it would be much fairer, and would enable the governor to bring to the director just the very man who ought to receive it, but instead of that there are many men who ought to have it who do not get it now by the present rule.*

9014. (*Mr. O'Connor.*) I notice that out of 382 prisoners there were 220 who were not punished at all?—Yes.

9015. Of the remaining 162 some got loss of privilege or class, some suffered dietary punishment, and one had the punishment cells. Are those all punishments which you can inflict?—Yes.

9016. I notice that they do not bear a very high proportion as compared with similar punishments in other prisons?—The only punishment that I cannot inflict is corporal punishment.

9017. Who is the inspector that visits your prison?—Mr. Mitford.

9018. Has he ever had any practical prison experience?—Not before he came as director.

9019. I notice that whereas you have a comparatively small number of other punishments which you inflict, yet under the head of "Corporal punishment" I find you have as many as seven against 382 prisoners; that is to say, it is the highest number in the whole of the service, except at Portland and Dartmoor, where they have 1,400 or 1,500 prisoners?—That would show that the director listened very much to the governor's view of such matters.

9020. Who will order the punishment?—I bring the case before the director; I put them back for trial, and the director tries them, and very naturally

* For Colonel Garsia's evidence on this point, *see* 11,730.

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learns privately from the governor the general circumstances and what the governor's view on the subject is before he gives his decision. These were mostly cases of a bad habit that began to get into the prison of men losing their tempers with each other, and not being simply content with giving the other a blow with the fist, hit them on the head with a shovel or a pickaxe; and I thought the best way to stop it was corporal punishment, and it has stopped it.

9021. Is there anything in the system of administration which led to these violent assaults of prisoners which could be remedied?—No, I think not. We have three or four men that really I do not know how you would keep from periodically breaking out. They seem to be men of ungovernable temper. They go for three or four months, and then they break out one day, and the first man or officer who speaks to them they go at like a wolf.

9022. Would you say that possibly such men might be suffering from mental or nervous disease?—It is very hard to say, because after they are punished they go on for five, six, or seven months without another attack, and it certainly does repress an attack; which is very remarkable, and I have thought over it a great deal. They are nearly always men of a very low type and men who have had no advantages.

9023. Do you think you find in this country men of a lower type than are to be found in Ireland at all?—No, I do not think so.

9024. You have no reason to suppose that Irish prisoners are more amenable to discipline than English prisoners?—It certainly was not my experience at Dartmoor.

9025. The Dartmoor system, I suppose, was very much on all fours with the system at Borstal?—Yes; it was a large prison, and from its situation there was a larger proportion of desperate men sent there.

9026. Can you account for the fact that the Irish convict prisons and all the Irish local prisons have been conducted for a whole year without a single case of corporal punishment?—No. That is very striking indeed.

9027. You would not put it down to the difference in the character or the class of prisoners?—I do not think so, because I think, from my recollection of Dartmoor, that a very large proportion of assault cases came from the Irish prisoners.

9028. Would you put it down, then, to any difference between the subordinate officers in the English prisons and those in the Irish prisons?—I think that might possibly be so; I think the simple fact possibly of English officers not understanding the Irish character might make it quite likely.

9029. But they do not seem to understand the English character either, if you are to judge by the number of corporal punishments?—Well, it is a curious thing. I think it would be very hard to give you an estimate in that way; these things come on in the prison, I may say, like a wave over which you have apparently no control, nor can you tell where it comes from.

9030. Have you ever known the wave recede so as to disappear completely and leave the column for "Corporal punishment" empty altogether?—Yes, I think Borstal has been without it for a year.

9031. I am speaking of all the convict prisons?—I am not well enough up in statistics for that.

At this stage of the proceedings Sir ALGERNON WEST took the Chair.

9032. (*Mr. De Rutzen.*) I understand one of your suggestions to be in favour of removing the long-sentence prisoners for the first year before their sentence has expired and to remove them so as to give them a gradual slope down into the world?—Yes, into a natural life again.

9033. Would you send them to prisons?—Yes, if they had an entirely separate prison.

9034. I think you referred to relaxed discipline; that would mean a freer intercourse between one and another?—Yes, and while they were at their work allowing them to talk.

9035. Do not you think that object would be gained by allowing them to go to any Aid Society which would provide them with a home? Would it not have the same effect?—Yes, it would, but you see that Aid Societies cannot start to do it now.

9036. I am assuming that there were such places as an Aid Society which had a home?—Yes.

9037. And which was endeavouring to make itself self-supporting?—The only difficulty would be that there would be a certain number who would not go to it.

9038. Who would not go from choice?—That is so.

9039. Then they must have had some other view in their mind?—No; there is a certain class of men, and some of them are the better class of men, who look upon it as a question of receiving charity, and even prisoners are proud sometimes, and they really do not like it. If you point out the advantage to them, they say: "Oh, no; I should be very glad of "the extra 3*l.*, but I cannot go to the Aid Society; "I would rather not."

9040. Those would be few, I suppose?—Those would be comparatively few.

9041. But for the majority, a home, if there was such a place to be found, would be a great boon?—It would.

9042. And would be of the same good, useful, and beneficial character as the prison you suggest?—Yes, certainly, and you might make it a little more tempting to them. You might during the time a man was in the home, knock off so much of his police supervision, which would make him all the more desirous to stop there. I do not think you would lose much by it.

9043. Do you think that of itself, in addition to the ticket-of-leave and remission of sentence, would also act as an incentive to good character and behaviour?—I am sure it would.

9044. And in that sense have a beneficial effect upon him?—You see there is another point to look at it from, which is, that it would then enable you to do what I regard as a very needful point, that is, the teaching of trades. It is very difficult to teach a man a trade when you want him for other work, but during that year, if he could simply be run through the shops with nothing to do but to learn a trade, we could send them out as first-class tradesmen; men who had got their hands in pretty well beforehand, would be turned out fit for work. Many of them, when I asked them what they were going to do, said: "Well, I would go back to my trade, but what "can I do." See, I have been on the barrow run "for the last three years. I am a tailor by trade, "and it will take me weeks before my hands are fit "for tailoring." So with the finer trades such as watch making.

9045. That would be an additional advantage of having 12 months to clear off the outward and visible signs of it?—Yes.

9046. Of course you know the outline of the chaplain's duties?—Yes.

9047. Do you notice that the class of men who come from your prison are men of a very low standard of education?—They were; they are getting better, but we have still got a sprinkling of those with very poor education.

9048. There is a table showing the educational status of 197 prisoners on conviction. Now on conviction I notice that there were 12 who could not pass any standard, and there were eight who could only pass Standard I.; 20 who could only pass Standard II. That is the educational standard?—Yes.

9049. And 23 who could only pass the third standard?—Yes.

9050. That is on conviction?—Yes.

9051. Have you found of late years that the standard of education, considering all the facilities given at the present time for education, is very low

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amongst those who come to you?—No, I should hardly say so. It varies very much, but the system pursued now with those men is to give them just double the amount of school we do the others.

9052. That may be, but on reception what would your answer be?—It is higher than it was 10 years ago.

9053. But it is still very low?—It is still low.

9054. Now in writing. I see there are 16 on conviction; that seems that there were 16 who could not write at all?—Yes.

9055. On conviction in arithmetic there were 33 who could not pass the standard, and so forth?—Yes.

9056. I only wanted to know what the effect of education might have been. Do you find that a great many and a large proportion are of very low educational power?—No doubt there are a large number on what you would call the very lowest rung of the ladder. They can just read and they can just write, and they can do no more.

9057. And are what, I may say, is more or less entirely uneducated?—Yes, they are.

9058. And have missed the meshes of the school board?—Yes, entirely.

9059. (*Sir Algernon West.*) I wanted to ask you one question. You have advocated there being something between a prison and a home for prisoners leaving. Would you suggest that those people should earn wages during that time?—Well, I do not think it is necessary. I do not think it is needful. Of course I think myself that the incentive would be sufficiently great to have the prison discipline relaxed and to be simply placed under instructors in various trades. I think that would be an ample incentive without anything else.

9060. What should you say as to your own convicts earning very small wages which they could spend either by sending it to their friends or on luxuries for themselves?—I do not think it would do.

9061. You know it is the practice in some other countries?—Yes.

9062. Have you any further suggestion on any point you would like to make before leaving?—No; well, I am afraid it would be out of your province, but I should like to suggest that there is one very discontented person in the prison, and that is the governor. However, my grievance is not against the Directors but has reference to a decision in respect of my salary.

9063. (*Mr. O'Connor.*) Have you any suggestion to make with regard to the discretion the governor has as to the treatment of prisoners? Would you enlarge his discretion in any way?—No, I think I have quite ample powers.

9064. And sufficient staff?—Yes, and I am sure you will be pleased to hear that the support that is now given by the directors as far as I am concerned (and I believe it is the same everywhere by the new directors), has been found a great comfort and a help to us all. We have great sympathy shown to us and great help in our work by the recent changes in the Board of Directors.

The witness withdrew.

The proceedings were adjourned to Thursday next, 6th December, at 12 o'clock.

SEVENTEENTH DAY.

Home Office, Whitehall.

Thursday, 6th December 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Secretary.

Dr. BEVAN LEWIS called and examined.

Dr. Bevan Lewis.
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9065. (*Dr. Bridges.*) I think you are medical superintendent at the Wakefield Asylum?—Yes.

9066. You have held that position for how long?—For over 20 years.

9067. As assistant medical superintendent?—Yes, assistant medical officer and superintendent.

9068. I think I am right in saying that the Wakefield Asylum has been practically for some time a sort of school for research into medical psychology?—We have endeavoured to make it so to the fullest possible extent. We admit there not only clinical assistants, who go in for psychological study, but also assistants from other asylums, who are allowed to come down and spend a month or two in our pathological laboratory.

9069. The medical staff at Wakefield Asylum has, for many years, issued an important series of medical reports?—The West Riding Asylum Medical Reports have been issued for several years.

9070. They are especially directed to the physiology of the brain, and to what may be called mental psychology?—Yes.

9071. And you have contributed a very large number of papers to that, I think?—I have written chiefly in the records of the Royal Society, and also other societies; not so largely for the work you are now alluding to. I have also contributed papers to that work, of course, but not so largely as to the others.

9072. I think you are also the author of a text book?—Yes, a text book on mental diseases.

9073. You have had, I presume, in the Wakefield Asylum, a certain number of patients who have committed crimes, or what are supposed to be crimes?—Yes, that is so; we draw, of course, from the neighbouring prisons—from Her Majesty's prison at Wakefield, and also at Leeds—criminal lunatics who are sent to us for the ordinary association with the insane community there.

Dr. Bevan Lewis.
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9074. Have you any account of the number of those that have come under your observation?—Yes, I can give you the figures. The criminal lunatics received during the last 10 years amount to 126; there are still remaining as criminals 3, and still remaining as pauper lunatics, transferred from the criminal to the pauper class, 23. On the other hand, I should mention a class, that is the pauper patients received from the prisons who are not admitted as criminals, but whose sentence has been allowed to expire in prison, and who are then transferred to us at the asylum. Those amount to 40 during the same period. Altogether we may say the class of lunatics with a criminal history will amount to 166 during the past 10 years, so that it is not a large per-centage, of course, to the total inmates.

9075. The criminal lunatics, I suppose, are not those who have been charged with the gravest of crimes?—No, certainly not; they are more or less for minor offences.

9076. Because we understand that the gravest charges are sent to Broadmoor?—That is so.

9077. The criminal lunatics which you admit, then, are cases of what kinds principally?—Thefts, larceny, and other petty offences. In many cases they are simply for drunkenness and disorderliness, frequently repeated. These cases frequently embrace the ordinary pauper patients suffering from mental disease before they have got into prison, mental disease of ordinary pauper patients existing before they have got into prison.

9078. There are many cases you have received as ordinary lunatics in your asylum who have been discharged as apparently well, and who have then committed some offence?—I should scarcely go so far as that. The larger proportion of patients received in that category would embrace those who were discharged on trial to their friends, and who have subsequently got into prison and not recovered; perhaps I may be allowed to add that they are mostly feeble minded.

9079. When a feeble-minded lunatic appears to you to have a fair chance of being able to live independently and freely, then, after careful examination, you think it right to discharge him?—Yes, we send them out on trial to their friends or to some responsible party.

9080. Do you take precautions as to reports being sent from their friends? Have you any reports sent to you?—We have really no authority to demand any such report; it might be impossible; but we uniformly communicate with the friends, and obtain from them a statement that they will be responsible for the care of their relative, and so far as possible prevent his being admitted upon the rates of the union in future.

9081. And notwithstanding that care, a certain number of those that you discharge fall through and commit some kind of offence?—Yes; I am very much surprised we do not get them all back through the prisons, because they are just that class who are epileptic, epileptoid, and paralytic, showing the early stage of some physical weakness which renders further detention necessary. They often come back to us as confirmed paralytics to die in the institution. A large proportion of cases of general paralysis come to us from prison after having, of course, served a certain period there, when a little further examination, if it were possible and practicable on the part of the medical authorities, might prove them to have been from the first more or less devoid of intelligence from the act which they have committed, and such as would in every way justify their detention in an asylum.

9082. Do you agree with those medical authorities who hold that crime is always, or very nearly always, connected with mental unsoundness?—Well, I go very far in that view, I would not emphasize it so strongly as Lombroso, Krafft-Ebing, and others have done, but they have all some kind of physico-psychical basis.

9083. Do you go so far as to say that you regard the committal of a crime as in itself evidence of mental unsoundness? — Certainly not, but the habitual criminal I regard as simply a degenerate offspring of a very degenerate stock; and if I may be allowed to express my opinion more freely, I would say that both insanity and crime are simply morbid branches of the same stock. Given a certain environment you will have crime; given a more favourable environment, and you will have simply insanity.

9084. Taking the case of a man who, from a wish to lead a pleasant and agreeable life without working, commits a crime like forgery, manifesting no other form of mental unsoundness whatever, manifesting, perhaps, high intellectual qualities by the way in which he endeavours to conceal his crime, should you say such a person was insane?—By no means; I should not go so far as that. I do not think crime is by any means in itself evidence of an unsound mental constitution.

9085. But you feel that there is a point of borderland where it is extremely difficult to tell whether an act has been committed with full mental faculties or with degenerate mental faculties?—Yes, I am very painfully impressed with the fact that there is a borderland where the difficulty is extreme; but they so dovetail into each other, conditions of mental enfeeblement, insanity, and crime, that it becomes a great question how far the medical authorities ought to dictate. That I quite allow. I myself believe that on the border line between insanity and crime a very large proportion of the criminal class stand. By the criminal community I do not alone mean those who are officially recognised as criminals, but those who are at large and unrecognised, who come to us as pauper lunatics, and who may not go to prison at all.

9086. Coming back, then, to the 166 persons in the last 10 years of whom you have spoken to us, what proportion of those would be connected with drink?—I can quote more satisfactorily the figures which were given some years since by Dr. Clarke, of Her Majesty's prison at Wakefield. I myself saw the way in which those statistics were drawn out. I felt satisfied that they were accurate throughout. Of course it is a question which is open to numerous fallacies, but I feel altogether quite persuaded of the accuracy of these figures. I can quote them as cases of ancestral intemperance. In cases of ancestral intemperance, the whole criminal community gives 43·5 per cent. of drunken fathers. I am not taking parents, but limiting it to drunken fathers. This is an important point, because we want to get at the ancestral intemperance on the father's side. Then 43·5 was the figure given to us. When he restricted his examination to epileptic criminals ancestral intemperance was much higher with those prisoners who presented epileptic or epileptoid symptoms more especially; it runs up to 49·5. There was a border class of 18·2 almost certainly cases connected with ancestral intemperance, and which figures must be added on to the 49·5, which brings out about 67 per cent. who are supposed to be of drunken parentage.

9087. (*Mr. O'Connor.*) Have you any idea of what proportion the 43 per cent. and the 49 per cent. represent the same cases; that is to say, what proportion would the cases be in which there were epileptic tendencies, and in which at the same time there was inherited intemperance. Would they go closely together?—I think they would, but I do not think I could answer that question.

9088. But the proportion would be considerable?—The proportion would certainly be considerable.

9089. (*Dr. Bridges.*) Do you distinguish as an inciting cause ancestral intemperance. I think you mentioned that?—Yes, I did.

9090. Do you distinguish the cases in which the intemperance was not inherited or acquired in a particular case of an individual?—I refer the ancestral intemperance entirely to the father's drunken habits, and the evolution of crime in the offspring.

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9091. The offspring being also intemperate?—Sometimes, but that comes out in a proportion of 66 per cent. of all criminals, and 73·7 per cent. of epileptic criminals. Perhaps, with that I might bracket this, that a striking contrast can here be drawn out between crime and insanity. In the examination of the statistics of our asylum at Wakefield, I find that amongst 4,000 of our pauper patients who were admitted during the past 10 years, ancestral intemperance comes out in a very small proportion of cases, in spite of every inquiry made from friends. Out of 4,125 insane admissions at Wakefield Asylum during the past 10 years, 6·6 have to be referred simply to an antecedent history, showing ancestral intemperance. Out of 2,311 males, the proportion runs up to 9·39, and *a priori* the difficulty of eliciting intemperate habits in the family is of course very great.

9092. When you speak of intemperance, do you include other toxite agents besides alcohol?—No, it is entirely alcoholic intemperance I refer to here.

9093. Have you been able to distinguish insanity which is due to morphia?—It is very rare that we meet with a case in our institution, but we get them occasionally.

9094. Do you attribute a large quantity—I am rather confining my attention now to the 166 cases you have brought before us, and I am dealing with those who committed crime, because that is, of course, our immediate purpose—do you connect very much of it with sexual excess?—I am afraid I must very largely, as regards criminals.

9095. Then, coming to the question of these criminal lunatics, and keeping to that still, have you made any observations as to congenital malformation?—To a certain extent; but I have not carried that out to the extent of putting it through the improved methods now being adopted in prisons. I refer, of course, to the Bertillon measurements, and to the cranio-metrical instruments, which will be used both in prisons and asylums, I have no doubt.

9096. You have paid considerable attention to the subject of lunacy statistics generally?—I have to a certain extent, so far as they are embraced in my special domain.

9097. Would you be able to answer this question. In an average population, let us say, in a country town containing 20,000 persons, speaking roughly, what would be the number of cases of insanity that you would expect to find in the course of a year, taking one year with another, in such a community?—I think I must quote from the Commissioners' returns, as being most exact in every way, inasmuch as they are afforded every possible means of collecting information now on the point, which was not the case at one time; but you may say the proportion in a town of 10,000 people would be 30, or thereabouts—that is all classes of lunatics, including paupers and criminals, both in the county asylums and the borough asylums, private institutions, unions, and the general population.

9098. In a town of 10,000 inhabitants, you think it a natural thing that some 30 cases of lunacy, all told, should occur?—Yes, that is so.

9099. If you found such a proportion as 50 occur in such a population, you would think that a good deal above the average?—It would certainly surprise me.

9100. Have you had any experience of prisons at all?—My experience so far has been limited. I have endeavoured to visit the community, both at Wakefield and Leeds. I have had frequent interviews there both with the medical staff and the prisoners. Perhaps I may say I have had an experience amongst the prison communities there, and especially at Wakefield.

9101. With regard to the treatment of prisoners who are kept under observation in prison, you are aware that where there is any suspicion of insanity, the rules are that a prisoner should be kept under careful observation on the part of the medical officer?—Yes.

9102. The doctor of course having every discretion with regard to his dietary and so on?—Yes.

9103. Do you think that the life in prison during that period of observation is at all calculated to prejudice the mental health of the prisoner?—I fear so very largely; if you refer to solitary confinement I must emphasise my statement very much indeed, but if you refer to what I should call "separate confinement." that is free admixture, not with the criminal community at large, but association with the warder, chaplain, and medical officer, and every other association apart from that of the criminal community, I should say not so much, but certainly solitary confinement very strongly predisposes to the elaboration of insane conditions.

9104. You are aware that the prisoners who are kept under this kind of observation are not in solitary confinement, nor are they even in separate confinement?—The class you allude to would occasionally be subject to solitary confinement, I understand.

9105. For a very short period?—The convicts who come to Wakefield Prison would be there for nine months at the very outside, and they are then drafted in to their convict prisons, but during that nine months of course we are dealing with an extremely degenerate class, and the effect upon their mental constitution I should not think ought to be taken so much notice of as in the cases of those who are not convicts or habitual criminals, but those who commit offences of minor degree and nevertheless manifest neurotic tendencies. Their confinement, even of a separate description such as I have alluded to, I think may be attended with a serious risk, more particularly in the evolution of hallucinatory conditions. My feeling is, that in all degenerate cases, just as with all weaklings, there is a tendency to dominant ideas, the mind has a very narrow circle of range, and if any special morbid idea comes up, it will be dwelt upon, and its elaboration would result. This state is frequently associated with hallucinations and delusion based thereon, and very frequently re-acts in some morbid conduct. I have had it stated to me on several occasions that the legal period of confinement of two years (which is the maximum) frequently results in these forms of disease, and that after 12 months of confinement the medical staff must look out anxiously for evidence of insanity in these criminals. It is just possible that a man may seem queer and eccentric, and that is almost invariably confirmed in every case upon examination by finding some morbid condition which dominates him after 12 months' confinement.

9106. If you had to deal with prisoners with regard to whom you had any suspicion, I take it you would prefer that they should be in association?—Distinctly so, but certainly not in association with the habitual criminal.

9107. Not in association with one another?—I should prefer a segregation so complete as to classify those prisoners who were habitual criminals, and separate them altogether from those who were not criminal by neurotic inheritance, but by simple admixture, and who had committed crimes for the first time. The simple mentally enfeebled should be segregated entirely apart from the criminal classes.

9108. With regard to this mentally enfeebled class, do you think it very important to keep them employed?—Certainly, I do. I look upon it as an all-important factor in their treatment, not only as regards their employment and the elaboration of the motor centres of the brain as associated with evolution very largely indeed, but also by giving them calisthenics, gymnasia, and exercises of that sort; I believe there is a tendency on the part of the mind to evolve under such circumstances, and if this be associated only with very thoughtful culture and training on the part of those who are specially chosen, I think in the case of these mental degenerates we may get very good results. We are looking to this in our asylums, and I see no reason why parallel cases in prisons should not be treated in the same way.

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9109. Would your prefer that they should be out of doors?—I should, certainly, and that they should be trained in various occupations, employments, and trades.

9110. I think I may take it from what you have said that you would consider that the medical officer of a prison should be a man who has paid some attention to mental disease?—Yes, I should say so; but I would guard that observation with the remark that I do not for a moment insinuate that such a man should be chosen from the ranks of the asylum body, because it is a fact that we have in our asylums a very large body of men who take up the employment tentatively, who are not quite convinced that private practice will suit them better than a county lunatic asylum, and who leave it for private practice. Such men as have not special psychological knowledge or training are not the men for the prison service, and there are a large number of prison officers who, if they were permitted to spend six months in a large county asylum, would turn out a very important body of men for the purpose in question. The difficulties of diagnosis are very great, and it is requisite that they should have very fair training in insanity.

9111. You have, I suppose, sometimes been consulted as to a criminal who pretends to be insane?—Certainly; and frequently. In fact the object of my visits to Wakefield Prison generally is the elucidation of the morbid factor, if there be one, or the proof of the malingering.

9112. And you sometimes come to the conclusion that the man is malingering?—Certainly.

9113. And to detect malingering requires very considerable skill and experience in the state of mental disease?—I should certainly say it does require a large experience in the study of mental disease.

9114. (*Chairman.*) Do you pass any criminals on to Broadmoor?—No, unless accidents demand it, as in the case of a murder committed at the asylum, which has been the case occasionally. There have been one or two cases I may say.

9115. Do you consider that the cases that you take from the prisons are among the worst cases of insanity, or are they about on an average with the others?—They embrace a large per-centage of general paralytics, and general paralysis is invariably a fatal disease, and one for which no cure has ever yet been obtained. These general paralytics on an average die within three years of the commencement of their symptoms, and the prison population shows many of these cases whose condition is simply one of morbid habits in early stages of the disease; but their friends do not appreciate its meaning, and they get abroad and commit thefts. The act is utterly illogical in its nature, yet they are not recognised even then as being mentally incapable. They are sent on to prison, and serve certain sentences there, and are eventually brought to us at the asylum.

9116. With regard to that class of cases you do not attribute the development of these symptoms or the responsibility for these symptoms to prison treatment or the prison system?—No, certainly not.

9117. Then with regard to the remainder of the patients that you take from the prisons, do you find that these cases are very serious, and generally permanent?—I do find it so. We always look upon a case as a case of mental enfeeblement if we detect a very strongly inherited condition; if there is a strong neurotic heritage, and if we can look back far enough into the history of the case we usually find epilepsy or drinking habits in the ancestry, and chorea and other nervous affections. We generally find the subject is so degenerate that he remains a marked subject for lifetime; mentally enfeebled, and either a recurrent case of insanity or else a case of recurrent crime.

9118. What is your per-centage of recoveries?—At the Wakefield Asylum it would average, I think, 40, a little above the general return given by the Commissioners of Lunacy for the whole of England and Wales.

9119. Forty per cent.?—That is 40 upon the admissions into our asylums.

9120. (*Sir J. E. Dorington.*) Forty per cent. upon the admissions?—Yes.

9121. (*Chairman.*) Then of course it would not be so high as that with regard to the patients you take from prisons?—No, not nearly so high.

9122. What per-centage of the cases you take from prisons could you say were attributable to prison treatment, to having been put in prison with solitary confinement, No. 1 diet, and so forth?—I should be very sorry to say that the insanity was manufactured in prison. I do not affirm that for a moment. What I mean to say is that the evolution of their symptoms is brought about by certain forms of treatment in prison, and that a degenerate offspring will, if placed in certain conditions, evolve invariably hallucinations and other mental troubles, whereas if he were out abroad it would not be the case.

9123. Can you say how many cases were cases in which the germs of insanity had been matured through the more or less necessary conditions of prison life?—I do not think we have any statistics upon the point. I do not think there are any to offer, and more particularly owing to the fact that a very large proportion, I believe, of the criminal community (I would guard that observation by stating that this is entirely a matter of opinion) are degenerate and pass away out of our prison into ordinary life on the expiration of their sentence without being recognised officially as on the border line of insanity, if not actually insane. I feel sure that many general paralytics sent to prison will pass out into life again and come back to us as pauper lunatics.

9124. Then I understand you to say that you have no knowledge of any cases where lunacy was manufactured in the prison, so to speak, but there are cases in which prison treatment may have hastened the development of insanity?—That is just my opinion. I think it would be most unfair for me to maintain for a moment that lunacy was manufactured by the prison treatment apart from what you have just stated.

9125. Do you think, taking Wakefield for instance, where you have an average of 600 prisoners, that the medical supervision is sufficient, amongst other purposes, for watching symptoms of insanity among the prisoners?—Yes, I do so far as the present system is concerned, although I should certainly advocate a much more thorough inspection, under different conditions, of the whole prison community. All who were regarded as neurotic we should be able to segregate more thoroughly, and I have no doubt that, with official cognisance of incoming cases, lunacy would be detected before they came to us; but with the enormous admission into our prisons of 30 to 50 a day it would be utterly impossible for the medical authority to give that attention which is necessary for the weeding out of those neurotic cases. They are discharged before such attention could be bestowed upon a case.

9126. Do you think that it would be desirable, if it were possible, to concentrate in particular prisons the weak-minded and neurotic prisoners for special observation?—I think it would be a most progressive movement, and one of very vital importance. My views have always tended very strongly in that direction. I think that the segregation of the feeble minded, both of the asylum and criminal classes, should be attended to much more closely. I do not refer here to ordinary prisoners and say that they should have in such places a medical superintendent at the head of the establishment, because it would involve a very large amount of labour, and medical capacity I think alone would be able to manipulate it properly. I do not for a moment suggest that a medical superintendent should be appointed to all large prisons. I would not for a moment suggest that; but to such intermediate institutions as I understand you to allude I should say certainly medical supervision should be given.

9127. In every prison you find a few—6, 12, or 20, as the case may be—of this particular class of men.

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What I was meaning was that these cases could be concentrated in some particular prison where they could be specially treated and specially watched?—I am inclined to think there is a heavy per-centage of such cases, and that it would be found necessary to multiply such institutions if the question were once taken up.

9128. Are you in favour of special treatment of habitual drunkards and the provision of compulsory detention?—Under State control, certainly.

9129. You think that possibly that might save them from ultimate insanity?—Yes, I do think so; I am of that opinion.

9130. Supposing you had special prisons for such habitual inebriates, would it be advisable, do you think, to have a branch of that establishment for the detention of the weak-minded and neurotic prisoners, or would you keep them entirely separate?—I should feel inclined to keep them entirely apart, but I see no reason why they should not be associated with the feeble-minded class in large asylums. They are parallel more or less; they are educable to a certain extent; and such institutions would inaugurate an era of—not such repressive measures, but expansive educational measures; and I think all those measures should be adopted which involve careful medical supervision with the view of bringing them to the condition of healthy rational beings.

9131. I suppose when you receive a prisoner whose sentence has not expired, the prison is charged with the expenses?—That is so.

9132. Then after the expiration of his sentence, what is done?—Then he is relegated to the class of pauper lunatics, and becomes chargeable to the union where the offence was committed.

9133. (*Mr. O'Connor.*) I suppose you regard it as a matter of great importance that when a man is taken to prison on a charge there should be ample opportunity and facilities for a correct diagnosis of his mental condition?—Yes, I regard that as an all-important consideration.

9134. Could you give the Committee any practical suggestion which would not involve any very large expenditure, as, for instance, by establishing a new institution by which such a diagnosis could be secured, especially in the case of those short sentence prisoners who would be liable only to short sentences if they were convicted?—My feeling, I think, I have partially expressed on that point; that is, that the medical officer in charge of that prison should be, in the first place, recognised as an enthusiast in the study of craniology, and that that man should have a preparatory training in our asylums. I believe if he were allowed to have six months' attendance upon the insane communities the gain would be very considerable indeed; but of course they are not afforded that opportunity, much as they wish for it. Over and over again I have heard the expression used, "I only wish I could come to an "asylum and study mental disease there for a short "period," just as we feel, on the other hand, that as regards prisons we should like to go and see more of prison life, but we cannot do so. With regard to the other suggestion, I think it is all important, and much more important in every respect.

9135. Have you had occasion to look up, or have you from curiosity looked up, the professional antecedents or qualifications of the great bulk of prison officers. Do you know whether they have had any training to enable them to make rapid diagnoses?—I am aware that occasionally an officer is drafted off from the asylum service into the English prisons; but I think they would be in the minority, and very largely in the minority.

9136. What would you say would be a necessary medical staff to deal fairly with, say, 200 prisoners in a single day?—I may take it that those prisoners are fresh admissions into the prison?

9137. Yes. Take a London prison, for instance. We will take 100, or 200, or 300, if you like, in a day. What would you say would be a necessary medical staff in order that such a reasonable diagnosis might be made as to secure proper weeding out of subjects more fit for the asylum than for the prison?—Am I to understand that the diagnosis must be made summarily, and must not extend over some days; say a week?

9138. Well, I suppose three days at the outside?—I should say four officers in that case.

9139. For how many prisoners?—For 200 admissions per diem.

9140. You think that something under 100, say about 50, would tax the energies of one man?—I think so, if the work were efficiently performed.

9141. (*Chairman.*) You mentioned, I think, that you rather wished you had more frequent opportunities of seeing the prisoners in the prisons?—Yes.

9142. Did you mean that you have not time for such visits, or that there was not sufficient opportunity?—Well, I simply meant that with a population of 1,400, and an admission rate of 460, at the West Riding Asylum, it would be quite impossible for me to devote the time I would like to devote to that work. My position would be altogether different from that of the officers in charge of one of Her Majesty's prisons in this respect, he may be able to afford time for the attendance with the sanction of the authorities; but in lunacy I think it is quite impossible. Our time is so much taken up by departmental work and by administrative routine, I am sorry to say to a very large extent over and above the conditions of medical life. The medical officer of your prison is a typical medical officer, that is to say, he does not take up the administrative work which the governor does, whereas the medical officer of a lunatic asylum has a large amount of administrative work to do.

9143. I suppose you have had no difficulty in getting access to a prison whenever you wished?—No, not at all. I have always received the kindest attention and consideration.

9144. (*Sir J. E. Dorington.*) Do you find any objection in the asylum to having criminals sent to you, associating them with men who have been admitted as paupers?—Yes, distinctly so. The association must be recognised as vicious to those whose maladies are simply not their fault but their affliction. The young insane girls and lads of tender age are associated immediately with habitual criminals, and it is impossible, as the system is at present adopted, to segregate them in our large asylums. We cannot separate them.

9145. You think the State ought to make some other provision for the lunatics who are criminals than sending them to the pauper lunatic asylum?—Unless the Local Government Board intervenes, and renders it possible to act in a different direction, my own feeling is that we are even now evolving a condition of things in asylum life which may meet that question. We are trying to establish acute hospitals for the insane. That would be a building specially devoted to the recoverable cases. We should take in all admissions, but should draft off the chronic cases, which would include nearly all the criminal class, into the large county asylums. We should receive the recoverable class here, and detain them until cured.

9146. That would be a hospital, in fact?—Yes.

9147. Then you would have the criminal in that hospital and also the chronic cases?—We should only admit him into the hospital, and should pass him on to the chronic block.

9148. There he would be mixed with a class who are not criminal?—Not the young and recoverable case or the case of mild mental enfeeblement—cases which may be more or less dealt with successfully; but that there is such a vicious tendency to such admixture in our asylums I have not the slightest doubt. I can refer to many cases where undoubtedly the young pauper lunatic has come in to us somewhat mentally enfeebled, and has been much degraded by association with a certain class of criminals.

9149. You have a sufficient number in Wakefield to produce that effect?—Yes, we have a certain number who remain there as paupers. There are 23 there at the present time as paupers who have been criminal lunatics, and whose sentences have been completed.

9150. In fact, they changed their status on the expiration of their sentence?—That is so, and above that number there would be 11 others remaining in the asylum who were admitted into the asylum upon the expiration of their sentence as pauper lunatics. They have inherited all the features of the criminal lunatic, but at the same time they are classified as pauper lunatics, and mixed up generally with the others.

9151. Practically you have received a certain number of persons on their discharge from prison as insane who have completed the whole of their sentence notwithstanding they were insane in prison?—That is the case. The number amounts to 40 during the past 10 years.

9152. Is not it rather singular that they should have kept them as insane in the prison when they were recognised as insane, and yet should only have certified them as insane on the completion of their sentences?—It would suggest itself in the first place as showing a want of special training of the medical officer of the prison, but I would dissent at once from that, owing to the fact that I am acquainted with the difficulties of the medical staff. I am only too well aware of the difficulty. The medical officer may have made, of course, an anxious inquiry into the mental condition of the patient, and may think he finds evidence of insanity, but the difficulty you have to deal with is that he may be malingering. The consequence is that after weeks of constant observation he has come to the conclusion that the man is insane, and he presents the man for certification, but the magistrate fails to see what the medical officer wishes him to see. Of course you cannot expect the magistrate to see what the medical officer has for months failed to elicit, and the consequence is that the man remains longer in the prison. The magistrate absolutely refuses to certify such a case in many instances, I believe.

9153. Then when these men are discharged, on whose initiative are they brought to you? Is it through the relieving officer?—Yes, the class I have just alluded to are the pauper patients.

9154. I mean pauper patients discharged from the prison; are they brought to you by the relieving officer?—Yes.

9155. So that he comes to you under the ordinary conditions of a pauper lunatic?—That is so.

9156. How do you know then that he has come from prison?—The magistrate's order for his detention at an asylum accompanies it.

9157. But the man is discharged from the prison. So far as the medical officer and the gaol are concerned they are quit of him?—Quite so.

9158. But by some action taken inside the prison the relieving officer has been notified that a prisoner is about to be discharged who is probably insane?—That is the case.

9159. Then the relieving officer takes him before two magistrates and he certifies him?—Yes.

9160. Do you happen to know that that is the action taken?—Except that the magistrates visiting the prison take the action.

9161. The visiting justices do?—Yes.

9162. (*Mr. De Rutzen.*) How many instances have you ever known of that being done?—I do not quite follow the question.

9163. You say that when a prisoner has just served his sentence, the prison authorities give notice to the relieving officer about him, and the relieving officer takes steps to have him removed to the asylum. How many instances have you known of that—many?—The same form will apply to all those 40 cases during the past 10 years.

9164. On what ground do you say that these 40 cases are dealt with in that particular way, and that they have not been cases which the relieving officer has taken up, and which have then been certified and the order of the magistrate made to remove them?—I have always taken it that the relieving officer in bringing such a case invariably tells us that the case has come from prison.

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9165. "Has been in prison," or "has come from prison"?—Has come from prison. Of course I allude only to those whose sentences have expired, and who are truly chargeable to the union, and not to the Prison Commissioners.

9166. How many cases can you say have come direct from the prisons in that way. You say 40?—Yes; that is in 10 years.

9167. But in that particular year?—In that particular year. I could not answer your question.

9168. (*Mr. O'Connor.*) With regard to the charge for such a patient; if he was sent to you by the Prison Commissioners, would the Prison Commissioners pay the expenses of his keep?—Yes.

9169. Would they continue to pay after the expiration of the man's sentence?—No, certainly not. Then the case is relegated to the proper union authority, which is the union in the district where the crime has been committed.

9170. Then you know the date of the expiry of the sentence, and after that time you look to the guardians?—Yes, for the remuneration.

9171. I suppose it would cost more to keep a man in a lunatic asylum than it would to keep him in a prison?—I am afraid I have not sufficient data to fall back upon to give you that information.

9172. (*Sir J. E. Dorington.*) What is your charge?—*9s. 9d.* Would it be at all irregular if I placed before you one thing which might possibly be of service?

9173. (*Chairman.*) Not at all?—In a communication from the Rev. W. D. Morrison, I find that he has afforded me this information, which seems to me to be very important. He tells me that there were 43 suicides committed in prison in the five years between 1889 and 1893, the per-centage of old offenders amounting to 41·8 per cent. The point is important for this reason. The Scotch returns give us 33 per cent. of cases of insanity occurring amongst old offenders as indicating the amount of neurotic heredity, but this is a much higher per-centage, as 43 suicides, or a per-centage of 41·8 were old offenders. By "old offenders," it seems he means those whose return to prison averages 7½ to 8 times, and his conclusions upon this point tallied very largely with my own. His contention is that the repeated imprisonment of old offenders tends to aggravate their morbid and mental condition, and to increase the ratio of insanity. The growth of suicide can in no great measure be stopped by mechanical means, but it has been diminished. That is the more important point I wish to place before you before I leave, that the tendency to suicide as an evidence of insanity seems to have run up to a rather high per-centage in prison life.

9174. (*Sir J. E. Dorington.*) In England?—Yes.

9175. Not in Scotland?—In Scotland it reaches 33 per cent. That is insanity, not suicide. There is direct evidence of insanity in some form, but here is direct evidence of suicide to the extent of 41·8 per cent., and it is so important a per-centage that I thought you ought to be in possession of these figures.

9176. (*Dr. Bridges.*) I do not think I understand your figures when you say 41 per cent.; that means per cent. of what?—41 per cent. of the gross cases in the asylum, I understand it to be, during that period.

9177. In which asylum?—I mean the prison; the only figures I have are that 43 suicides were committed in prison during five years, so that that would be of the total population admitted to the prison in that year; the per-centage of old offenders amounted to 41·8 per cent.

9178. You are not suggesting that 43 suicides occurred in any one prison?—During the five years that is the case.

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9179. (*Chairman.*) In which prison?—It does not distinctly state.

9180. *Dr. Bridges.*) You mean that out of the whole prison population in England and Wales, 42 suicides have occurred in seven years?—In five years; it is between 1889 and 1893.

9181. Those are not figures you vouch for from your own knowledge?—No; but the information coming to me lately, I thought you should have it before you.

9182. (*Miss Orme.*) In explaining what he means by "old offenders," what does he mean by saying an average length of 7½ years?—I do not mean 7½ years, but 7½ returns to prison—relapses to crime.

9183. Then how can it be an average of that. Some of those people might only have been in once, so that saying "average" is a very indistinct term?—Yes, it is certainly obscure, so far as it goes.

9184. (*Chairman.*) It is five years subsequent to 1888?—Yes.

9185. On an average population of 14,031; that is what that refers to?—Yes.

9186. (*Dr. Bridges.*) Of course we have the whole of those figures before us?—Then I have quite unintentionally taken up your time; I was not aware they were officially recognised.

The witness withdrew.

Dr. Ancrum.

Dr. ANCRUM called and examined.

9187. (*Sir J. E. Dorington.*) You are a county justice of Gloucestershire?—Yes.

9188. You were formerly in the medical profession?—I was.

9188. You do not practice now?—No not for 35 years.

9190. And for about that period you have been taking a great part in county government?—I have.

9191. You have been a visiting justice of Gloucester gaol?—For nearly 30 years.

9192. And at the present time I think you are chairman of the visiting committee?—I am.

9193. Would you tell us how the duties were formerly carried on by visiting justices as compared with the way in which they are carried on now?—Well the visiting justices in former times visited the prison every month. There was a meeting every month; everything was referred to them, and, to a certain extent, the governor was, you may say, under their entire jurisdiction. He of course carried on the discipline of the prison, but everything connected with the labour—at least with the occupation of the prisoners, the diet and the engagements of the warders—was always referred to and emanated from the visiting justices. In fact the governor carried on the discipline of the prison under their control.

9194. The visiting justices were there oftener than once a month?—The committee met once a month; but besides that the visiting justices visited the prisoners always every fortnight, and the chairman generally visited the prison more frequently; I think I was there every fortnight.

9195. I suppose all contracts for food were made by the visiting justices?—Everything.

9196. And the diets were entirely settled by them?—Yes, the diets were settled by the visiting justices. The diets were settled on two occasion when I was a visiting justice and, on each occasion we consulted two eminent medical men in the neighbourhood as to the diets. At one time I thought the diets were rather low, and that the prisoners were suffering from lowness of the diet. It was considered at that time that a prisoner who was condemned to three weeks or one month was very severely treated; and I think the diet was something modified.

9197. As compared with the existing diets?—Well, with respect to the existing diet, I must say I think the diet is sufficiently good. Certainly I think the diet that was settled by the visiting justices for the three months prisoners, and for the year, or two years prisoners, was perfectly good, and that they all of them gained in weight. At the present time the diet consists of, first, what is called the first-class diet, which consists of 16 ozs. of bread, and a certain quantity of what is called "stirabout." Well, I do not think that this is universally eaten throughout England, and I think that if a prisoner has a diet it ought to be such a diet as he will eat. Now I asked some warders whether the prisoners generally would eat this diet. Of course they eat their bread, but the people in Gloucestershire (what we may call the ordinary prisoner in Gloucestershire, being the agricultural labourer), generally will not eat the stirabout; and therefore, though the stirabout is given to him, he does not eat it. Now I have no doubt that in the North of England they will eat it; they are accustomed to porridge there, and they will eat porridge, but they will not eat porridge in Gloucestershire.

9198. You are inclined to think that, from the different customs of the population of different parts of the country, you cannot very well have an absolutely uniformity of diet?—Yes, I think so, I think if you give a man a diet it should be a diet which he will eat willingly. Those men who are sentenced to a week or 10 days tell me that they have nothing but a pound of bread and a pint and a half of stirabout, and they do not eat the stirabout. I suppose, generally speaking, a man can exist on a pound of bread for a short time; but certainly the people who formerly had bread and water suffered a good deal after three weeks of it.

9199. At the present time you think the diet is rather better than it was in the old days?—Yes, if they would eat the stirabout.

9200. Do they suffer from not eating it?—No, I do not think they do.

9201. Do you think prisoners have in any way sufferred from the loss of interest taken by the visiting justices in prison administration?—Well, it is very difficult for me to say. Our prison is very small, and has dwindled very much. The sentences are very short, the prisoners remain there a very short time. There is not much to be done by the visiting justices in the way of considering how they should hope to reform the prisoners that are in the gaol. Formerly this was a subject that engaged our attention very much. They were very anxious, if possible, to turn the man out with a trade or some means of occupation. I think all that desire to discuss the future prospects of the prisoner has ceased, and I think generally that the interest taken in the gaols is, comparatively speaking, greatly diminished throughout England, and not only in Gloucestershire. We had a great many persons there who were very much interested in prison discipline, and very much interested in the reformation of prisoners; and I have met in other parts of England other gentlemen who have been visiting justices, who have been equally interested with ourselves, but I do think all that has ceased now. I attended one of the prison congresses as a delegate from Gloucestershire during the time that Lord Aberdare was Secretary of the Home Department. There was a very large number of gentlemen there who took a very active interest in the prisons. I think it would be now very difficult to find a body of men who would meet in London to discuss these matters.

9202. You think the loss of interest is due to the new system?—I think so. I think we consider generally that now the system is stereotyped, it would be almost impossible for any person to get any alteration made; and if you once arrive at the conclusion that there is nothing further to be said with respect to prisons, then, of course, there is no necessity for the interference of the outsiders; but I believe that the persons outside the prisons have been those who have contributed chiefly to the reform at all times; persons who have thought on the subject, and who have devoted their minds to it, have introduced great alterations in the prisons from the beginning of this century, and I think now that that has ceased.

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9203. I believe in former times, when the population of Gloucester prison was unfortunately larger than it is now, that Gloucester took a lead in prison administration?—I think the first prison on the separate system that was built in the world was built in Gloucester, and it was built in 1791. I took an extract from the Quarter Sessions book when the new separate prison was being built, and I there saw that the chairman states that the penitentiary, "the only one in the kingdom excepting Milbank, was originally similar in most respects to the model experiment at Pentonville, intended only for prisoners after conviction who were in a great measure in separate confinement, with a day and night cell assigned to each.

9204. A day and night cell assigned to each?—Yes; but, at any rate, it was thought, after the prisoners were sentenced that they should be confined in a separate cell, as is now done throughout the whole of England and Scotland. Now, I believe that that system began in Gloucestershire, in 1791. Of course the prison was not warmed, and the cells opened into the open air, but the men were confined and kept separate from one another.

9205. That was a wholesome prison?—It was perfectly wholesome; no doubt it was wholesome enough. I remember the time when we had a great deal of fever in the prison, but that part of the prison was always free.

9206. Subsequently another prison was built, exactly on the present model?—That was in 1844.

9207. About the same time as Pentonville?—Yes.

9208. And you think that the old system of visiting justices rather led to light being thrown on prison discipline and management, and that improvements in prison management originated in consequence of so many minds being brought to bear upon it?—Yes, I think so. As far as we are concerned in Gloucestershire, I do not think any change took place. Two members of Parliament who supported the Government at that time came down to enforce on the Quarter Sessions the principle that Lord Cross introduced. They were obliged to confess that, as far as Gloucershire was concerned, there was no change required. In fact, I know no changes that took place in the prison. There was the difference of the plank bed, and there was the difference of diet that I mentioned, but I think our diet of that time was just as good as the diet of the present day. Then there was a certain difference in the mark system, but we carried the mark system on; we happened to have a very good charity, sufficient for our wants, and we have had it for a good many years. We always gave to the prisoners as they went out a certain gratuity, according to their conduct, which they called "gratitude money." They receive now a sum of 10*s.* only, which they say they have a right to.

9209. They say they have a right to it?—Well, they think they have a right to it; they say they earn it, and get their marks; but they do not continue that system of marks. If a man continues two years in prison he gets marks up to 10*s.*, and the latter part of his imprisonment does not contribute to the sum that he receives.

9210. Can you suggest any mode by which the interest of visiting justices might be restored in the management of the prisons?—Well, if people have not power they do not care very much about it. I do not see how to induce interest if any suggestions you make do not meet with immediate action.

9211. Unless they had some control given them in prison you could not restore the interest?—Yes, I think the system which superseded the visiting justices is responsible for it. I have only the experience of one county to go by, but I think the system that superseded the system of visiting justices in Gloucestershire made no improvement; there was no difference; we had only one prison, and I do not think there is a bit more economy in the new system than in the old.

9212. Could you substitute for the control of the commissioners, or for the immediate control of the commissioners, the control of the visiting justices over the prison in any way?—Well, it is so difficult to get people to take an interest in the thing, supposing you suggest anything, and have not the power of having it carried out.

9213. But supposing you had the power?—That is a different thing. Supposing, for instance, you wished to employ prisoners in some particular craft which would give them an opportunity when they left the prison of having a trade, formerly we could institute such an occupation, and by that means we could give the prisoners an opportunity when they left prison, if they chose, to follow a proper life, of earning their livelihood in a proper way.

9214. I believe you did institute such occupations?—We tried many methods.

9215. Do you think it would restore the interest of the visiting committees if they had the power of settling the trades to be pursued in prison?—I should think so; it is difficult to say what powers you could give to men. No doubt it is very important that there should be an equal system throughout England, and that prisoners that come to one prison should not be better treated than when they go to another. Of that there is no doubt, but I think the Act of 1865 could have been so improved as far as labour went—I do not say as far as food went, because I do not think there had been a uniformity of food—and as far as occupation went, I think that the system of the old visiting justices was very good in that respect.

9216. Do you think any advantage in restoring interest would be gained by allowing the visiting justices to appoint portions of the prison staff; say, to select a chaplain, or to appoint a warder, or to act in conjunction with the governor as the representative of the commissioners?—The warders always appear to me to be very good warders. I had a complaint as to one, and I called the attention of the inspectors once to the quality of a woman that was introduced. I said they should not have appointed a woman of that kind. I said, you seem to me to have laid too much stress on the educational abilities of a person. I must say that I thought in appointing female warders generally we had an opportunity of knowing something of their antecedents, of the people we were appointing, and I think that the justices had a strong feeling that they desired to treat those persons who were confided to their care as erring beings whom they tried to reform.

9217. You think the reformatory influence is less used by the want of interest taken by visiting committees?—Yes, I think so. There is another question. I see now that in our gaol we have had the advantage of having, as far as I have known, most excellent governors, and I think the same of the person who is now in charge of the gaol. He is a very good man, but he is a warder in charge, and a warder in charge has risen probably to that position from that of an ordinary warder. He thinks of a prisoner as No. 200, and he thinks that the prisoner is to obey the rules and regulations of the prison. I think such a man has not the ideas that a benevolent man would have. I will not say he would be wanting in benevolence, but I think he is less likely to be as anxious as the governor, assisted by visiting justices, would be of reforming criminals. I think he is less anxious to desire to reform than he is to keep the prison discipline always right. I do not think the visiting justices would ever have made that change. It is an economical change I admit, but I do not think it would have been wrong to have given the 200*l.* or 300*l.* a year, which the visiting justices

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would have spent, in continuing in a gaol of any kind the services of a person of superior intelligence.

9218. Of a superior class?—Yes.

9219. With regard to insanity; in the Gloucester Gaol do you think that is carefully watched?—Yes, but there are many men who feign insanity. There are a certain number who are insane; but very few.

9220. I believe you are the chairman of the county lunatic asylum?—I am. I see 1,200 lunatics every month of my life.

9221. Do you think there is any objection to transferring a criminal who is found to be a lunatic to an ordinary lunatic asylum?—Yes, if they were homicidal or violent lunatics. We had a violent lunatic who was sent to a county asylum some years ago, and we sent him away to Fisherton. Our present superintendent is a robust gentleman, who said he was not afraid of lunatics, and he said, "I will have him home."

9222. You do not think there is any objection merely from the fact that the man has committed a crime, and is associated more or less with honest people?—No.

9223. The mere fact of his being a criminal is no objection?—No. They do not like criminals. No doubt they are not liked, but I do not see any great objection to it.

9224. The other patients did not object to the fact that the man had come from prison?—I do not think so. We have very few.

9225. Do you think any difficulties arise from the difficulty of judging whether a man is lunatic or not, or whether he is on the border line of insanity in prison?—Well, I think that the prisoners who are suspected to be insane were always carefully treated. They are separated.

9226 And put into association?—And put into association. I do not think they are ever roughly treated. I think the instant any man shows any sign of insanity—any sign of disease of any kind or sort—that immediately the doctor takes care he is kindly treated and separated.

9227. I daresay you remember a case, which I know has been under your observation, both in the county asylum and in gaol—I mean the case of a young man (I forget his name now) who has been constantly either in the asylum, in the gaol, or in the work house. I daresay you recognise him from that description?—Yes, a man who requires restraint in order to keep him straight, like a great many people in the world.

9228. Could you suggest for that peculiar class, who are always either in the gaol, or the asylum, or the workhouse, any different mode of treatment from what is adopted now?—No.

9229. That class is a perplexity to every official?—Yes.

9230. And is essentially so?—The difficulties you have in the world are such that I do not see there is any other course to pursue than to deal with it as it arises day by day.

9231. Would a man of that sort be properly kept in a cell by himself?—I think so.

9232. He would not suffer any mental deterioration? I do not think so.

9233. (*Mr. O'Connor.*) Is your chief warder at Gloucester a civilian, or is he an ex-soldier?—I think he is a civilian. I think he told me that he had been for a long time at Milbank.

9234. Would you say that you consider that the present system of administering prisoners is one under which they are looked upon as men to be kept in safe custody, and to be subjected to strict discipline so as to give as little trouble as possible while they are under sentence?—Yes, I think that is so. I should say that that is my idea of it.

9235. With regard to the kindness shown to men who manifest symptoms of insanity, I suppose those symptoms have to be pretty well pronounced before they are recognised?—I do not think they are very pronounced, if a man shows signs. For instance, some of them are malingerers, but at any rate the moment they do show symptoms of insanity I think they are carefully watched.

9236. Yes, but the symptoms which are recognised as indicating insanity have to be pretty clear before they are accepted?—Certainly.

9237. And before the treatment of the man is of that kindly description which you speak of?—Certainly; he would be carefully watched. Two medical men would see him, not only the medical man of the gaol, but he would call in another medical man, and they would determine before they signed the paper to send him to a lunatic asylum.

9238. It may well be that the man was suffering from physical, nervous, or mental affliction or disease, without manifesting it by any overt act or well-marked symptom?—Well, he might not be violent, but there are so many forms of madness. There are forms of melancholy and apparent moroseness. I do not know that simple moroseness would induce people to separate them as insane people, but at any rate there would be some eccentricity of conduct before he would be treated as a person suspected of being insane.

9239. (*Dr. Bridges.*) I think your prison at Gloucester is a small one?—Well, it is capable of containing a good many prisoners. We used formerly to shut up under 300 prisoners, but now there are not 100.

9240. Sir John Dorington asked you with regard to one of those troublesome cases that are on the border line between insanity and crime?—Yes.

9241. Those cases at Gloucester, I suppose, are not very numerous?—No.

9242. I mean they are not so numerous as to justify any special provision being made for them in the way of an institution?—Certainly, I think not. Of course, I remember the time when I used to observe a much greater number of prisoners.

9243. Carrying your mind from Gloucester, which has a comparatively small population, to very large cities like Liverpool, or even to London, where such cases are very much more numerous, what should you say then, supposing you had a very considerable number, and instead of dealing with one such case, you had to deal with 100 such cases?—Yes. I should then have them in a separate establishment. I have not given my mind to it, but if you ask me that question, I think so.

9244. (*Miss Orme.*) Do you ever find situations for female prisoners who leave the gaol, as domestic servants?—We send them frequently to homes. We try as far as we possibly can to restore them to an honest livelihood.

9245. And does it ever occur that you are able to get them situations as domestic servants?—Very infrequently.

9246. Was that more often the case in the old days?—No, I think not, because we have a very considerable sum of money at our disposal. We continue that. The last governor of the gaol was a very benevolent person, and he always used to speak to some of us with respect to any person he thought it would benefit, and we would give them sums of money, or pay sums of money to some institution, in order that, if possible, they might be reclaimed.

9247. So that with regard to the future life of the female prisoner, it is much the same now as it was?—I may say what, as regards all the prisoners, there is no difficulty now, providing for them. We have a less number of prisoners, and we have the same large sums to [illegible] rescue them from crime.

9248. [illegible]ient. (*De Rutzen.*) With your large experience, [illegible]there any improvement you could suggest upon the [illegible]as. I th[illegible] internal working of the prisons?—I do not see [illegible]dy of men is much. I think the justices should have [illegible]ese matters[illegible]wer of modifying the food. I must say [illegible]9202. You[illegible]t it was a blot to find that a large num[illegible]ew system?—[illegible]ers would not eat the food that was pro[illegible]rally that now, and that it was so distasteful to them. I t[illegible]almost impossiment might be made certainly in a lar[illegible]made; and if [illegible]roviding them employment. I am very strong in my idea that it is possible to reclaim a certain small per-centage of prisoners, and to turn them out earning an honest livelihood, even those that have been in prison several times; I think generally we used to find that 90 per cent. of our prisoners were Gloucestershire people, whom we knew more or less. They frequently did not return, but those who did return we always gave a longer period of imprisonment, and kept them for a good time to try and reform them. I think that system is dying out. I see that short sentences are given to persons who are repeatedly convicted. We used to discuss very much in our county the question of how long a prisoner should be kept in confinement who repeatedly was returning to prison, and we used to make up our mind at that time and keep them for a longer time.

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9249. (*Chairman.*) Are you in favour, then, of the establishment of cumulative penalties on habitual offenders who come in repeatedly?—If a man came in repeatedly I should give him a long sentence of imprisonment. In fact the system that we adopted was this. We proposed that when a man committed a first crime he should have a week's imprisonment, if it were not a very heinous crime. After that he would get two months, if he returned again; and after that he would get two years; and if he returned again, he would be sent to penal servitude. We tried to find out the period of life at which men ceased to be active criminals, and we thought it was averaging 40 years, and that after that time they were not very active criminals.

9250. Should you be in favour of treating the habitual drunkard as a class apart from other prisoners?—I think habitual drunkards should be confined in prison or confined somewhere. Most undoubtedly they should not be allowed to annoy the public or to annoy their families.

9251. You support the opinion of the committee which sat last year?—Certainly, and most strongly; but when you say "habitual drunkards," it must be shown fairly, before a fair court, that they were habitual drunkards. That is most important.

9252. Are you in favour of associated prison labour?—Yes, after a time. The principle that Maconochie introduced was better—that you should keep them separately first, and gradually allow them to come into civil life again.

9253. What Prisoners' Aid Society have you at Gloucester?—Well, we have a private society of our own, which has been subscribed for by gentlemen in the county, and which has accumulated, and which we keep as a private trust.

9254. Who administers it—the visiting justices?—The visiting justices administer it.

9255. Do you see every prisoner before discharge?—Sixpence is given to everybody on discharge. It is what you call a Prisoners' Aid Society, but we do not receive it in the usual way from the Government. We do not ask anybody for a halfpenny. We have got the money as a private trust, which has accumulated to such a sum that enables us to deal well with every prisoner who comes out of prison.

9256. It is adequate for the work?—Quite adequate, and has been always adequate, and more than adequate.

9257. (*Mr. O'Connor.*) Is it independent of the Charity Commissioners?—Yes, entirely. We do not wish any Charity Commissioners to get hold of our money.

The witness withdrew.

The proceedings were adjourned for a short time.

Dr. D. Nicolson

Dr. DAVID NICOLSON called and examined.

9258. (*Dr. Bridges.*) You are the superintendent of Broadmoor?—I am.

9259. And have been since when?—Since 1886. I have been at Broadmoor for 18 years.

9260. As assistant medical officer?—As deputy-superintendent and superintendent for 18 years.

9261. Before that time you had some experience of prisons?—I had 10 years before that.

9262. Tell me what your experience was?—I came to Broadmoor from Portsmouth, where I was medical officer for three years. Before that I had been at Milbank, and previously I had been at the invalid convict prison, at Woking, and for four years before that I was assistant-surgeon at Portland Prison.

9263. I think that, independently of your large experience, you have paid considerable attention to the subject of medical psychology?—I have.

9264. I believe that you are at present president of that branch?—I am president elect.

9265. Of the Medico-Psychological Association?—Yes, I am president elect of the Medico-Psychological Association, which meets in London next year.

9266. At Broadmoor I believe you are not connected either with the Prison Commissioners or with the Commissioners of Lunacy directly?—Not directly; the Lunacy Commissioners visit us once a year, but we are entirely under the Home Office. We are directly under the Home Secretary.

9267. You communicate direct to the Home Office?—Yes, direct to the Home Secretary through the Council of Supervision; it is a distinct department, of which, as well as being superintendent, I am the accounting officer for the finances.

9268. At Broadmoor your inmates, consist, I think, of two classes, do they not; those received from convict prisons and those regarded as Queen's pleasure inmates?—Yes, that is so.

9269. Those are the two great classes?—Yes.

9270. And from your last report I think you have about 480 males and about 160 females?—That is so.

9271. In the great majority of cases the inmates have been charged with murder?—More than half; about 53 per cent. of them have committed homicide; that is including manslaughter.

9272. Attempts to murder and manslaughter?—Of actual homicides we have 53 per cent. The proportion of cases of homicide was 53 per cent., taking both sexes; and the curious distinction between males and females is, that so large a proportion of females as compared with males have committed homicide; no doubt owing to pregnancy, parturition, and lactation, and the insanity resulting from them.

9273. Anyhow, 82 per cent. of the women have committed homicide?—Yes.

9274. About half the men, or not quite half the men, have also committed homicide. The other men admitted into Broadmoor are in for various crimes?—They are in for various offences. There are murders and attempts to murder, and violence to the person. There are four cases of that sort to one of offences against property.

9275. But you do admit a certain number of people who have committed larceny?—Yes, and for comparatively trivial offences sometimes.

9276. Has that admission of comparatively trivial offences rather increased of late?—There has been no noticeable advance at all.

9277. I see that you admitted 43 in the last year which you report upon?—Yes, I should think that is about the annual average.

9278. And you had a mortality of 17?—Yes, an entire mortality of 17; our mortality is about 3 per cent.

9279. I will ask you this general question: do you make a perfectly broad and definite distinction between crime and insanity?—I do.

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9280. You do not think that the majority of cases of crime are more or less connected with insanity?—I do not.

9281. You admit, perhaps, that there are some cases forming a sort of border line between the two?—Undoubtedly.

9282. Might we take it that those cases are in your opinion a comparatively small proportion of the total amount of crime?—Of course there is the question of absolute insanity and the question of weak-mindedness and ill-balanced minds; that is a totally different matter, in my estimation, from a case either of insanity or of an individual whose act would be put down to mere criminality.

9283. I will put it in this way, then: are a very large proportion of criminals in your opinion sane?—Yes, a very large proportion I regard as being sane, and to be held responsible for their actions. The exceptions form a small minority.

9284. You would say that where a man forms a definite purpose, and has a clear knowledge of the results of his action that the mere fact of his being a man of vicious instincts does not destroy the responsibility for his actions?—I would; but I also think that an insane man has frequently a definite purpose of committing the act.

9285. And a clear knowledge of its results?—Yes, undoubtedly.

9286. And yet he may be quite insane?—But yet he may be quite insane; that is most certainly so. There are cases where individuals, whilst undoubtedly insane have shot other people in order that they might be hanged as a result of their act; individuals about whose insanity no question could arise.

9287. You are, I believe, very frequently consulted by the Home Secretary in cases, for instance, of a criminal under sentence of death with regard to whom allegations of insanity have been made, with a view of your reporting your opinion as to whether the prisoner was insane or not?—That is so, in fact I go to-night to Newcastle in a case of that sort.

9288. You would say that was a case of great difficulty, requiring the whole of your knowledge and experience?—Yes, it is. Everything that one can bring to bear upon it is required, more particularly in the way of approaching and of knowing the individual. It is where one has to approach an individual who has committed murder, and who for the time being may or may not be sane or insane, and one has to approach him in one sense as a possible lunatic, and no doubt also as a criminal, and to differentiate how many of the circumstances along with the man's condition go to justify one in certifying or in not certifying that he is insane, which becomes a difficult problem in a good many of the cases.

9289. You are aware from your previous experience in prison that a prison medical officer is constantly required to form an opinion as to whether a man is really ill, or whether he is not ill, and whether he is insane or whether he is sane?—That is so.

9290. But with regard to physical and mental illness a prison officer is constantly required to form an opinion?—That is so.

9291. Would it in your opinion be advantageous to a prison officer that he should have had some kind of training and experience in an asylum?—I should say it would be most advisable that his knowledge in that direction should be completed, and that he should have experience in dealing with actual lunatics; because the mode of approaching and questioning a lunatic is somewhat different from one's mode of approaching and questioning a criminal or an ordinary prisoner, for this reason, that those conditions of weak-mindedness which more or less prevail in a large proportion of ordinary prisoners who come up for medical observation have to be reckoned up, not merely with regard to his mental faculties and his capacity for earning a livelihood outside; but they have also to be reckoned up alongside of his capacity for bearing or being able to undergo prison discipline. There are the two standards which have to be borne in mind, and an outside medical officer who has no experience of prisons would probably be unable to say how far this or that individual was capable of undergoing the prison discipline even in a relaxed form. He might be able to say that the individual's condition would be with reference to other weak-minded creatures outside, but he requires to have a prison experience to enable him to arrange those persons individually in relation to their capacity for withstanding the evil effects of prison discipline.

9292. You have had, I suppose, at Broadmoor a considerable number of persons sent to you from Holloway?—We have.

9293. I do not know whether you are acquainted with Holloway?—I have been there officially and seen the work there, but I have never been stationed there.

9294. You are aware that a large number of persons are under observation on account of their mental condition?—Yes, on remand.

9295. From what you have said to the Committee already, I suppose you would say that you wanted great strength in the medical staff there both as to quantity and as to quality?—Most assuredly, where that work would have to be done. Any individual case might for a special report take up an hour or two. I do not say that it often would be so, because a man who is day by day under the eye of the medical officer who has a few words with him, would not require so much time. But let us take this individual, whom I am about to visit and of whom I know nothing except from a newspaper report. I shall have to be with him an hour-and-a-half or two hours at least, and unless I find that he is unable to speak or that he is demented or something of that sort, he has probably to be visited again before a responsible report can be written. I think it is very unjust that the medical officer should be pushed by any pressure of work to slur that most particular kind of work over hurriedly; and with the work that has to be done there I think it is more than imprisonment for a medical officer to have to work from morning to night in the way the medical officer at Holloway has to do. It is impossible for him to be in a wholesome state of mind to do his work. I know if I had not the opportunity of having healthy outdoor exercise, I could not carry out my work; and the opportunities at Holloway are so restricted (and no doubt it is so in other prisons as well) and the medical officer has such large responsibilities on his shoulders, that he ought to have great facilities for recreation and physical exercise outside his work.

9296. The medical work at a convict prison where the number of admissions annually is comparatively small, I suppose does not compare at all with the medical work at a large local prison, where the fluctuation among the inmates is much greater?—The responsibility of the medical officer rests very largely with watching the man's capacity for doing the work he is called upon to do. For instance, if a convict comes and complains of giddiness, or a presumed fit, or whatever it may be, and says he cannot do his work, the medical officer has to decide rapidly what is to be done as to the man's going to work. There is always risk and responsibility in this duty.

9297. Would you be of opinion that in a prison like Portland a senior medical officer and assistant medical officer are competent to do the work?—I should think in a general way they are. In those days we did the work, and I am bound to say I was not able to complain. Although in some sense it was both responsible and heavy, still the work was not more than two could do.

9298. With regard to the previous first nine months of imprisonment in the case of a convict, you have had the opportunity of observing that probably at Milbank?—At Milbank we had a proportion of those cases.

9299. What is the effect produced physically or mentally by those nine months' confinement? Is there anything that you could define as being the result of that discipline?—Well, I must say that I have no reason to think that, taken generally, any prejudicial effect is felt by them. In some cases an improvement takes place; that is to say, in those classes who go about the streets drinking, until their health is undermined, who have been badly fed, and whose habits are very unsatisfactory altogether; when they come in to prison their conditions of living are improved in the way of regularity, and they get a satisfactory, or at all events, a reasonable amount of nutritious food. The tendency certainly ought to be for a large proportion of that class to somewhat improve during the separate confinement period. On the other hand there may be a number of individuals, especially people in a better class of life, whose moods are more sensitive to the change in their surroundings; they may for some time feel some amount of depression, not necessarily from the prison itself, but in connexion with the whole circumstances which have brought them there.

9300. *And those you think may occasionally suffer?*—They may feel it for some time, until they get more used to the regime of prison life.

9301. Have any instances come across you where you have thought it has done them physically or mentally harm?—With regard to their mental condition I am not able to say so; not ultimately. It is so long ago that I would not like to pin my word to it, but my recollection is that no harm resulted from it.

9302. You have had, either in prisons or else in Broadmoor, some experience of criminals of the half-witted class?—I have.

9303. Can you make any suggestion to the Committee as to the best way of dealing with that class. Would you be in favour, for instance, of treating them as a class by themselves?—Yes, distinctly, they are sufficiently numerous and sufficiently distinct to be dealt with neither as lunatics nor as ordinary prisoners. I am most distinctly of that opinion.

9304. You would like some kind of intermediate institution where they would be under detention?—Firmly under detention, and yet not definitely classed as lunatics.

9305. Employed, I suppose?—Yes, employed as much as possible out of doors. I think nowadays, when land is so cheap, that some kind of farm place could be got; because if they are dealt with in a considerate sort of way they do not require such close overhauling supervision as either the normal convict or the absolute lunatic, and the supervision need not be expensive. They could be kept there for any length of time, practically during Her Majesty's pleasure, or in that sense, until a group of circumstances arose that warranted the Home Secretary in sanctioning a conditional or an absolute discharge.

9306. Then such an institution would be a sort of mitigated Broadmoor, that is to say for cases of a much less aggravated type than those that are under your care?—Yes, that would be so.

9307. That leads me to ask you a word or two about the expense of Broadmoor? I believe the prisoners at present cost 43*l.* a year?—From 43*l.* to 44*l.*

9308. That includes every possible expense?—That includes everything, except new works and repairs of buildings.

9309. Does it include the outlay on the building—It does not. It includes the expenses of maintenance, clothing, and keeping up the establishment generally.

9310. The officers?—Yes, the officers as well as the inmates.

9311. But not the rent of the building?—No, the actual cost will be found in Table 41 of the Annual Report. At the outset it was a great experiment, because in 1863, when it was opened, and before that, criminal lunatics were kept in prisons and in asylums and gaols and different places indiscriminately, and they started off on rather a high key in the administration of a place which had to combine the security of a prison with the privileges of an asylum; and the cost, which in those days was about 60*l.* (that is in 1869 and 1870), was gradually taken down by judicious administration on the part of my predecessor, by a re-arrangement of the dietary, and to some extent by reducing the general expenditure; so that instead of being about 60*l.* it is now about 44*l.* per head. I should think that instead of being 44*l.*, which is about twice the cost of a pauper lunatic, that for the kind of place you suggest there need not be so much cost; certainly it ought not to be more than half way between the two.

9312. Then a great part of your expense at Broadmoor is due to the enormous staff you are absolutely obliged to maintain?—I will not say it is an enormous staff, but I will say it is a large staff. It is just the proportionate staff for the work we have to do.

9313. You have not a single officer too many, I dare say?—We have to prepare for the contingency of sickness and for escapes. *Fortunately, we have not many escapes, but we have to prepare for contingencies of that sort, as well as for special violent cases,* for which sometimes three or four attendants are wanted for a day or two.

9314. I was not suggesting for a moment that there was too large a staff at Broadmoor, but I was going to ask you whether, supposing such an institution as we are now speaking about were set up for the half-witted criminals, it might not be worked for a very much smaller cost than you are able to work Broadmoor?—Yes, it ought to be.

9315. Because you could work it with a very much smaller staff?—Most certainly. I should think two-thirds ought to be enough to manage there, because there would be an opportunity of removing a man who became troublesome either to a prison or to an asylum, or to Broadmoor itself probably. It would meet its own difficulties in that way.

9316. I suppose you have not gone enough into the statistics of the matters to be able to form any estimate of the number of such classes, taking our prison population, for instance, as 10,000?—I am not able to speak of statistics at the moment, but I think we used to regard from 2 to 3 per cent. as being a possible kind of estimate of the people who, by reason of their weakmindedness, had compelled the prison discipline to be relaxed more or less.

9317. So that an institution holding about 200 or 300 would meet the demand?—I should think so. With those discharged and those transferred upon getting worse it would be something, probably, like those numbers, but the tendency would be to increase by accumulation.

9318. (*Mr. De Rutzen.*) How long a time do you think it is necessary for you to have in order to come to a conclusion whether a prisoner is insane or not. Of course, in some instances you might be able to detect it at once, whilst in other instances it would take you a long time. What length of time do you say?—My notion of the habit of observation of prisoners under those circumstances is that, as a rule, they have to commit some overt act to bring them under observation. Then you have an opportunity of estimating the individual according to the nature of the grounds upon which he seeks to explain his conduct. You have to take, in the first instance, his general appearance and demeanour; then you have to find out his capacity to give reliable information about himself and his past history. Ultimately, after examining him as to the particular act or offence which has brought him under observation, you arrive at a conclusion as to his mental condition both generally and at the time he committed himself. Much depends upon the nature of the offence and the circumstances under which it was committed. The simplicity of the ordinary routine of prison life affords much less scope for noticeable deviation from a man's normal standard of conduct than do the varied domestic and everyday circumstances of life in the outer world; and in the two cases different kinds of influences have to be taken into account.

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9319. I rather mean this, that taking into consideration the great strain there is on medical gentlemen who have people sent them for observation, would seven days be sufficient to arrive at a conclusion as to whether a man was insane or not?—In the great majority of cases seven days would be amply sufficient; but in some cases it would be impossible to put down any given length of time in days as sufficient to test a man so as to certify to sanity or insanity with confidence, as delusions are at times temporarily quiescent or masked, and for other reasons.

9320. I am only talking of persons who had been sent there for observation?—Sent there on remand, with a special note about them?

9321. Yes?—That is different, of course, from prisoners coming under observation after sentence; but in either case the question of shamming has to be decided. I think that in the bulk of cases, apart from this question, a decision could be arrived at in two or three days.

9322. Now, taking this ordinary form of report, which is very common, as perhaps you know, that after having had a man under observation for some days the report is, "I find that A.B. is a man of weak "intellect, but has shown no actual symptoms of "insanity"?—About the treatment of him, do you mean, or about what?

9323. What would you suggest should be done with a man who, according to the evidence of medical men, is of weak intellect, but who shows no actual signs of insanity?—I think that is a case for disposing of and treating in the way suggested, and not to be sent as a lunatic. That is a case to be treated in an intermediate kind of institution.

9324. But at that particular stage it may be hoped that he would improve?—Some improve, but in a large number of cases there is not much hope for improvement. Of very few who come in showing a natural defect can it be hoped that they will improve after they have turned 22 or 23.

9325. (*Sir Algernon West.*) I do not quite understand what you mean when you say so many people are sent to you at Broadmoor for trivial offences?—What I meant was something either of the nature of larceny or small offences not involving personal violence.

9326. What sentence would they get?—No, there is no sentence in the cases I am referring to.

9327. Kleptomania, for instance?—I would rather put that out of the question, but if you ask me to take any particular crime, I will do so. One of our troublesome inmates, who was in the Home Office as a clerk, was tried for sending a libellous post card; that is all he is there for. We had a man who was paralytic, who went into a place and had his breakfast, but had not the money to pay for it; that was his whole offence. Only a small proportion of the inmates have committed minor offences.

9328. What was the sentence?—In those days they were acquitted on the ground of insanity, and sent there to be detained during Her Majesty's pleasure.

9329. They all come to you on a sentence?—Only the convicts, numbering about 100, are on sentence. The Queen's pleasure inmates, numbering about 540, are dealt with on order of court.

9330. That means until they get safe and sound?—Not even then, necessarily. A man might be sane in Broadmoor who would be totally unfit to go at large on account of the risk of a relapse, or his taking to drink, or having no means of livelihood, or having no one to look after him; but if all those conditions are satisfied, that he is not likely to relapse, and has been well for a long time, and that he has got some one to be responsible for him, and to report, then he may be allowed to go out by the Secretary of State on conditions, one of which is that they report to Broadmoor if there are any indications of a relapse, and then I am able to send for the individual without any further offence being committed.

9331. (*Sir J. E. Dorington.*) All cases of lunacy occurring in convict prisons come to you, do not they?—Yes, male and female.

9332. Would there be any objection to extending that to local prisons?—Except that the cost of our place is considerable, and would scarcely warrant our taking those people in, and we have about as many as we can easily manage.

9333. The establishment would have to be a good deal larger?—Yes, it would have to be enlarged.

9334. What is your maintenance rate?—44*l.* a year, which is about 17*s.* a week, just about double what it is in the county asylums.

9335. Is that owing to the number of warders?—Our staff is large, and they are better paid than county asylum staffs.

9336. And it is a much more risky staff?—Yes, it is much more risky than the ordinary asylums staff. We have in special instances had to take local prison men.

9337. How do you take them?—If it is specially represented to the Secretary of State, he may send them to us. We have a man who very nearly killed his mother at Leeds, and who got six months' imprisonment. There is no doubt in my mind that this man was insane at the time he committed the act. He will be sent from Broadmoor to his county asylum at the expiration of his sentence.

9338. Why did not his county asylum take him?—He may have been very unmanageable just at the time, and it may have been represented that he was so violent that he ought to go to Broadmoor, and very often in the early stages violence is more prominently manifested, and they are not able to look after a man of that description, especially if it is a homicidal case, in the county asylum, for the very reason that the staff of attendants looking after them is insufficient for this kind of duty.

9339. A witness who was called to-day said that they had a case of that kind, and they sent him to Fisherton, where the supervision was stronger. They might have sent them to you, you think?—It would be possible if he is a criminal lunatic.

9340. When they are with you, although they are, properly county asylum cases, you take them at the Government cost?—Yes, so long as he is a criminal lunatic; but we have one inmate who is not a criminal lunatic, but who is a pauper lunatic, a very dangerous man. I can do nothing with him in the way of getting him to settle down, so as to be reasonably safe for a county asylum; and the Act of 1884 provides for a man of that sort, on my certificate, being detained in Broadmoor as a pauper lunatic and chargeable to the county.

9341. Then you think a county asylum on application to you, on your report to the Secretary of State, may transfer their criminal patients to you?—It may be done, but the desirability of it is another matter. We are perfectly willing to take them, however violent they are. The question is not a question of whether we can deal with them at Broadmoor; so long as we have plenty of room I do not care how violent they are.

9342. I suppose if a convict prisoner undergoing his nine months, or a local prisoner, is insane, he comes to Broadmoor?—Oh, yes, the convict does; but not the local prisoner.

9343. Have you many of those convicts?—We have from about 15 to 20 a year of convicts altogether. At the present moment I could not tell you which prisons they come from, but we have about that number of convicts that become insane. They mostly come from convict prisons.

9344. In the first stage?—That is a curious point that I can find out. Some come who undoubtedly ought not to have been sentenced; that is to say, that their insanity at the time of the trial ought to have been certified, and the individuals ought to have come as Queen's pleasure patients.

9345. Have you any reason to think that the insanity has been produced by imprisonment?—I think not.

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9346. You have not known such a case?—I would not say I have not known such a case, but my belief is that cases are very rare where you can put down imprisonment as the sole cause of the insanity.

9347. Have you ever known such a case, either in the convict or local prisons?—Well, it is 18 years since I left prison work, and I would not like to say. My memory is perfectly clear as to having a knowledge of any number of cases of insanity occurring in prison, but as to whether there might not be one or two such cases I would not say. I can ascertain about the convicts who have come insane to Broadmoor.

9348. Perhaps you would let the Committee have an exact account of the different convicts you speak of?—I will give it you for the last five years, since they came back to us in 1888, and for the same period up to 1874, when the convicts were all taken away from Broadmoor; that is, from 1874 to 1888 they were kept at Woking. (*See Appendix VII.*)

9349. I suppose at Broadmoor, in regard to the treatment of prisoners, there is very considerably more elasticity under the rules, and a good deal of discretion is left to you?—I have every amount of discretion left in my hands, and they are dealt with on the asylum principles.

9350. Should you say, speaking from recollection, that there is sufficient discretion left to the governors of the convict prisons?—I would hardly be able to estimate how far discretion in their hands would be judicious; that is to say, in the kind of routine work laid down for governors to do, I do not know that they would always care to have large discretionary powers.

9351. You have nothing specially in your mind of your regulations of the convict prisons as to any reform that may be necessary?—Well, in connexion with an inquiry of this sort, certainly at some convict prisons it is quite possible that where a governor has his work very closely indicated and mapped out, and where the medical officer has very considerable discretionary powers, that between the governor and the medical officer in some cases, a few individual cases might fall through. If the governor is a governor of a certain temperament, and rather resented the interference of the medical officer who might wish to give his opinion, and to press it, this might happen; but where, as ought to be the case, a governor recognises the medical officer as working entirely with him self, where harmony goes on, where the governor says to the medical officer, "most certainly do this or do that," I believe that nothing of the sort should happen; but, in the other case, if the medical officer is a little disposed to stand off and say, "Well, I get no credit for interfering," I am bound to say that possibly it might happen in a few cases, that the prisoner suffers somewhat in consequence. However, I am rather giving an indication than a statement that I could bear out. That is my whole recollection of the history of 10 years in the convict prisons some time back.

9352. Who decides on the removal of the prisoners to Broadmoor? Does the governor make a report to the Home Secretary?—The governor and medical officer make a report, and the director has to give his certificate. Then that is forwarded to the Home Office, and the warrant is sent to me to receive him, and to the governor of the prison to send him to Broadmoor.

9353. You said that your warders were paid somewhat higher than they are in the convict prisons?—On the whole, a little less than the warders in the convict prisons.

9354. Do you think they are about the same class of men?—There is a larger proportion of military men amongst the warders in prisons than I would care to have as attendants in an asylum; that is to say, I prefer to train up an ordinary man—perhaps it might be a labouring man or an artizan—because there is not so much of the "toe the line" business on their part as a soldier naturally has, and which is necessary in prisons; there is more of the element and idea of nursing with us; that is to say, we have to get the inmates to rub along somehow from day to day, but we must get them to do it in a pliable kind of way.

9355. Do you appoint the warders?—The attendants; well, practically, I am responsible for it. I may say I appoint them, because they come to me, and they are appointed on my nomination after a period of probation.

9356. (*Sir J. E. Dorington.*) But who appoints them?—The Home Secretary really appoints them.

9357. (*Chairman.*) How many suicides do you have at Broadmoor?—I think there have been three in my 18 years.

9358. Only three in 18 years?—I have only known three.

9359. How many attempts?—I could hardly tell you how many attempts. We are frequently having attempts at suicide by starvation, strangulation, and cutting throat. However, they have to be so closely kept under observation that they have not very many opportunities for doing it; but the attempts, although not always serious, are not at all infrequent.

9360. Should you say there was a sufficient staff at convict prisons for the watching of any symptoms of insanity?—Well, I really am unable to say, because I have not the proportion in my mind. I do not know what arrangements are made. My own feeling is, going to prisons from time to time and seeing them, they are undermanned from the fact that they have to send for outside people, who, in my estimation, are almost worse than useless. Instead of sending for casual assistance, I think the State ought to provide a sufficient number of warders to be able to do supernumerary work and extra work, without temporarily hiring labour of that kind.

9361. Have you formed any estimate as to how many of your patients become insane through drink?—That is a question that requires some amount of subdivision, because you have drink operating directly or indirectly. You have a man reduced into such an state of poverty, and misery, and wretchedness, that his house is in a state of desolation practically through drink on his part, and that may lead him into the committal of crime. That is a question of drink in one sense, but, except indirectly in that sense, I do not see how drink itself and the actually being overcome by drink, ought at the time the crime is committed to be held to be largely responsible for it.

9362. (*Dr. Bridges.*) Have you not stated the causes with regard to that matter in Table 10?—They are given there. That is the account with regard to the insanity, but the committal of the crime is a somewhat different thing. You will find different asylum superintendents attach different degrees of importance and of influence to the drink question. One says it is more a defect of his mind that leads him to drink, and the other is more inclined to attribute the whole of his insanity to his drinking habits. Now, it is somewhere between the two, and my own opinion is that, with the exception of causing disturbance in the way of *delirium tremens*, the actual operation of intemperate habits is not of itself such a prominent factor in producing brain disorder and insanity as is sometimes alleged.

9363. (*Mr. De Rutzen.*) I heard you say just now that the state of a good many who came to you was such that they never ought to have been sentenced?—It is this, that they become convicts when, if they had had the evidence of their insanity produced in court, they would have been "acquitted on the ground of insanity," as the formula used to be, or "found guilty, but insane," as it now is.

9364. That is just what I was coming to, that a good many are sentenced who never ought to have been?—Yes, who ought to have been dealt with on the other footing.

9365. I will not say there was any dereliction of duty, but do you imply that they slipped through the hands of the medical gentlemen at the gaols at which they were?—Well, that is a complicated matter, because it is not for the medical officer of a prison to definitely disturb the normal progress of judicial

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questions. If he prejudges the man, the man may say, "I am not insane at all, and I want to defend myself; I did not do it."

9366. Have you ever been in a prison from which people were sent up for trial?—Not in the sense of the local prisons where they were remanded to.

9367. But I daresay your experience would be able to tell me this, in the calendars which are prepared for assizes and so forth, it states the state in which a man's education is, but any remark such as that which would have a bearing with reference to a man's weak state of intellect is never put in a calendar is it?—I think it would be a pity if it were, because that is just the point where one has to be extremely careful to give the man a fair opportunity of declaring his innocence of the offence. If a medical officer prejudges a prisoner by expressing his opinion before he is called upon to do so he may do harm to the man or to his case.

9368. The other alternative would be that he would be sentenced without the person who is sentencing him knowing anything about his state of mind?—The theory of the prosecution is that a man should be defended.

9369. But supposing he is not, the result of it would be that a man who was in a weak state of intellect would be sentenced without the person who sentenced him knowing anything at all about it?—Not only that, but a man who is actually insane may, through defect of the machinery, be placed in that position.

9370. You think the machinery is defective in that respect?—From time to time it is.

The proceedings were adjourned until to-morrow, Friday, 7th December at 12 o'clock.

EIGHTEENTH DAY.

Home Office, Whitehall.

Friday, 7th December 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., Secretary.

Mr. EDWIN TAYLOR called and examined.

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9371. (*Chairman.*) You are deputy-governor of York Prison?—Yes, I am deputy-governor in charge.

9372. What has been your prison service?—38 years.

9373. What offices have you held?—I started as warder in 1857 at Salop County Prison. Then I was deputy-governor at Salop County Prison during the last five years I was there. I left there in 1874, and was deputy-governor at Knutsford. I was deputy-governor there for 14 years, and left to go as deputy-governor in charge at Aylesbury. There I was two years and a half until the closing of the prison.

9374. You have had long experience then in the prison service, both before and after the transfer?—I have, for 21 years before the transfer.

9375. You have read the evidence of Mr. Walker, of Liverpool?—I have.

9376. Are you in general agreement with him?—Yes, but there are just one or two points I would like to mention.

9377. Perhaps you would specify those points to the Committee?—The first one is that the result of the transfer of the local prisons to the Government is satisfactory both with regard to economy and the discipline of prisons, but Mr. Walker says that he would be glad if the visiting justices had more power as to administration and financial dealings, and a qualified power as to the appointment of officers. I hardly think that would be advisable from my experience. I think that that would clash too much with the Commissioners.

9378. Do you mean that you would not give them any increased power, or are you referring to giving them power in the recommendation or the appointment of officers?—No, I think not. If the governors as at present, look into the character and abilities and appearance of officers as though they were going to have them for their own officers and their own warders, I think that is by far the best.

9379. Then do I understand you to mean that you would not favour the giving of further powers in the prison administration to visiting justices?—I think not. I think it would clash.

9380. You are aware probably that complaints are everywhere heard that visiting justices, since the transfer, do not take sufficient interest, and in some cases do not take any interest at all?—They do not.

9381. Have you any recommendation to make?—I have heard that they do not, but in the prisons that I have been in, in every one of them the visiting justices took a great interest in the part that they had to take in the prisons.

9382. Then you do not think anything needs to be done in that way?—I do not.

9383. What is your next point of difference?—I strongly object to the association of prisoners, unless an officer is placed over them. Mr. Walker states about 1,000, and I say that a deputy-governor should certainly be at a prison of over 700.

9384. That is all told?—Yes, both men and women. In my experience I think that there should be a deputy-governor. At Knutsford I had between 400 and 500 frequently, and I was deputy-governor there over 14 years.

9385. Have you any opinion as to whether it was advisable to limit the size of the prisons?—I think it should be anything over 700.

9386. But up to what size?—I say no prison should be over 1,000. If it is it is too unwieldy.

9387. Then will you go to the next point?—He does not approve of placing warders in charge of prisons, I think, not for anything over 50. My idea about it is this, that all officers in charge of a prison should be called "governors." That is my opinion.

9388. "Governors," or "deputy-governors"?—"Governors," I think. Number them as you like, but they should all be called "governors," and if you do make any reduction let it be not over 50.

9389. I suppose you mean that you would not object to having governors classified?—No; that is what I say. Number them as high as you like. At present they are numbered up to four or five as to pay; but certainly I should go up to five or six, and so number them. For instance, at York, I am appointed there. I was first sent there as chief warder in charge, but I objected to that because I had been deputy-governor over 21 years when I went there, and I thought it was very hard that I should be reduced to the position of chief warder. I applied to Mr. Mitford and he very kindly took the matter up, and had my past rank given to me again.

9390. Will you tell us why you think that the number of prisoners under the charge of a warder should not be more than 50?—Well, I think it is an important prison which goes up to 100. For instance, mine is a very important prison. I have the whole of the assizes for the north and east ridings of Yorkshire.

9391. How many prisoners have you?—I have now 96.

9392. Is that due to the assizes, or is that the normal number?—No, last year it was only 92, but during the last part of last year there was an extended area added to York, so that my average now will be as near 100 as possible.

9393. But if a capable chief warder is qualified to have charge of 50, is not he qualified to have charge of 70?—Yes.

9394. If he is not qualified to have charge of 70 is he qualified to have charge of 50?—Well, there is hardly that responsibility where there are only 50 that there is above 50, I think; for instance, you will very seldom see an assize town where there is not more than 50.

9395. Do you think the chief danger in the system of appointing chief warders lies in their being unable to manage the prisons, or is it that there are difficulties with regard to their relations to other prison authorities?—Yes. I should rather think the latter.

9396. Have you had any experience to show that friction has arisen?—No, I have not myself. I have never had any difficulty whatever, but I have heard of it at one prison especially, but only one.

9397. Then you do not consider that they are disqualified because of their unfitness to supervise the prison?—I do not. My idea is that the officer in charge of any prison of over 50 should be called the "governor."

9398. Then what is your next point?—He says as to visits and communication the present system operates well; but governors should have greater discretionary power. I do not see how you can give them greater discretionary power. I think they have every power in their hands.

9399. You think that there should not be more elasticity in the rules which govern the visits and letters. You would not approve, then, of a discretionary power being given to the governor to relax those rules?—Yes. I think that the governor might have more power in visits and letters after a certain length of time, after the first three months, for instance. I think that may be so; but the stage system really acts very well. Then the next point is about the Prisoners' Aid Society. I think the Prisoners' Aid Society answers the purpose of what they propose to do. It does a great deal of good, and our present system at York answers remarkably well. Out of 1,300 prisoners we had between 300 and 400 who were aided by the society.

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9400. What is the society?—It is called the "York Castle Prisoners' Aid Society." It has a fund of about 50*l.* a year besides subscriptions from magistrates, and so forth.

9401. Does it get any of the Government grant?—No, the Government grant is stopped in consequence of that. They think it is sufficient for the present requirements; and it is too. We were asked by the clerk to extend our relief a little in consequence of there being sufficient funds.

9402. What arrangements has that society for meeting prisoners on discharge?—They have an agent.

9403. Then does the agent see the prisoners before they leave the prison?—Yes, he does.

9404. In the cells?—Yes, in the cells, or in my office, or in the chaplain's office.

9405. Then has he a standing permission from you or the Commissioners to see them?—Not from the Commissioners; from me.

9406. And does he see every prisoner before discharge?—No, only those who are recommended by the honorary secretary, who is the chaplain.

9407. So that it all depends on the chaplain?—Yes, the chaplain and myself. Of course, if a prisoner speaks to the chaplain for relief the chaplain generally speaks to me about it, and we consider the man's application, and if it is a good application we relieve the prisoner, and find him work, or give him clothing, or pay his railway fare.

9408. Have there been equally satisfactory arrangements in the other prisons with which you have been connected?—Equally. It was good at Aylesbury and also at Knutsford.

9409. Then you think Prisoners' Aid Societies are sufficient as they are now?—I do as far as I have seen.

9410. But in your experience have the agents of the societies always had access under the governor to the prisoners before discharge?—Well, at the last two prisons I acted as agent myself; not as paid agent, but as agent. I acted for Mr. Murray Brown at Knutsford; and at Aylesbury. I acted as agent for the secretary. I saw the prisoners with the chaplain there, and made every arrangement about them.

9411. Will you take the next point of disagreement?—Mr. Walker says that as to prison offences he would hold a judicial inquiry, and that he would allow prisoners to give evidence. I object to that very much. The judicial inquiry is quite right, but I object to allowing prisoners to give evidence.

9412. Then how could you get on without it when prisoners bring a charge against the warder, or a warder against a prisoner, and the only witnesses are prisoners?—I have found it answer very well. From my experience I can tell almost in a very few moments which is right and which is wrong; but I never like prisoners to give evidence. It used to be done at Knutsford, and I did not like it. I have known officers very much disheartened by it. A prisoner would be brought up by an officer on report, and he would there make some statement about the officer and say that the officer had ill-treated him in some way. A prisoner is called who perhaps would corroborate what the other prisoner had said, which was not true.

9413. But supposing you had the evidence of three warders as against one prisoner, and other prisoners who had seen what had taken place are there ready to give evidence, do you think that your instinct would necessarily show you that the three warders were right?—No, hardly that. I never had a case of the kind where there were so many officers as that.

9414. Let us say "two" then, or even "one"?—Where there was one officer against a prisoner I have, I think, taken one word against the other and judged

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for myself; but I do not like another prisoner being brought in.

9415. Still, I suppose, there are some prisoners who would be as good and as truthful witnesses as any persons outside?—That is so, but my taking the generality of prisoners. For instance, a prisoner that would misconduct himself would take care to get a prisoner to give evidence for him that was of his own style—a badly conducted prisoner.

9416. Then you would know that prisoner and be able to value his evidence accordingly?—Yes, that is true.

9417. It does not follow that, under all the circumstances, you would reject the evidence of prisoners?—I can assure you I never like it. I have seen it done many times. I do not say that I would refuse it altogether, but I never liked it.

9418. Then what is the next point?—Mr. Walker says he does not approve of flogging—(I quite agree with him there)—but as he says, it is necessary as a deterrent. Then he said that adequate industrial employment should be found for prisoners. I quite agree with that, that there should be some productive labour; at least, it should be all productive labour and no unproductive labour for prisoners at all.

9419. You have not very much productive labour, have you, at York?—All our work is productive.

9420. I see that you have got the treadwheel?—Yes, and that is productive.

9421. And there are 18 upon it?—Yes.

9422. That is productive in the sense that you grind corn?—We saw timber and cut it up for the military department.

9423. In a sense that is productive?—Yes.

9424. But so far as the moral effect upon the prisoner goes, is not it much the same as an unproductive crank in a cell?—I think not. I have never had in any prison I have been in the unproductive cranks, and I do not like them at all. I think they should be abolished.

9425. But the treadwheel involves one mechanical motion which cannot occupy the mind of a prisoner, and is purely mechanical, and that surely cannot be satisfactory?—That is only for the first stage. After that they do not go on the treadwheel, but then it is productive because it cuts the timber up for firewood.

9426. After sawing it?—Yes.

9427. If it is objectionable at any time I should think it is objectionable on admission, or do you look upon it as a punishment?—I look upon the treadmill as a pure punishment, and I do not think they could well be taken off it for the first month.

9428. But is not it desirable in the treatment of prisoners to give them work which shall, as far as possible, occupy their minds?—I think so. I like mat-making very much.

9429. But does not that objection lie against any form of the treadwheel, or a crank of any sort?—Well, I do not object to the treadwheel for the first month. I think it is a deterrent, and prisoners do not like it. They are glad to get their month done and get off it and get on to the second class labour.

9430. You agree at any rate about the desirability of labour?—I do to a certain extent, about associated labour, under sufficient supervision.

9431. You do not think the possibilities of talking are against it?—If there is not sufficient supervision, and where there is not sufficient supervision there is mischief.

9432. Are you against oakum picking?—Oakum picking is very useful because you can fall back upon that when there is nothing else.

9433. How many women have you?—17. That is about our average.

9434. Have you a laundry?—Yes, and we have about five or six in the laundry. Those are women from the stage, when we can get them after the first stage. In the first stage we keep them picking oakum in their cells, or knitting, or sewing.

9435. Should you be in favour of allowing prisoners to earn more money by their labour?—I think I should. I think it is an encouragement to prisoners, because as I said just now the stage system is a great power in the hands of the governor to keep up the discipline of the prison.

9436. Then what is your next point of disagreement with Mr. Walker, if you please?—I have no other disagreement with him.

9437. You agree specially with what Mr. Walker said about the treatment of juveniles and young offenders?—I think I quite agree with that.

9438. You do not take a hopeless view of the work of reclaiming prisoners?—I do not, because I have seen so many reclaimed.

9439. Should you be in favour of treating the drunkards as a separate class?—I should certainly.

9440. Would you be in favour of the recommendation of the Committee which sat last year upon inebriates and which recommended that powers should be taken to compulsorily detain them?—I do. It is a thing I have thought a great deal about within the last few years, especially since I have been in York. We have women, for instance, coming in time after time. They are out two days, in for 14 days; out three or four days, in for 14 days. They simply come in and they get what they say is "a bath and a sober," and they go out again and go on the same way. I think if the sentences were extended a little and different treatment given it would be very useful to them.

9441. Have you any opinion upon the question of habitual criminals, the men who come in a great number of times. Should you be in favour of or are you against cumulative punishment?—Certainly, cumulative punishment. To give them the too short punishments they get now is really of no service whatever. It does them no good at all. I have a case in my mind now of a woman who has come to me from Scarborough something like 115 times, and each time it is for one month, and she goes out for about three days, and then it is a month again, and so on. For the first week she is soddened with drink, and cannot take her food and cannot work, but she comes there and is just ready for it again when she goes out after the month. She had three months last time because she made a mistake and took a pair of books; at least they were found in her basket. She did not put them there she said, but she had three months. Now she has been away three months in consequence of her having had three months. It is longer than one month, you see.

9442. You were at Knutsford?—I was at Knutsford 14 years.

9443. Have you any opinion upon the present practice of sending convicts to local prisons for the first period of their imprisonment?—I have never seen any evil effects from it.

9444. Do you see any advantage in it?—I do not except that perhaps they would be treated better in the local prisons for what they call their separate term. I do not know exactly what the system is in a convict prison, but I think they would be better in a convict prison.

9445. You do not think that they are an undesirable element in the local prison?—Yes, I do.

9446. Then that is a considerable disadvantage in the present practice?—Yes. I do not think they help a local prison at all.

9447. Are they more difficult to manage?—Much more difficult.

9448. They give more trouble?—Yes, they want so much, and the nine months is the worst part of their time.

9449. Have you found any danger from contamination?—Hardly that, because they are kept so entirely separate. You see we have a separate treatment for them. They have to remain in their cells, and are exercised together, and they are at chapel together, so that there is no danger of contamination. I do not think it is well to have them in the local prison myself.

9450. Have you ever seen any overcrowding in any prison you have been at?—No, not one. At Knutsford we had plenty of room, and at Aylesbury we had plenty of room, and at York I have 150 separate cells, and 90 of them only sleeping cells.

9451. Have you any views upon the present system of teaching the prisoners?—Yes. When I went to Knutsford first the schoolmaster used to get eight or 10 in the schoolroom together. I never cared much about that. I would rather have the cellular teaching myself.

9452. But that involves more work?—It does, as there are so few now that require teaching as compared with what there used to be. The greater part of the prisoners could not read or write, and then it was necessary to have them in classes perhaps, but now it is not so.

9453. How many have you at York?—I have only one, and he is serving 18 months. I have no schoolmaster.

9454. Who teaches this man?—The chaplain gives him lessons when he is passing along, perhaps twice a week, and I help him myself. He is a man who is serving 18 months. He is a very low type of agricultural labourer, but having the man for so long a time I did not like him to be in his cell with nothing to read, so that I really started teaching him myself, and the chaplain took him out of my hands, and is giving him lessons twice a week.

9455. Do you think the schoolmasters should be uniformed officers?—I do. It has always been so at every prison I have been at, and I find no difficulty in the matter. I think that being a uniformed officer he has every privilege it is necessary for a schoolmaster to have. He has access to the cell at any time. I see in one gentleman's evidence it was stated that the schoolmaster could only go to the cell that he had to teach in. I have never seen that, and wherever I have been the schoolmaster could go to any cell he thought proper. For instance, if a prisoner could not properly put a letter together he would ask the schoolmaster to do it for him. He would go and see him. He might want his help on a petition, for instance.

9456. Do you think it would be desirable to pay more attention to the training of warders?—In what way do you mean?

9457. I suppose you would agree that it is most desirable that warders should treat prisoners with gentleness consistently with discipline?—Certainly.

9458. And in their duties there is a great deal of tact and discretion necessary?—Yes.

9459. Which can only come intuitively or by practice and training?—That is so.

9460. Do not you think the more you can get the necessary qualifications for a warder the better?—Yes. My idea is that you should not appoint a warder who is over 30 years of age, and then if he comes to us young before he has got to be hardened he is gradually taught by us and becomes an assistant warder, and then he gradually works into it like I did myself, for instance. I entered the service when I was 20, and I have not been one day out of the service since. I have gradually worked up, and I can do anything with a prisoner, I do not care how rough he is. When I was at Knutsford I had some very rough characters there who were drafted from Liverpool. I remember on one occasion being in my office, and they would say: "So and so is carrying on again." Perhaps there was no officer who dared go up to his cell. I would go and say: "What is the matter?" and just put my hand to the man and say: "Quiet." Many a score I have saved from a flogging simply by tact and management. When I left Knutsford a few months afterwards I happened to go back again, and one of the officers said: "We have had to flog Mac after all." I was sorry for it, because there was some good in the man after all.

9461. (*Mr. O'Connor.*) That was when you were away?—Yes.

9462. (*Chairman.*) Then should you say that some kind of training school, if it could be set up, would be desirable?—Well, I do not see how you could train an officer better than by actual management amongst prisoners.

9463. Why should you not pick one or two of the smaller prisons as training schools, and put them in charge of experienced governors?—That I should like to see. I think that is a very good thing where they should be in charge of someone who would train them up to the work.

9464. I should like to ask whether, in your experience, you have known of cases of serious ill-treatment or brutal harshness by warders?—I may say not since the prisons went over to the Government, but before that I have. I mean from 25 to 30 years ago.

9465. But since the transfer the conduct of the warders has improved?—Yes, it has.

9466. Taking them generally, do you think they are a satisfactory body of men?—I do, indeed. A great deal depends upon the chief officers in guiding them, and watching over them, and stopping anything that is detrimental to the good of a prisoner, or the raising of a prisoner from the low level he is upon.

9467. Of course there must be harsh officers here and there?—There are just one or two now and again.

9468. And they require special watching?—They do.

9469. You said that you would like to see all officers in charge of prisons called "governors"?—Yes.

9470. I suppose you do not mean that you would care to see the promotion from the ranks stopped?—Not at all.

9471. Would you extend the system of promotion to any other classes of prison officials?—I do not think you could alter the present way of rising, that is gradually rising from a warder to principal warder, from principal warder to chief warder, and from chief warder to chief warder in charge and governors.

9472. Is there any reason why the clerks and the store-keepers should not be eligible if they show special qualifications?—Yes, but they show very little qualification for discipline, I can assure you. The clerks and store-keepers show very little qualification for that, as far as I can see. You see they are amongst the prisoners so little, and you must be amongst them to know their ways and their little tricks and dodges, and that sort of thing, in order to know how to deal with them. I do not think it would be a wise thing to do that.

9473. Are you in favour of the plank-bed and the No. 1 diet?—I am, for the first month, for males especially.

9474. The No. 1 diet?—Yes, I think it is a good thing.

9475. Do you think it does not lower them?—I do not think so for males. I do not think it is too harsh, but I should not extend it beyond the first seven days.

9476. Do you think it is a desirable form of punishment?—Yes, I do. I think it is desirable that prisoners coming in for a short sentence should not get too good food. You see there is such a power in the hands of the medical officer that if he finds, or if I see a prisoner going down hill I call the doctor's attention to it immediately; and therefore I do not see that there is any harm attaching to the first-class diet.

9477. And the plank-bed?—And the plank-bed.

9478. You approve of that?—Yes, for the first month.

9479. (*Sir. J. E. Dorington.*) We have heard that your female prison is not a good prison?—It is not a good prison.

9480. In what way? Is it dark?—It is dark and it is an old prison of, I say 60 or 70 years ago, modified into separate cells from big rooms.

9481. Is it sufficiently good to go on with?—Well, our numbers are so low, and they are getting lower.

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9482. The male prison is a good prison?—Yes. The male prison is a good prison for the present numbers.

9483. Your objection to the convicts in the local prisons is that they are rather more troublesome?—That is it.

9484. They give more trouble to the governor?—Well, you cannot deal with them so well as you can at a convict prison.

9485. Beyond the extra trouble to the governor or warders in managing the convicts there is no harm in their being in the local prison?—No.

9486. They do not get in the way of or interfere with the discipline of the other prisoners?—I think not.

9487. It is that you want a larger staff?—Yes. You want a staff to deal with them entirely.

9488. Yes. In fact you want your staff augmented?—Yes, that is it.

9489. Did you replace a governor at York?—Yes.

9490. You were the first chief warder in charge?—Yes, and then I was promoted at last to my old rank which was given me back while I was there.

9491. What is your old rank?—Deputy-governor.

9492. Was the governor you succeeded appointed by the old visiting justices?—No; he was appointed by the Commissioners.

9493. How long did he hold his appointment?—Three years, and the one before him about 12 months, and the one before him four or five years.

9494. You thought that the discipline of the warders was unsatisfactory?—Most unsatisfactory.

9495. The governors had not managed them well?—I think not.

9496. Have you changed many warders?—Two, I think; one has died and one has left.

9497. Did he leave in consequence of inefficiency?—He was removed, I find I have only one. They gave me an extra officer about nine months ago when they were augmenting the staff. I have only one left, so that I think the old ones there are satisfactory, but I am glad to say I have brought them up.

9498. You seem to think it was rather the fault of the warders than of the governors?—Yes.

9499. They were not properly trained?—Well, I do think that. I think they have been left too much in the hands of the chief warder.

9500. That the governor had not exercised his office properly?—I do.

9501. You were originally at Knutsford?—Yes.

9502. And under the old system?—Yes.

9503. Do you think the warders have improved in class there since they have had the new system?—I do. I think they are a very good class of officers. As I say, they have a good governor and chief warder to keep them.

9504. Is it the fault that the chief warder did not pay sufficient attention to it, or that the governor did not pay sufficient attention to it?—Well, I think the governor is the chief officer, but of course if he leaves his work to the chief warder you can hardly expect the work to be kept up.

9505. It depends rather more on the governor than the governing body?—Yes, he gives the tone to the whole thing.

9506. But you may get a bad governor even under the present system?—Now and again, but I think it has been led away from the old system, and that it has been improved.

9507. I ask you about York and whether he was a governor under the old or new system?—He had been there only three years.

9508. And was appointed by the Prison Commissioners?—Yes.

9509. (*Mr. O'Connor.*) What do you understand by a "judicial inquiry"? You said the inquiry with regard to prison offences should be "judicial"?—Mr. Walker mentioned in his evidence that he holds a judicial inquiry into prison offences.

9510. What would you gather from the use of those words? What do you understand by a judicial inquiry?—Well, I thought that he meant that he should judge between the officer and the prisoner.

9511. Where there is a statement of the warder on one side and the statement of the prisoner on the other side, you have no difficulty you say as a rule in deciding?—I have never had any. I generally give the prisoner the benefit of the doubt.

9512. Even without his evidence being corroborated?—That is so.

9513. Then you would believe a prisoner against a warder, or give him the benefit of the doubt?—I would hardly do that. I would give him the benefit of the doubt and then watch him. That has been my plan and I have found it answer very well. You understand me. If a prisoner was a mischievous prisoner and the officer brought him up and he denied all this, and I really thought that perhaps there was a little exaggeration on the part of the warder, I would say, "Well, now, I will warn you, I "will caution you;" and then I watch the prisoner myself or get the chief warder to do so, and if he were to misbehave again I would deal with him.

9514. You would not allow a prisoner to bring another prisoner who was in sight to corroborate his story?—I will hardly say I would not allow it, but I do not like it. I object to it very much. I have done so on one or two occasions, but I do not like it.

9515. You say that the convicts are men who are difficult to manage?—They are, when they are doing their nine months especially, because it is a very much harder part of their work, and they are always kept separately.

9516. And it comes hard upon the warders?—It does.

9517. When convicts are in local prisons under local prison officers do those local prison officers receive pay on the convict prison scale?—No.

9518. And they are expected to do convict warders' duty for local warders' pay?—Yes.

9519. (*Chairman.*) But surely they have not got the outdoor work which convict warders have in convict prisons?—No.

9520. (*Mr. O'Connor.*) Those are convicts?—Yes.

9521. And the officers are local prison officers?—That is so.

9522. Now in your experience I suppose you pretty well know the feeling of the service?—I do.

9523. Is it regarded by local prison officers as a grievance that they who have local prison pay should have to look after convict prisoners?—I have never heard any complaint. I may say that the officers under myself now and also at Knutsford were very contented and satisfied with their present pay and hours.

9524. How many prisoners have you now?—96.

9525. Of whom how many are convicts?—None. We do not keep convicts at York.

9526. Then the grievance would not arise in York?—No, but I have had it to deal with at Aylesbury. I had convicts at Aylesbury and also at Knutsford.

9527. You speak of some of the men who were warders in times past being military men. Have you any preference as between military men and civilians for warders?—I do not like military men as a rule. There are some good ones, but as a rule I think I like civilian warders.

9528. Would that be because of their more humane deportment and bearing?—That is my view entirely.

9529. Then you attach great importance to the personal bearing of the warders to the prisoners?—I do.

9530. And it is a matter of great importance from the point of view of discipline?—Yes.

9531. But you say the prison staff as a rule take their tone very much from the governor?—That is so.

9532. If then the governor was a man who was inclined to be severe and harsh towards the prisoners he might expect a reproduction of that tone amongst his subordinates?—That is so.

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9533. (*Miss Orme.*) Do you attach much importance to the general arrangement of the chaplain's services as to the effect on prisoners?—In the chapels that I have had to deal with, both at Knutsford, Aylesbury, and York, the prisoners were very well behaved, because they were not overcrowded, but if they were overcrowded there is no chance of dealing with them in chapel at all. I always arrange to have my prisoners at least 18 inches apart, and I never have them one behind the other, so that I can see each man's face. Standing at the bottom I can myself see their faces. I would say certainly that one officer could look over 100 prisoners and I would defy them to speak or attempt to speak without my seeing them, from custom and usage.

9534. What should you expect would be the effect of a chapel where the prisoners are sitting quite close to each other — actually touching?—It is most mischievous.

9535. You think that would have an important effect?—Yes; it could not be worse. In fact, it would be far better to keep them from chapel altogether than have prisoners close together.

9536. As to the arrangements about preaching in the chapel, should you like now and then to see a new preacher introduced on a Sunday?—Well, I hardly think so. I have thought the matter well over, and I fear that they would clash. I have seen no difficulty with the present arrangements of the chaplain.

9537. Do you know cases where a good effect has been produced on the minds of the prisoners by what they have heard in chapel?—Yes, many times.

9538. You think that there is really a beneficial effect to be gained by that method of approaching them?—I do.

9539. I suppose you think that the action of the governor in relation to the Prisoners' Aid Society has a great effect in making it more or less useful?—Yes, a good deal.

9540. It depends a great deal on the governors?—I have known several governors who will have nothing to do with it, and in those cases they have no control over a prisoner with regard to the Aid Society.

9541. Do you think generally the matrons may be useful in the same way in regard to the female prisoners?—I think so generally.

9542. Should you approve of a matron acting as an unpaid agent in the way you described to us?—I should very much.

9543. Then I suppose it must be in the case of a matron who has not got too many prisoners?—That must be so.

9544. How many prisoners do you think a matron ought to have under her charge in order to be able to do useful work in that sort of way?—A matron can do with up to 100 prisoners.

9545. If she had 200 prisoners under her charge do you think she could give any time to the work of the Prisoners' Aid Society?—Yes, I think so.

9546. (*Mr. De Rutzen.*) You spoke highly of the services of the visiting justices at the gaols that you have been at?—I did.

9547. How often do they visit you at York?—Once a month regularly, or at least 12 times a year.

9548. How often do the inspectors come?—Once a month.

9549. You are well acquainted with the rules laid down by the Secretary of State with reference to the visiting justices, of course?—Yes.

9550. Do the inspectors do nothing besides that which the visiting justices can do under the rules?—Yes, they examine the books and sign all books and journals, which the visiting justices did not use to do.

9551. That is only for the information of the Commissioners?—Just so.

9552. But with reference to the many duties which the visiting justices have to do, and can do, even to making a report to the Secretary of State, their powers and duties are very much of the same class as those of the inspectors, are they not?—Yes, they are.

9553. Do you have in any people sent to you on remand?—We do very frequently.

9554. Would you have people sent there for observation as to the state of their mind?—Very seldom indeed. I know some two or three years ago there were one or two sent, but the doctor objected to them and they are never sent to us now.

9555. Then what becomes of them?—They go to the workhouse.

9556. Do you know the end of the affair?—I do not.

9557. Understand that I am talking of prisoners who are charged with some offence, no matter what the offence may be?—Well, we have not had any in York for years.

9558. You never have cases of that sort?—We do not.

9559. Then what makes you say they are sent to the workhouse?—Well, I have known cases where they have been found in the streets, for instance, and thought of weak mind.

9560. That is a different matter; then they would be taken up as being supposed to be wandering lunatics and they are sent to the workhouse?—Yes.

9561. I mean people who show some symptoms after the charge is made; do you never have such cases as that?—I have never seen any since I have been in York.

9562. You have the prisoners in your gaol who are going to be tried at the assizes?—Yes, for the north and east ridings of Yorkshire.

9563. Is there any report made at the prison giving a return showing the state of education of the prisoners?—No, I think not.

9564. That is not done at any prison?—I think not; I do not remember it.

9565. In the calendars there is one column headed "reading," "writing," "perfect education," and that sort of thing?—Yes.

9566. But I mean with regard to the prisoners altogether, there is no return at all made as to the state of their education?—There is none.

9567. You report evidently, but there is no report of that sort?—No.

9568. (*Mr. O'Connor.*) You attach some value to the services in chapel?—I do; I always attend myself.

9569. Could you tell me as a matter of administration, has a governor power to deprive a man of his right to go to chapel by way of punishment?—That is one of the punishments. For instance, if a man misbehaves himself in chapel he is kept away for one, two, or three days, and I have known him beg to go to chapel.

9570. Where do you find authority for that in the rules?—There is no authority.

9571. Is it not directly against the terms of the Act of Parliament?—I think not.

9572. I mean the schedule of the Act of 1865?—I think not; but, however, I know that I have very seldom to do it. I do not think I have done it more than twice during the four years I have been at York.

9573. It is paragraph 46?—It says, I think, that the prisoner shall attend the services, but any prisoner under punishment does not go to chapel.

9574. What I want to know is whether a governor has power to prevent a prisoner from going to chapel as a punishment, and nothing else?—No, I think not. I quite understand you now, I did not see it in that light.

The witness withdrew.

Mr. E——

Mr. E —— called and examined.

9575. (*Chairman.*) I think you are now carrying on the trade of a boot and shoe maker?—Yes.

9576. You have had considerable experience of convict prisons?—Yes.

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9577. Will you tell the Committee what sentences you have undergone?—Yes. When I was a little over 16 years old I was sentenced to 12 months' imprisonment. I served my 12 months in Springfield Gaol.

9578. Where is Springfield?—In Essex. The next sentence was seven years' penal servitude.

9579. At Portland?—Yes, at Portland.

9580. (*Sir J. E. Dorington.*) What age were you then?—19.

9581. (*Chairman.*) Subsequently to that what were your convictions? What was the next sentence?—Eight years' penal servitude.

9582. At Woking?—Yes.

9583. How soon did that sentence follow your discharge from Portland?—Sixteen months.

9584. Then you would be 28 years old?—Yes.

9585. Then your next sentence was what?—Ten years' penal servitude and seven years' police supervision. I served that sentence at Portsmouth.

9586. How old were you when you were convicted then?—Thirty-five; there may have been a few months difference perhaps.

9587. You were on ticket of leave then?—Not for my 10 years. I was on ticket of leave for my first sentence of penal servitude which was only for seven years. On my next sentence I was sent to Woking, and had to serve the whole of the eight years because I had to work out my remission on the seven years. I really had no license when I came out but they gave me a license. That was eight years I served. Then I had 10 years and seven years police supervision.

9588. Did you serve the whole of the 10 years?—No, I served seven years and a half, but I had no remission on the eight years; I served the full time. On the 10 years I served 7½ years, and was discharged in June 1892.

9589. That is the record of your convictions?—Yes.

9590. So that you have altogether served 24 years in prison?—I suppose nearly that.

9591. How was it that you first got into trouble?—My parents died within about a few months of each other, and I was sent to work for a shoemaker in the district where I lived. My brothers and sisters, who were younger, were taken by relations, and I was considered to be old enough to look after myself. I was nearly 16, and I went to work for a shoemaker. My parents had always brought me up respectably, and were Christian people. This man I went to work with was a gambler; he was a betting man: and he took me to the West End with him to a gambling saloon, and two men came into the shop and he sent me away to Romford, in Essex. We went to a place at Romford to have some refreshment, and one of these men went upstairs and stole some property, and brought some wearing apparel into the place where we were having refreshments, and he said, "Take them." I would not take them at first, but the result was that we all went out together, and the waiter came and saw the parcel belonged to the master's wife, and we were taken to the police station, and I was charged with stealing wearing apparel and was sentenced to 12 months.

9592. Then when you came out how was it you got into further trouble?—I looked about for work and in the Hackney Road, and I saw a bill up for a lad to do washing up. I applied for it and the master took me on without a character. He kept a dining room, and I was engaged to wash up the kitchen. After several weeks he said, "This is too dirty for you, I will find "you a better job; I will make you a waiter," and I went up to the saloon to wait on the gentlemen. He told me someone had been in and told him that I had been in prison. I said, "That is quite right, sir, but "I had almost forgotten it." He said, "I cannot "have you here, I shall lose my business, you will "have to go," and of course I was discharged at once. I sought other work, and I was promised a job provided I had got a character. I sent him to Mr. Williams who kept the dining establishment, and when I went for the answer they said they could not have me because they had heard I had been in prison. The result was I walked about for several weeks and I fell into bad company, and went with a gentleman who had a horse and cart. We broke into several gentlemen's houses. Then everything vanished from me. I got into that state that I could not get away from him, and finally I was taken into custody and sentenced to seven years' penal servitude for housebreaking.

9593. What happened when you came out of Portland?—I got a job on a telegraph vessel named the "Seine" at Sheerness. That was in 1874. I got a job as store-keeper and I served on it from Sheerness to Portland.

9594. When you got the job was it known you had been in prison?—Yes. I was sent away to the boarding-house keeper; he got me the job. I had no certificate, but he took me to Sheerness and I boarded a ship there which was called the "Seine." I assisted to lay the cable from Madeira to Pernambuco. When we had completed it our ship came back to England. I think Siemens had the contract to lay the cable. After a week or two I got a berth on the ship "Admiral Cochrane." They engaged 50 men to take the ship to Valparaiso. I boarded that ship at Hull and assisted to take the ship out and I tried to get discharged at Valparaiso. On the way back to Plymouth I met with an accident and was taken ashore. It was in the winter time so I came back to London. After coming back to London, and stopping about two months I fell again, and was sentenced for an attempt to rob a house at Highbury. We only made the attempt, but I was sentenced to eight years' penal servitude for it.

9595. Was that the first offence you committed after your former conviction?—Yes, because I had been on board the ship all the time.

9596. When you came out from there what happened?—Then I got a job on the Inner Circle Railway. It was in course of construction then from Cannon Street to the Tower of London, and it had been in work for about two years, and they were going on with it. I applied to the foreman, Mr. Bastable, and he gave me a job as carpenter's labourer. After about three months they shortened up hands, and I was stopped, but during that time I learned to know some of the gangers, and I told one of them I would give him a trifle of money to give me a start. I gave him half a sovereign and he kept me on a bit longer until the railway was completed in May 1884. In October 1884, we were all discharged. I had saved up a few pounds while I was there and I went on for a few weeks, but winter was coming on and I could not get a job, and of course in walking about you meet people, so that I fell again, and I met a man who had been 15 years in Wormwood Scrubs. Another man was with him and he introduced me to him. He told me he had just come from Wormwood Scrubs, and that he had served 15 years, and if I liked to go with him he knew a place where he could get some money. He gave me a jemmy; it was a piece of iron, it was about 12 inches long, to carry with me. We took a train to Dartford and got out there between 4 and 5 in the afternoon. It was dark. I think it was the latter end of December, just 10 years ago. As we were going up the Dartford Road or Sutton Road, whichever it is, he ran away. Two policemen were coming up the road; they rushed forward and knocked me down, and when they took me to the station they found this piece of iron, the jemmy, on me.

9597. (*Mr. O'Connor.*) The other man got away?—Yes, but I should tell you he was taken afterwards. I was committed for trial to Maidstone Assizes, and charged with having instruments for housebreaking unlawfully in my possession. I admitted it; but I pleaded with the chairman to give me one more chance. He said he could not think of it, and he went on to say, "I shall give you the extreme penalty "of the law, 10 years' penal servitude, and seven years' "police supervision." I then became fairly reckless. I thought to myself, I have done wrong and I deserve punishment, but I did not deserve to be punished so severely. I felt that there was no God. I felt that there was no religion. I felt thoroughly reckless. I do not feel that now, but I felt reckless then, and that I should scruple at nothing, as I felt that religion was a mere farce; and it could not be that a man who professed Christianity could be taught that that was the way to follow out Christianity, and I felt that if that was Christianity I hoped I should never be a Christian. I have expressed myself too plainly to you, gentlemen, perhaps, but I felt so at the time.

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9598. (*Chairman.*) Then you served seven and a half years and then came out?—Yes.

9599. Then what happened?—Then I went to the society for help, and they got me a job on the tramway at Vauxhall, but I could not do the work, I was too ill. They said, "We knew you could not do it "when we sent you; you had better go to the "hospital." I said, "Cannot you get me a light job?" but he said, "No. If we get you work we shall lose "our character, you have been so long in prison."

9600. (*Sir J. E. Dorington.*) What society was that?—The Royal Society. Then I thought it was no good trying. I thought I should never live, but I should die in the streets; and I thought I would dive deep into crime. I was on the road to commit a crime when two Salvationists came along and tempted me back. I was lighting a pipe, and they told me to put it out. Of course I laughed at them. I told them if they had been bothered about as I had, perhaps they would not talk to a man like that. I told them I had been in prison. They spoke to me about my soul, and I told them I did not understand them. I cannot tell you everything that transpired, but, at all events, I told them I had tried to work and could not get it, and they said, "Why?" I said, "I have no "character; I have been to prison." They said, "That "is nothing." I thought then I was in bad company, for everybody was looking at me; and then one of them told me to go to Queen Victoria Street to see Colonel Barker or Commissioner Cadman, of the Salvation Army, and they felt sure I should not be sorry for it. Of course I did not know anything about the Salvation Army, and I thought the "colonel" was a military man. I thought to myself I am afraid to go to him, because I know they are so severe, but I went there, and I saw Colonel Barker, who gave me a letter for the Bridge, at Argyle Square. They set me to work and cheered me up a great deal. I attended the meetings, and afterwards, when I could feel they were not all bad, I saw some goodness in them, and I thought then I have got a Saviour, and then all the past came before me. While I was in sin I thought I was committing no sin, but now I look back and see that I did commit terrible sins, but the punishments inflicted upon me I think were very severe.

9601. (*Chairman.*) You felt that there was a serious difficulty in getting work on all those occasions?—Yes.

9602. Did you feel that existing agencies and societies for discharged prisoners were not competent to provide for you?—Not for some prisoners; they cannot get the work for them. Now, for instance, if a man was well connected and received a short sentence, say, take the case of a clerk who commits himself and gets 12 months' imprisonment, the chances are that they would help him and he would get a job of work; but if a man has served a long term they can do very little for him. They may send him on to a building job, but the foreman would stop him and discharge him after a few weeks. They will tell him there are others on the list. There are some men who get benefits from the society, that is those who have been brought up well and made one false step perhaps. They can do something for them, but for an habitual criminal they can literally do nothing whatever.

9603. Did you feel that supervision by the police was very much against you?—Certainly, it ruins a man. It not only demoralises a man's feelings but it ruins his prospects. I am at the present time in a respectable neighbourhood, and perhaps if the people there knew I had been in prison I should lose my work, although if they knew all the points of the case they would sympathise with me; but if they simply said that man is under supervision I should lose my business, so that my heart trembles sometimes when I see a policeman look into the windows.

9604. But the police do not trouble you now?—No, I hear nothing from them now, but I have only been at this new place a fortnight.

9605. Did you come straight from the Salvation Army Home?—Yes, the Salvation Army has helped me to get the money to pay for the premises. It is a house and shop. I have got it as a shoemaker's shop. I have work coming in, but of course when I am out like I am to-day I am obliged to engage another man. I think in course of time I shall be able to engage one man permanently. I have taken a man from Whitechapel and I have been able to employ him once or twice when I have been away.

9606. Have you seen any man you remembered in prison during last year?—Only one, and he is dead. He was a notorious receiver of stolen property. I told him I had turned over a new leaf, and I advised him to do so. Some time after a man came to my place that knew him, and he said, "He is "dead, but he spoke about you a few days before he "died." I was not connected with a large number of those men. There were about five or six men that used to go to the "Horse Shoe" in Tottenham Court Road, and one or two that used to go to Islington, but I was never associated with the lower class of men about that neighbourhood.

9607. Do you think much harm is done to the men who come out of prison with the intention of leading respectable lives by meeting old associates who drag them back again?—Yes, but if a man is in work there is not the same opportunity of doing it. Work gradually weans him away from it; but to go back to society as I was I could not. I should think 80 per cent. of the men the Government has got down as habitual criminals would work if they could only get it. I think it is 90 per cent., but I am sure that 80 per cent. would, because I know the men I have spoken to when I was in prison. They have said, "I will "try and get a job; I will try to go to work; I will "try to keep away from here."

9608. You have spoken of the hardship of those long term sentences?—Yes.

9609. That of course you speak of from your own experience?—Yes.

9610. I suppose you felt that when you would come out of prison you wanted to get work, and that it was the difficulty in getting work that would send you back into crime, and that it was hard you should have to undergo all that long term under those circumstances?—Yes.

9611. Now I suppose in the course of your experience you have come across men of distinct criminal tendencies who have no apparent wish to get away from crime and who were what are called habitual criminals?—Yes.

9612. Who come into prison with the determination of going back to crime as soon as they come out?—Yes.

9613. How should you deal with that class. Do you think when one of that class has been in prison half a dozen times, and is found guilty of robbery and sentenced to six months imprisonment, that that sentence of imprisonment is of any use whatsoever either for that man or for anybody else?—No, that would be too short, but on the other hand it must not be too long. Now, for instance, consider the impression that a man with a long sentence makes upon a man who is doing a shorter sentence. He comes in contact with him although men are not allowed to talk in prison; still at the same time I have seen men come down with heavy sentences especially when Mr. Hardman, the chairman of the Surrey Sessions, used to inflict 20 years on a man; and I have seen a man come down with 20 years for stealing a watch, and he has seen another man who is

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there for five years, and when he has told the other man what he has got, the other man has said, "I will "never get 20 years, and if I go into his district I "will carry a revolver and shoot the first man that "comes near me." That is what goes on from one to another in prison. I said there were 20 out of every 100, but I should like to say that 10 out of every 100 would never alter, that is when they have been brought up young to it, and they rather brag about it.

9614. That is rather the class I have in my mind. You say it would be useless to give them a six months' sentence, but at the same time you say you must not give them too long a sentence?—No.

9615. Supposing a man has been in prison half a dozen times, and during the whole of the time he has been outside he has been living by crime and nothing else, and is then caught and comes up for a robbery on the seventh occasion, what sentence do you think would be at all calculated to deter that man subsequently from further crime?—Three years in a local prison or perhaps four, because it is the local prisons that will tame him. The monotony of a local prison is worse than a convict prison. It is the confinement. I think a man would rather go for five years, although he would have other hardships in the convict prison, but the time seems so long in the local prison that really I think three years would do him more good than 10 years in penal servitude. Three years would frighten a man. When I was doing my "separate" at Pentonville I used to hear the men say, "I shall "be glad when my nine months is up and I shall go "away." They used to say, "I don't care how hard it is away, but I do not like solitary confinement."

9616. You think that that preliminary nine months is really more of a deterrent than the penal servitude which follows?—No, because I have heard some men say they would rather do the "separate." (It is so called at Portland.) They want a change; they know they have got five years, and they say "I want to go "on the marks system; I want to get away. I want "more food," and so on, but if a man had the option of three years or five years I think he would tell you he would rather have the five years.

9617. Do you think that by any special attention to this 10 per cent. of which we are speaking when they are under detention, that they could be reclaimed from crime in any way?—Well, they could be spoken to and read to, but the question is simply this: they would, while in prison, have the full determination of doing good and becoming true men in heart; but as soon as they leave the prison they do not take those impressions to their homes. They get into a fresh element and perhaps they meet somebody, and gradually we know the company they get into destroys what good they have received in prison. It is the company they meet. If they could be taken from home into good company as it were, where they cannot see their old associates or have their old influences, they would do so, because I believe the determination is in almost every instance to do right, but when they leave the prison they are picked up and go into another element altogether.

9618. Do you think it would be possible or advisable to send long term prisoners for a period before their sentence expires to some place of detention which should be a sort of half-way house between the convict prison and liberty, which should train them for their freedom in a way in which a convict prison cannot be expected to do?—I think so; I think that would be much better for the prisoner, because as soon as the men leave the prison they have got to find lodgings where they can, and that is dangerous for them. Some of them have got friends in the country, and some want to look about them before they move, and I think it would be a grand benefit to the prisoner before he is discharged to have a place to take him to.

9619. Supposing the Government set up an establishment which really would be for the training of prisoners on discharge, do you think that many of the long term prisoners would voluntarily go to it?—They are just the sort of men that would go. They have had such a sickening of prison that they are just the men that would go. I can imagine such a thing as that being said to me after doing my 10 years. I pleaded for work, but when I went to Vauxhall from 6 in the morning to 8 at night carrying buckets of white-wash, a trap broke down one day, and the next morning I had to walk home all the way from Vauxhall, and finally I gave in, I was fairly exhausted. I was fairly weak, having been broken down in prison. I was six years in Portsmouth.

9620. Did you find on coming out after your different sentences that you were physically weak?—Yes, it undermined my constitution. I feel it greatly now. I find the effects of it now. I have a hard struggle to keep about; I am not in good health.

9621. Before discharge of course you have more food?—Before discharge from prison?

9622. Yes. Is not that so?—No, you have the same diet when you enter and the same when you are discharged, with the exception that instead of giving you gruel for breakfast if you behave well you get tea.

9623. Then up to the last day of your discharge you do not get any change in your diet?—No.

9624. Other than what you have just mentioned?—That is so.

9625. Do you think the convict rations are sufficient?—The food?

9626. Yes?—No, it is not.

9627. Is it the same for all classes in the prison, for those who are engaged outside and those who are doing separate work?—Yes, he gets the same diet as the man who is filling trucks of clay or breaking stone.

9628. Would you mean the one got the same as the other?—Yes, unless the doctor weighs the man, when he might put him on four or six extra ounces of bread. The scale is a good scale for a man who is working at tailoring or shoemaking if he get that scale, but I am sorry to say he does not get the quality; he may get the quantity but not the quality. The scale of diet at present in convict prisons is ample if you get the quality. That is to those who are working at tailoring and shoemaking, but they get their first meal at 6 in the morning, and nothing more till the afternoon, and a man who has to work squaring stone, using a pick, or wheeling barrows is really starving. I know that in my own experience. When I was at Portsmouth I have eaten things I am almost ashamed to tell you of, and others have done the same; and when men do that they must be terribly hungry.

9629. Did you find that the prisoners complained very much of the insufficiency of the food?—Almost every prisoner on the works would do that. I can imagine what they have said when they thought they were going to get 4 ounces extra bread, when all the refuse they can pick up is eaten by them; and you have only to look at the men at Portland to see that they have no flesh on them. It is a very cold place, and you can imagine what it is to be working like this and going nearly six hours without food.

9630. As a matter of fact is it not true that prisoners do gain in weight in the convict prisons?—It may be a man might be employed inside, where, perhaps, he has got the means of getting an extra loaf of bread. Sometimes he can get an extra loaf from another prisoner; they can do that. Some of them are employed as nurses in the hospital, some are organists. I suppose 100 men at Portland would give a very good account of their position simply because they have the privilege of getting a little extra, but then the men who work at squaring the stone are the men who suffer. Men working inside the prison do not suffer so much. Sometimes they can afford to give a loaf away, although if they are caught they are punished for it. If they are caught they are fined marks and otherwise punished, but the men on the works are half starved. That was my experience, and that is the experience of all the men I came in contact with on the works.

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9631. When you were in the convict prison did you undergo frequent dietary punishment?—No, I was never punished except, I think, once when I was sentenced to 24 hours punishment diet for a slight infringement of the rules.

9632. But other men who committed offences were of course sentenced to dietary punishment?—Yes, some to three days bread and water, and some to 28 days bread and water.

9633. Would men who were working in the quarries be sentenced to those hard diets?—Yes, a man would go out to the quarry, say, at 7 o'clock, and if he has committed himself by speaking to his fellow prisoner on that very morning, the officer may have checked him once, and he may have been reported at dinner time, and if he has been reported before that day he will get one, two, or three days bread and water.

9634. Assuming punishment is necessary, what alternative would you suggest to dietary punishment?—Well, a pound of bread a day is not much. Men are really incited to commit themselves. I am not taking the part of prisoners, I am only telling the truth. You see a prisoner who is working as I said before, and getting his pound of bread in 24 hours, would have to live on that from perhaps three to seven days. Then he would get some gruel, but to live for three days on a pound of bread a day is a punishment. It is not as if a man is going in with a good constitution. He is going in weak, and then to go for three days on bread and water is very severe.

9635. What would you substitute for the dietary punishment?—I would still continue the bread and water, because I think when a man comes in instead of leaving it till 8 o'clock before he gets eight ounces of bread, if they gave him a little at dinner time, just to keep the man's system from going too far, it would be right. 16 ounces of bread in 24 hours is carrying a punishment too far. I say the 16 ounces is insufficient, it is carrying punishment too far considering the condition the man is in when he is beginning to undergo that punishment. Of course men that have fared well it might do good to, but if a man has scarcely any flesh on him, I think 16 ounces of bread is certainly carrying the punishment too far. If it were increased to a few more ounces I think it would be more humane than the punishment is now.

9636. What do you think the effect of this dietary punishment is upon the prisoners?—Of course it is a great deterrent to prisoners committing offences. If there were not a punishment of diet, perhaps there would be more men infringing the rules; but I would suggest it should be only inflicted for serious cases, not for trivial offences such as talking and so on.

9637. Do you think it has a tendency to brutalise the prisoner?—If what the prisoner is reported for is a slight offence and he gets severely punished for a little offence then it does; but if a man really is guilty of a serious offence he ought to be punished, and I think the man would say he deserved the punishment.

The proceedings were adjourned for a short time.

9638. Do you think that the rules governing prison discipline are too severe?—Yes, I think so.

9639. In what respect?—They are too minute. For instance, the prisoner when he rises—I am speaking of convict prisons, I know very little about local prisons—but the convict when he rises in the morning is subject to the rules, and the rules are so minute that he renders himself liable to punishment. For instance, all those cells are very small and he might knock something over, and the mere fact of an officer coming along and hearing him would involve him in trouble if the officer reported him. He would simply be reported for making an unnecessary noise. I just mention that to show you that the rules are so minute that, however much a prisoner may try to keep out of trouble, the officer if so disposed may report him and a prisoner can hardly escape infringing the rules as the regulations are so minute.

9640. Would you alter those rules?—I would not make offences out of nothing. For instance, the men when going to chapel, when I was at Portsmouth, had to walk in step. Perhaps the man in front would fall out of step and someone would be reported for being out of step. It would be just the particular prisoner the officer was looking for who would be punished for being out of step.

9641. Have you known marks lost for that?—He would lose marks for it.

9642. Have you known a case of the kind?—Yes, I have known men get punishment for it. I might mention names. At Portsmouth three years ago, when Major Farquharson was there, there was a case of that kind. The first one that the officer called would be reported. The officer would stand there and send for the governor. The men have only got a few hundred yards to march to chapel from their cells, and they must keep marking time until they get right up to the chapel, and if they do not they will get reported for that.

9643. You have mentioned the small size of the cells?—Yes.

9644. Did you find any inconvenience from that?—Inconvenience in the summer time on account of the vitiated air in the cells, and in the winter time from the cold.

9645. You are speaking of Portland?—Yes.

9646. And Portsmouth?—Yes, Portsmouth is the same.

9647. And Woking?—No, they are large cells at Woking.

9648. Did you hear prisoners complain much of those cells?—Yes, nearly all of them are ill with cold in the winter and heat in the summer.

9649. During your experience had you any reason to complain of the conduct of the warders?—Yes; some men are well meaning men, and some of course are little minded men; some of them are educated to a certain degree, but some are altogether without education. Of course it is very dangerous to fall into their hands. An officer had charge at Portsmouth of 25 men. They called them "parties" there. When he marches out with the men in the morning he sets them to work. Very possibly, after an hour or so a prisoner, after working with a shovel, will straighten his back. The principal officer there will come and point him out to the warder and tell him the man was standing idle, and of course the officer would report that prisoner, as if he did not he would get reported himself. A prisoner has always to be on the move. Sometimes an officer will see a prisoner straightening his back, but will take no notice of it, but if the chief warder comes round the officer is reported for allowing this man to stand and to be idle.

9650. Did you ever know of a case of a warder striking a prisoner?—Yes, several. I could tell you one instance, and could give the name of the prisoner, where the governor said, "Go and throw water over "the man." The prisoner's name was "D." That was at Portsmouth. He was an old man, and somehow or other he was always getting reported. Finally he said it was no use going out to work. He said, "If I "go out to work I shall only be reported," and he would not go out. He was locked up in the punishment cells for refusing to go to labour. We shoemakers were having about half an hour's exercise before we went to work. About half-past 8 a separate cell door was opened by the officer. I think his name was Guest; I think he has been made a principal warder there now; but they dragged this prisoner out of the cells because he said that he would not go to work, and they said he should. He had got the canvas dress on, and they dragged this old man out and threw him out in front of the cells, and then I heard Guest say, "Go and get something," and he brought out a bucket of water and a pint measure, and the officer took a pint of water and threw it over the prisoner, and I saw Major Farquharson in the office looking out of the window at the time. I saw that

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about five years ago, and we shoemakers at that time were exercising.*

9651. Have you known other cases?—A man of the name of D. L. was thrown from the top of the stairs and his legs were broken. He was in hospital for about two months. It was about 10 o'clock at night. They opened his doors and instead of bringing him down to the punishment cells they threw him down two flights of stone stairs. His name was D. L. That was at Woking. At Portsmouth there was a prisoner there, and this was a case of frequent occurrence. I was doing my separate confinement at Portsmouth and for three months I was upstairs and the punishment cells were down below. That man "S." was nearly four years under punishment in a separate cell. The records of this man perhaps can be traced back.*

9652. Four years do you say?—Yes; he was a Jew, at Portsmouth. If you could refer back, it must be seven years ago when I first went there. His cell was in a frightful state. They had to shift him from one cell to another on account of his being so bad. It was very seldom he had his clothes on, and all the rags he threw out they used to give him at night to sleep on, and they used to take them away in the morning. The whole of his sentence he was under punishment. He was a Jew.*

9653. Have you ever seen cases of ill-treatment of warders by prisoners?—Well, I had a very bad introduction at Portsmouth I think during my first sentence. It was one Good Friday. It was at Portland where a prisoner killed a warder with a pick. The prisoner's name was Dethridge. The warder's name was Trivet. It was in March 1879; we were working on the batteries. I heard someone shout and the officer said, "Go on with your work," and I saw two or three officers coming along; I was perhaps about 40 or 50 yards from him. They carried somebody in and at the time we were told that an officer had been killed. That prisoner's name was Dethridge. He had only four months to serve, but the officer had so nagged him that it irritated him. He would keep on nagging a prisoner so that he would not know what to do. He regularly bewildered him, and finally he took up a pick and struck him. I happened to be in another number. I was in No. 50, but that was No. 11 party, and all the men in No. 11 party lost their remission, though some of the men were going home in a few weeks, and they were put down for another 18 months simply because they could not get nearer the prisoner to save him from killing the warder.*

9654. Was it done premeditatedly?—It may have been—I cannot say.*

9655. Was the man subsequently sentenced to death?—Yes, he was hanged. Another one occurred after that with Blyth. A prisoner struck an officer with a shovel. He lived for weeks after, but the prisoner was ultimately tried and sentenced to be hanged, and he was hanged. I think that was a case that was sent from Winchester to Portland.*

9656. Do you think the rules as regards not speaking are too harsh?—Yes, they are; because the temptation is so great. For instance, a party of men go out to work in the morning when it is cold and so on. They get to work and the man may pass some remark to his fellow prisoner. I do not say that they should be allowed to converse, but the mere fact of speaking is enough for an officer to report you. If you turned your head with the party I was at work with it was very dangerous; and you would be reported or lose your dinner, or your day's food, or your remission only for speaking.

9657. Were there many punishments for speaking?—Three or four every day at Portsmouth; I have known as many as eight or a dozen to be reported for talking.

9658. Still there is a good deal of talking in convict prisons?—Yes. If for instance a man wished to convey a message or anything of that kind he could do it provided he was in the same district; but it is very hard where prisoners are together like that, and one speaks to another, to be reported. A man is supposed to go to prison for 20 years and he is never supposed to open his lips, and he says, "Whatever I "suffer I will do it"; and he does suffer because he is punished for doing it. Take a party of men, perhaps 500 or 600 men from different parts of the dockyard, and it is almost an impossibility to say that they shall not speak. I say they should not be allowed to converse while at work, although it would be a little humanity to let them talk on Sunday at recreation time. If they were determined to do mischief they could do it. It is not talking that does it. I think it is unnecessary punishment. It is a punishment that tends to demoralise rather than reform a man because temptation is really thrust in a man's way. He cannot resist it. He yields to that temptation and for so doing he is punished for it.

9659. With regard to medical treatment, do you consider that the medical supervision is satisfactory?—No, I do not think it is.

9660. In what way is it unsatisfactory?—Why they have not the means at their disposal to treat sick prisoners as they should be treated.—A man at Portsmouth once really dropped down before the doctor could do anything for him. I have seen men go to the doctor recently—say three years ago—and men who complained to the doctor. "Well," the doctor says, "see me at dinner time," and during that time he or the assistant surgeon has perhaps to see 50 men. They are passed through, and they make their complaint. From what I have heard the doctor says, "Do you "eat your food?" "Yes." "That will do." Or perhaps he orders a dose of medicine, and the man must really drop before he can get attended to, unless it is a case of a wound, or an accident, or something of that sort. There were two cases at Portsmouth where a man applied for the doctor at 12 o'clock in the dinner hour to see him. He said there was nothing the matter. The man went out and dropped down dead. About six weeks after there was another case and the man went out and dropped down dead. I think there were four men made away with themselves while I was there. That is not long ago. One man threw himself over the bannisters. Another man hanged himself.*

9661. (*Mr. O'Connor.*) Where was that?—That was at Portsmouth under Major Farquharson.

9662. (*Chairman.*) In cases of serious illness did you find that the medical supervision was adequate?—Well, when a man is very ill, where I have been the man gets treatment by the doctor, but he must be very ill to get treatment. Where a man could say that the man is nearly done up or very ill then I have seen the doctors give the man medical treatment, but they would not treat ordinary indisposition. A man may fall weak and ill, but that man has to get over it somehow, and some men have not got over it. At Woking I applied myself to the doctor; for nearly three weeks I could hardly move, I was so weak. Finally at 3 in the morning another prisoner heard me groaning and he sent for the night watchman, and I was carried out and put on a water bed and I got through, but I was laid up for three weeks with rheumatic fever. I had been three weeks complaining to the doctor and he would do nothing for me.

9663. Where was that?—At Woking.

9664. I suppose you would agree that there has been a good deal of attempted malingering?—Yes, but I think that arises out of the severity of the punishment the prisoners have got to endure. You do not see it among men who have privileges. You never see it where a man has got a billet or a job in the prison. He will keep away from the doctor, but the man who has really got to face this terrible punishment is the man who will do that. I have known prisoners inflict wounds on themselves. At Portland I remember a man asking me to strike his hand with a hammer and smash it; I would not do it. Another man did it for him so as to get his limb amputated and to get him into the hospital. Men put their

* For observations by the Prisons Board on Mr. E——'s evidence 9650–5 and 9660, *see* Appendix IX.

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arms under trucks, and they do that to get them cut off. Several of them did that at Chatham, so that the punishment must be very terrible for them to do that. I suppose the majority of convicts do, especially those who are employed on public works. The food is not enough for a man; and when he comes away he becomes reckless after he has been punished several times, especially if it is a punishment for a little offence.*

9665. All prisoners I suppose are not brought into contact with the civil guard?—No; they are only posted there to see that they do not run away. They do not seem to have anything to do with the discipline of the prison.

9666. When you met the Salvation Army officers were they on the lookout for discharged prisoners?—No, they seemed to be passing along. They were going along the Thames Embankment. They did not seem to be on the look out for anybody.

9667. You were carrying a revolver at the time I think?—Yes.

9668. And you were intending to commit a crime?—I intended to see if I could break into a house, but I did not intend to use violence and I knew the next time I went to prison meant death, the punishment was so great, and therefore I said, "I will not hurt anyone," I could not do so, but I said, "I will never be taken alive." That was my feeling, that I would never go back to a convict prison. In my cool and calm moments I could not do harm or injury to any one, but I felt I was determined not to be taken alive, I had suffered so much.

9669. Did you find in your experience of the Salvation Army Home that the discipline of the work had an improving effect upon those who were in the home?—Yes, I think so. There is every effort used by the Salvation Army officers to try and impress upon the men the beauty of doing good. There are meetings every night for that, and they do all they possibly can to cheer them up. But I think the Salvation Army are rather pinched in the matter of giving people a little more money than they do. For instance, a man gets a grant every Saturday. It is simply done by the Army, but it is not permanent. They cannot promise any permanent employment. It is a kind of probation for them to remain at the "Prison Gate Home" until something turns up for them, but I have known many men who have got work through the Army. Those who like to be patient and wait get it; but some get tired of it, although I think if men are patient the Salvation Army finds something for them at last, so that they do not go back to sin again.

9670. Do you attach much value to industrial work in prisons?—Yes, I do.

9671. You think it is good for the prisoners?—Yes.

9672. Do you think that there is any tendency to take to the work out of prison which they have learned in prison?—Yes, I do; but a man when he leaves the prison (no matter what work he does) is not qualified to go into a high class form of work. That is so either with a bootmaker, or a shoemaker, a clinker, or a carpenter, or anything else. He could not compete with the men outside, but he would be a very handy man, and it would be the means of his getting on, and would aid him; it would be a help to him. I have known many men myself who have learned things in prison who have made use of it when they have come out.

9673. Can you suggest any improvements which might be made in the organisation and development of labour in the convict prisons?—Well, I think there is a lot of labour done in convict prisons that is altogether useless. It is not profitable. For instance, there is oakum-picking. I should not recommend that as a profitable occupation for prisoners. Then there is stone-breaking. Stone is broken up at Portsmouth. Of course I suppose it is done to make work, but they cannot use it. That was how it was when I was there. But with regard to building, and so on, of course that is very useful work, and it breaks the monotony of a prisoner's existence in prison.

9674. Do you think that there is sufficient classification of the prisoners? Do you think that there is any danger in the present system of contamination by the worst men?—Well, I do; because they classify them in this way, first, second, and third class. A man may be a first class man according to the rules of the prison, but he may be a very low class of man in disposition. Still it does not matter, so long as the man has a blue collar he is a first-class man, and will be placed with the best prisoners. It is the facings of the man's coat that classifies him, and not his moral character. If he were promoted to the first class he might be a devil in disposition, and yet he might go by the side of a man who was really good; but it is simply because he has got the blue collar. They do not discriminate according to a man's disposition. They do not seem to understand that; but they go by the class he has got into by earning his marks.

9675. Do you think that further classification would be necessary?—I do.

9676. And you would separate them more according to their moral characters?—Yes, and that could soon be found out.

9677. Are not some of the best behaved men in prison some of the worst of men?—Some of them are when they come out. You must understand that when they go to prison they understand the prison discipline better than the others do. Those men perhaps you find have had more education. The more ignorant a man is the sooner he falls in prison. The better informed he is the better he is able to avoid committing offences of a certain degree. The poor ignorant fellow perhaps is a good hearted man, and he is sent to prison, and that man will be picked out as a marked man to be punished. I have known several cases where they have been unable to meet the wishes of the officers. Some prisoners lose the whole of their remission by being punished in that way. They are fined 42 marks or 30 marks or whatever the number may be, and that means a week or a fortnight's loss of remission. If a man is reported many times, and he gets those marks taken from him, of course he very soon loses his remission. I think the system is wrong in many respects, and that they do not discriminate between the good and the bad. It is simply classification, and you are punished for doing so and so. You are brought before the governor, and of course the governor believes the officer. The man goes away reckless, and as soon as he can speak to his fellow prisoner he tells him of it, so that the impression goes right throught the prison.

9678. Do you think it would be desirable to enable the prisoners to earn more money in prison?—Yes, I think it would.

9679. To earn money until discharged?—Yes.

9680. How much can they earn in convict prisons?—A prisoner sentenced to five years I think can earn 3*l.* or near upon it. If he is in for over five years he can not only earn the 3*l.* but he can get an extra grant of 3*l.* if he gains the special class. If a man serves 20 years in prison, he cannot get more than 6*l.*; but very few do get that. I got that with my sentence of 10 years. I served seven and a half years and I was promoted to the special class when I was within the last 12 months of my sentence; and that gave me an extra 3*l.*

9681. Was that paid in cash when you left the prison?—It is paid over to the "Prisoners' Aid Society," and they give it out to you. They gave me a sovereign the first day, and so they went on until it was exhausted.

9682. Is the distribution of it left to the discretion of the Prisoners' Aid Society. They must give you the money?—Yes, they must give you your 6*l.*

9683. But in such amounts as they think fit?—Yes.

9684. Does that answer well or could you suggest a better way of dealing with the money?—By what I see of it they are sometimes rather pleased to give

* For observations by the Prisons Board on Mr. E——'s evidence 9664, *see* Appendix IX.

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the discharged prisoner his gratuity and let him go. That is so in many instances. If they cannot give a man work they would of course be glad to give him his gratuity and let him fight for himself.

9685. (*Sir J. E. Dorington.*) You think that police supervision is rather a tyranny?—Yes, it is nothing but tyranny, it cannot be otherwise.

9686. Is not the police supervision confined to certain officers of the force. Every policeman has not got a right to come and supervise, has he?—I think not, but it is simply this. At the district station where a man reports himself all the detectives know him, and of course it is not long before it is known to nearly all the police that such and such a man is living at such and such a place, and that he is under supervision.

9687. If you were to speak to an habitual criminal in your district, and if you were seen so speaking by the detective, that would be risky?—Yes, it would, but perhaps where I am at the present time they are satisfied that I am a changed man, and there might not be much notice taken of it, although I should not like even now to be seen to speak to an old habitual criminal.

9688. They know you are under police supervision but they know you are going on creditably, and so they leave you alone?—Yes.

9689. Is not it the fact that a man knows that if he is not going on creditably he will be controlled by the police, and is not that rather a check on his doing wrong again?—No, it is rather against him to a certain degree, and it is no check on him at all because if a man is determined to do wrong all the supervision in England will not prevent it. They cannot always watch a man. If a man is under police supervision and is determined to do wrong to-night he can do it, because he can go away and do wrong, and it is rather prompting him to do it to know that he has to submit to this galling yoke. A few weeks ago I neglected to write to Scotland Yard; I was two or three days over my time, and I was afraid they would have taken me again. A thing like that is something terrible. I have to remember the 6th of every month; and perhaps in the course of business it might slip my memory. It is a great anxiety on my mind.

9690. Of course you are all right now, but supposing you had got an offer to work at, say a mason's yard, or a bricklayer's yard, do you think the police supervision would interfere with your chances there?—I believe the police are supposed to tell the master where the prisoner is working who and what he is.

9691. And if they do that judiciously, would it do any harm. They would not tell the master "you "must discharge that man, because he is on ticket "leave"; but they ought to say to the master, "you "have got a man in your employ who we believe is "going on creditably, but he is under an order by "which I am required to watch him." If the police did that it would not hinder a man?—It does. Some Christian men would rather employ a prisoner, perhaps, but others are not so inclined; and furthermore when I was sentenced to 10 years' penal servitude it would have been more just to me not to have been brought under police supervision. A convict has to earn eight marks a day by actual labour, and he is told that if he does that he will earn a remission of one fourth of his sentence. That man perseveres, and I thought I had earned the one fourth of my sentence. The result was, that as soon as I was discharged I was brought under the order to report myself to the police during that time. I think when a prisoner earns that remission he ought to be able to feel that he is a free man, but he does not, because he has to report himself to the police every month.

9692. A good deal of the trouble you got into was owing to your dropping into bad company again almost as soon as you were free?—Yes, and the necessity arising from wanting the means of life. If I could have got work I should never have done it, but if a man is out of employment wandering about the chances are that in course of time he is sure to meet some one.

9693. You think that a man who is under supervision has no help from the police?—No. A man feels that it is very tyrannous. It is a terrible thing. Take it in my case, that for seven years I have always to have it in my mind that I have to write a letter once a month. It is not that I should care now about their knowing where I live, but it is a great weight on my mind, and in addition to that I consider my punishment was too excessive.

9694. You think the police supervision is a serious aggravation of the punishment, and that it is no aid to the man?—No, it is not.

9695. Of course the intention is that the police supervision shall both protect the public by keeping an eye on the man who intends to do harm, and also strengthen the prisoner in good resolutions by keeping him out of bad company?—But, as I have said before, if that man was determined to do wrong, all the supervision in the world would not stop him. I think it rather aggravates a man to do it. I think it would even be better to take some part of his remission away, or to bring him under some other punishment, because I have heard many men say, "I have to "report myself, I have earned my remission, and I "have now to go and report myself."

9696. But that is done by letter?—No, that is only in special cases, as in my case. Ordinarily they have to report personally every month. Then if they are standing loitering, or say if they are looking at a shop window in the Strand, the police can look them up for loitering and they can be sent back; the punishment is I think very severe to a man after he has earned his remission to be made a prisoner of during the remainder of the time.

9697. (*Mr. O'Connor.*) If you had met your Salvation Army friends on your first coming out of prison after your first 12 months' sentence you might have been saved all your subsequent experiences in prison?—Yes, I am sure I should; I felt when I was engaged at the dining room establishment at Hackney that I was building up hopes for the future. I really forgot that I had ever been in prison.

9698. On four separate occasions you were arrested and had a charge proved against you, but of course those were only four cases. Would you have any objection to telling us on how many occasions you got off successfully without detection?—I cannot tell you the exact number of cases.

9699. But was it a good many times?—I daresay I was successful eight or nine times.

9700. Was that between the first sentence of one year and the sentence of seven years?—Yes, but they were minor, petty things.

9701. Then the next time, which was between your seven years and your eight years sentence how many times did you escape?—After I had served seven years?

9702. Yes?—Well I commenced to do wrong in October, and I was taken in January, and during the three months perhaps it occurred five or six times.

9703. Then between the eight years sentence and the 10 years sentence, if I remember rightly, you were employed upon a railway?—Yes, the Inner Circle Railway.

9704. Did you get your employment on the railway very soon after you came out of prison?—Yes, a few months afterwards.

9705. What were you doing during those few months. Were you living on the public in any way?—No, I was not doing wrong then; I was going down to Victoria Docks and getting odd jobs.

9706. How long were you unemployed and without regular employment after leaving the railway before you were taken with the jemmy in your possession?—I commenced, I think, about the latter end of November; I was going to several places of work but I was unsuccessful each time, and I met a man who had some money and he used to give me money just to keep me going.

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9707. You made attempts in which you were successful and you were not caught?—Yes.

9708. You told us that the men on the works at Portland were half starved, but that you drew a distinction between the men who was at sedentary work and the men who were shaping stone?—Yes.

9709. Do you say that the dietary is enough in sedentary employment?—I think it is.

9710. But it is not enough for the hard work on the rocks?—On public works, no.

9711. You told us also that men are sentenced for 28 days to bread and water; what authority is it that passes a sentence of that kind?—The directors.

9712. The governor of the prisoner cannot give 28 days bread and water?—No, only three days at a time.

9713. Now when a sentence of that kind is passed, before whom is the prisoner brought? Is it always before a director?—Yes.

9714. Does a single director come at one time or are there two at a time?—One.

9715. Do you know the circumstances of any particular sentence of 28 days bread and water?—Yes.

9716. Can you say what the effect was on the man?—That prisoner W. I saw after he had served the 28 days on bread and water. He is at Portsmouth; he is sentenced for life and he came out bent double; he could not straighten himself when he had had 28 days bread and water for threatening an officer. I saw him at Portsmouth a few years ago when I was there.

9717. He was reduced to a state of practical incapacity from want of food?—Yes.

9718. You said something about men being excited. Do you remember the connexion in which you used it, whether it was in regard to the food or in regard to the demeanour of the officer. However perhaps you do not recollect it?—No.

9719. With regard to talking, sometimes I suppose men are obliged to talk in connexion with the work on which they are jointly employed, are they not?—Yes.

9720. For such talking as that there would be no report, would there?—Yes, I have known prisoners who have been reported for it, and the warders have told the governor, and he has said, "You must refer "to the officer, you are not allowed to talk at all."

9721. But, as a matter of fact, do not men on the work talk, and is not it recognised that such talking is sometimes necessary?—Sometimes the officer will allow you to strain a point, and if the men are at work on a scaffold they may perhaps ask for a tool or something of that sort, and perhaps he would allow that for a time, but nothing further.

9722. Would a man be allowed to ask another man to pass him a tool for which he had a momentary need?—Yes, and I do not suppose they would report him for it, unless the officer was down on the prisoner, which is hard.

9723. Does it rest upon the discretion of the individual officer whether a man is reported for such talking or not?—It does; he is entirely at the mercy of the officer.

9724. You told us, I think, that some of the officers were prejudiced against the prisoners. I think you used the expression "unless the officer was prejudiced "against a prisoner." Have you in your experience noticed that individual officers were prejudiced against individual prisoners?—Yes, in many cases.

9725. And in such a case as that a report which is in the discretion of the officer about talking might be made, whereas if there were no such prejudice it would not be made?—Just so, that is exactly it.

9726. You told us also that four men made away with themselves at Portsmouth?—Yes.*

9727. Do you recollect in what year that was?—I think the last one was four years ago. It was H. He hanged himself on the Sunday, and when they opened the cell door on the Monday morning the man was dead.*

9728. In what year would that be—about 1890 or 1891?—About 1890.

9729. It might be at the end of 1890 or the beginning of 1891?—Yes.

9730. What was another case?—A man named S., by throwing himself over a landing.*

9731. But is there not a net?—No.

9732. He threw himself over the balcony?—Yes, over the upper landing of the prison.

9733. He killed himself?—Yes.

9734. Was he killed on the spot?—Yes, he died directly he was taken to the hospital, I think.

9735. Will you tell us another case?—There was a man named H L. You do not get to know the whole of it in prison. A warder will perhaps tell you that a prisoner who is named so-and-so made away with himself, but you do not get to know the facts of the case.*

9736. What was that?—That was in the separate cells.

9737. Do you know anything about the mental condition of any of those four men?—They seemed to be very childish and simple-minded, but of course others are able to keep their intellect.

9738. Do you think it would be rather rash to assume that those cases of suicide were the results of prison discipline, and that they might not have occurred if the men were at liberty?—I feel sure it arises from the fact of the severity of the punishments in convict prisons.

9739. Could you tell us shortly what is your impression, if you have one, with regard to the effect upon a man's mental or nervous condition from the imprisonment which you have undergone?—I think it is detrimental both morally and physically. His nerves are strained to the utmost to keep him out of trouble. If, for instance, he is a man who wants to earn his remission he has to watch so sharply that his intellect to a certain degree becomes weakened, and his nerves are unstrung.

9740. I do not ask you to mention anything about any man with particularity, but do you say you have noticed in several men or any number of men indications of mental or nervous deterioration in consequence of imprisonment?—Yes, many. I have seen men when they first came to Portsmouth Convict Prison when they came down from the "separates," after their first nine months, who are fresh and lively; but I have noticed in the course of a few months that they have become changed men in every respect.

9741. You told us some time ago that what the men dread most, or appear most anxious to get away from, is the nine months "separate"?—Yes, I said so.

9742. And now you say that some, at any rate, of these men come out of the separate confinement rather noticeable for their cheerfulness?—Yes.

9743. And that after that you have seen them alter?—Yes.

9744. Now in what way have they altered, and to what cause do you ascribe the alteration?—In the first instance during the time the man is serving his nine months he is set at his work, tailoring, shoemaking, mat-making, or whatever it is, and his food is more than he can take, so that the man is in full flesh. As soon as he comes to the convict prison it is a change for him: he brightens up in every sense, and he thinks he has come out of a prison; but when he is put to hard work he gradually loses his strength, and then he finds the discipline against him, and finally he begins to get weak. Then, of course, all his spirits leave him and he feels his position. But it is the confinement during the nine months that affects the man, and makes him feel he wants to get away from it; and then when he leaves the separate prison of course he has got his flesh on his bones, but he has no flesh on after he has been down to the other place for a little time. He loses all that, and then he gets punished. Of course a man can avoid punishment in separate confinement because he is not liable to temptation. He is locked up for 23 hours out of the 24, and he is not likely to render himself liable to punishment, but as soon as he is put on public works he is in association and is liable to punishment.

* For observations by the Prisons Board on Mr. E——'s evidence 9726–7, 9730, 9735, see Appendix IX.

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9745. You would not be prepared to hear it stated on authority that men employed on public works gain weight rather than lose it?—I cannot see how they can gain weight on public works unless it is a man who is on a privileged job. I never knew an instance of a man gaining weight unless he had been put on extra diet.

9746. You have had considerable experience. Now supposing you had it as a duty to do what you could in connexion with the prisons, so as to keep them deterrent, to keep them punitive, but at the same time to improve them in some way or another, what would you suggest as a reasonable, practical improvement?—Well, in the first instance I should like to have a man in separate confinement however much people may oppose it.

9747. Why?—Because in the first instance he is kept out of trouble; he is separated from evil associations, and what he hears from the chaplain and scripture reader and so on he takes notice of, and he has got no one to snatch it away from him as soon as he has heard it; but where they are all mixed together there are sure to be a few bad men amongst them.

9748. Then you would be inclined to extend the period of nine months separate confinement?—No, I would do away with the nine months separate confinement, because I cannot see what good it does as when he has passed through that he goes on to the public works and he forgets it all.

9749. I am afraid I misunderstand you. You told me just now you were in favour of working in gangs?—Yes.

9750. If they do not do that, then they must work separately?—Yes, but it must be either all separate confinement or none at all. The first nine months does a man no good. He forgets that when his sentence is nearly completed; but if instead of giving a man a long term you were to give him three years in a local prison, it would have a greater effect on his mind when he came out than it has when he is coming out of a gang at Portland.

9751. How about talking? He would have no opportunity of talking according to you?—He would at exercise.

9752. You would advocate permission to talk at exercise, at any rate occasionally?—Yes.

9753. How often?—I think a man ought to have two hours exercise a day in a separate prison where he is shut up.

9754. How often should he be allowed to talk—once a week?—If he is allowed to talk at all I do not see why he should not talk every day, but he should not talk during his employment. Talking time should be during recreation time only.

9755. (*Miss Orme.*) Were you ever at Chatham?—No.

9756. How did you hear about those men who got themselves injured at Chatham for the purpose of being put in the hospital?—From men at Woking, where I was. They used to send those crippled men there. A man who lost his arm or his leg would be sent on to the "Invalid Convict Prison" at Woking. I was there for some little time; I was a nurse in the hospital. Some of these men were sent there maimed and some were sent there to die, and they used to tell me about Chatham Prison which was a byeword of reproach.

9757. Then you heard of these events from the persons who had actually suffered?—Yes.

9758. And in the case of people putting their legs or arms under vehicles or something of that sort, did you know actual cases of the kind?—Yes, I knew a man who was sent to Woking with his leg off; another with his arm off; and the wounds were hardly healed up when he got there.

9759. You never saw it occur actually?—No, but I saw the men who had lost their limbs, and I have heard hundreds of men speak about Chatham.

9760. How many men do you think you have seen who have actually suffered injuries of that sort?—I suppose about half a dozen who had lost limbs at Chatham. Others had lost their constitutions and were sent to Woking as invalids.

9761. But about half a dozen men had actually suffered these injuries?—Yes.

9762. (*Mr. De Rutzen.*) You have just told us what you were engaged in between the separate terms of penal servitude you suffered. Had you ever had any experience of crime previous to the occasion when you had 12 months first as a criminal?—No, not previous to that. I was brought up by kind parents, and they were Christian people. I used to attend a place of worship and Sunday School.

9763. You mean that was your first offence?—Yes.

9764. (*Sir Algernon West.*) I want to refer a little to the question of cells. I think you said in your evidence that you had heard constant complaints of the cells and food, and that you heard of a death which took place at Portland; and that you heard many facts talked about as to the treatment they had in Chatham. Then again you say the rule is "silence"; but practically you do talk a great deal surely in convict establishments?—There are times when you do; as, for instance, the officers will perhaps change duty for a fortnight, and what they call a good officer would come on duty; and that officer would turn his head at the prisoners talking. Still, they cannot talk much, but they can talk just enough to convey their feelings one to another.

9765. That is not what you would call "practical silence"; it is not the silent system?—I think it is; I was not allowed to speak, and if they are seen talking they are reported.

9766. But you have told us there is a little talking?—But then it is under the fear of being reported.

9767. Then you talk of this, that it would be better for a prisoner to be in separate confinement, that is in cellular confinement altogether or not at all. You say you disapprove of it for nine months; but will you go so far as to say this of penal servitude. I think you have had a period of 10 years penal servitude?—Yes.

9768. Would you recommend for a man who got 10 years penal servitude 10 years solitary confinement?—No, certainly not; but instead of giving a man 10 years penal servitude I would recommend that he should be given three years separate confinement. I think that would be better for the man and for society.

9769. Ten years' penal servitude or three years' separate confinement?—Or six years or perhaps four years should be the longest sentence.

9770. Should that four years be all in cellular confinement?—Yes; if that man had exercise every day I think it would have a generally good effect on the prisoner.

9771. You think that, I gather, because you say they associate together, and that the good men will get mixed up with bad men, and I think you say that the association is bad for the good men?—Yes.

9772. Then you say a prisoner in cellular confinement is to be in exercise two hours a day, and yet have two hours' talking?—Yes.

9773. There is a contradiction in that. If the object is to avoid contamination, how are you to avoid the contamination if you allow them to talk for two hours at exercise?—By classifying the men.

9774. You say you would classify men into good and bad. How would you set about that if you recommend the system to be adopted?—I would watch the movements of the prisoner carefully and see how he went on both in work and reading and attending and so on; you would soon find it out.

9775. Surely that is the case now, because marks are gained by good conduct in prison, but you take a very different view of a prisoner who behaves well in prison and the moral character of the prisoner?—A bad man often earns his marks, and many a good man loses them because the rules, as I have said, are too arbitrary and minute.

9776. But they all earn marks for good conduct, obeying the rules, attention to the chaplain, and so on; they may all gain marks by that?—Yes.

9777. Therefore I do not see how the moral character comes in there. You talked of a man wearing a blue uniform. That is because his conduct in gaol has been satisfactory; but I do not see how you would separate the good and the bad by those methods better than by the methods that are employed now?—The methods that are employed now do not give the means to discriminate. Even in the cells there is only an iron partition, and the result is that you can speak to another prisoner. It is a great temptation when you hear a man walking about his cell half an inch from you, and you feel you must speak to him. He is exposed to the temptation, but then he is reported if he is caught.

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9778. You think it is bad for the prisoners to have conversation even surreptitiously through an iron partition, and yet you recommend that each prisoner who is confined in his cell should have two hours' exercise every day and be allowed to converse during that time?—I do not know about the conversing. A gentleman said just now they might be allowed to speak on Sundays, but if they were allowed to speak on Sundays I do not see why not on other days. Perhaps two hours would be too long for exercise, and there should be only one hour, or two hours broken up into several periods. For instance, there are in the prison the young men, and such men as that it would be safe to allow to talk and converse under supervision and observation, of course.

The witness withdrew.

Captain HENRY KENNETH WILSON called and examined.

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9779–80. (*Chairman.*) You are an inspector of prisons?—I am.

9781. How long have you been in that position?—I have been 16 years inspector of prisons, and previous to that I was governor of Gloucester County Prison for five years and afterwards governor of Kent County Prison at Maidstone for four years.

9782. How many visits do you pay in a year?—I pay a visit every month to each prison.

9783. Whether large or small?—Yes.

9784. Do you go at regular times?—No, at uncertain times.

9785. And do you give notice when you are going?—No.

9786. Do you find any marked difference in the administration of different prisons?—No. I think that the Bill has been up to a certain degree a success in many ways. First of all it has been a success inasmuch as we have had uniformity of system in dietary, clothes, &c. I think the officers have been bettered also. They have had better pay than they used to have; they also have lodging allowances or cottages in lieu. There are several prisons where there are no cottages yet, but that, it is to be hoped, they will have in time. They have not yet been able to be built.

9787. Do you attach much importance to that?—Certainly, because in some large cities the rent which is given by the Commissioners does not pay for the rent the officers have to pay. The Commissioners give them 3*s.* 6*d.* a week, and in some cities and large towns they have to pay from 9*s.* to 10*s.* a week, so that it becomes a very large sum out of their weekly pay.

9788. You think generally there has been an improvement since the Act of 1877?—I think in many ways there has been an improvement.

9789. In your visits do you go systematically through every part of the prison?—If you will allow me I will mention exactly what I do. I go, first of all, accompanied by an officer to every cell occupied by a prisoner. If some of those cells are occupied by particularly young people I generally go and have a chat with them; I mean hearing what their past history was, and what their hopes for the future may be, and I do my utmost to cheer them up. I find that a kind word given now and again has a most happy effect on them, and I have known it to be so. After that I go to the cook-house, the hospital, and the treadwheel. Then with regard to the female prisoners I do the same. I listen to all complaints and applications, and if I can settle them on the spot I do so, but if there is any serious case, or one which would take me any time, I hear it all out in the office and have the witnesses before me, when I inquire into it thoroughly, and if I think it necessary I report on to the Home Office—to the Commissioners.

9790. Of course you have no power to give any order?—I have got no power to give any specific order. I have got power if I see anything wrong to tell the governor so, but I have got no power whatever otherwise.

9791. Practically if you pointed out that something was wrong, it would be equivalent to an order?—Yes, if I saw anything dirty in the cells or not up to the mark I would at once find fault, and draw the governor's attention to it.

9792. How often have you occasion to send complaints up to the Home Office?—Very, very seldom. I do not think I have done it more than once or twice. Generally when I return to the Home Office I see my Commissioner and mention to him any matter which I may think is not quite right, and he gives an order, or brings it before the notice of the chairman.

9793. Do you take a favourable view of the decrease in the number of prisoners?—Yes; and I ascribe the decrease of prisoners to many reasons.

9794. We have got the general main causes?—I ascribe it very much to one or two things, particularly to education, and also to the shorter sentences that are being given.

9795. You approve of short sentences?—I do not approve of very short sentences, but I approve of what I mean by short sentences; that is, up to a year. I do not approve of a two years' sentence.

9796. You approve of short sentences on first offenders, I take it?—Yes, in fact they ought not to be sent to gaol at all. This I consider one of the causes for the decrease. I think among other causes are the "Summary Jurisdiction Act" and the "First Offenders' Act."

9797. For the lighter offences?—Exactly.

9798–9. Are you in favour of short sentences for habitual offenders who have been in prison five or six times?—Well, I think that cumulative sentences have been a failure. That is my experience. Mr. Barwick Baker was a great advocate for cumulative sentences.

9800. But have you any idea whether with a man who chooses to live by a career of crime it has been successful?—I do not think it has; I do not believe much in the deterrence system.

9801. Do you think the present system has operated at all in the direction of decreasing crime and the number of prisoners?—I think it has; I think it has made prisoners work better, and things are carried out with greater uniformity and regularity; but, as for reformation and deterrence, I am very doubtful about it. There are certain cases where if a young woman or girl is taken in hand and sent abroad, that woman will be saved. Again, a man who is sent abroad may be saved; but I doubt whether it has any effect upon a man who has been often in prison; certainly it has upon very few. I know a case which occurred at Liverpool. I took great interest in a young fellow. He was one of those men who was under police supervision. I am not very fond of police supervision. However, this man reported himself regularly. I had before his discharge

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seen him in his cell, and he had promised me most faithfully that he would do all in his power to reform, and he did try. He was a very good bricklayer, and was employed by a large firm in Liverpool; but one day I found him back again. I spoke to him on the subject, and he said, "Well, sir, I did my best, but a policeman "passed one day and saw me up building"—a steeple I think it was, but it was either a steeple or a chimney—"and he went at once to the employer," and the next day that man got his congé, and did not know what to do after that. He was obliged to steal or starve; he did steal and was sent to prison again.

9802. Do you think that often happens judging from your experience?—I do.

9803. I understand that you are not particularly in favour of cumulative sentences?—I am not.

9804. At the same time you do not think that these short terms of imprisonment, on the real, habitual hardened offender, operates at all as a deterrent?—No.

9805. In fact then, do you think that any sentence is more or less useless, except for the purpose of keeping him away from doing harm?—You keep him away, that is all. I believe myself we shall in time get better, for ever since the days of Howard and Mrs. Fry, we have been improving in prison management, but the fact of our decrease in prisons in future will depend mainly, I think, on education.

9806. Do you hold the same idea with regard to cumulative sentences on drunkards?—Well, with drunkards it is a difficult thing to say. Curiously enough, only yesterday I saw a woman, who is a noted character at Swansea. She had spent 21 years and 10 months of her life in prison. She had had 216 convictions for drunkenness, and two for felony. She was 55 years of age, so that she had not spent a very long time of her life outside. I saw that her punishments were generally "7 days"; then "7 days"; then they went on "14 days," "14 days," and so on to a month. They never exceeded a month, and I think I saw as many as 15 or 20 sentences of one month upon her consecutively.

9807. Then are you in favour of the report of the Committee of last year on Inebriates?—I did not see the report.

9808. It recommends the compulsory detention of habitual drunkards?—Well, I once corresponded with Mr. Holt of Liverpool. We were in communication for some time on that very subject as to whether an inebriate should be put in a home instead of a prison; and we came to the conclusion that inebriates ought to be detained in homes and not in prisons, and that the homes, ought to be adjoining workhouses, or separate buildings.

9809. That question was fully considered by a Departmental Committee of the Home Office which sat on it last year?—Oh, indeed! However, that was the correspondence which passed between Mr. Holt and myself. We came to the conclusion that that was the best way of dealing with inebriates, and that if you got rid of drunkenness you would no doubt thin your prisons still more.

9810. Have you any observations to make on the marks system?—The only observation I have to make about it is this; that I think a prisoner sentenced to over six or eight months, say to a year, 18 months or two years, should get some gratuity for marks earned in the same way as a prisoner who is sentenced to eight months or under.

9811. In the way of a remission of sentence?—In the way both of gratuity and of remission of sentence. I should say a two years man should have three months off his sentence; a man sentenced to 18 months should have two months off his sentence, and a man with a 12 months sentence should have one month off.

9812. It would operate as a premium on good behaviour?—Yes.

9813. And good behaviour might be a valuable training for a prisoner?—Yes, I think it would be something for him to look forward to in the future. When I was in Paris I was very much struck with the Prison de la Santé. There they had men from seven days to 12 months, and they had very much that kind of system. They had association rooms, but they had no treadwheel or anything of the kind; but for the first month they were very strict in having the prisoners perfectly separate. The prisoners manufactured wooden dolls for instance, and they had a separate room for making the legs, arms, heads, &c. In the next room they were putting them together. Then going on from that to another room you came to where they were painted and clothed; and then finally they were sold. I asked the director what was done with all the profits made by the manufacture of dolls, baskets, and all kinds of things. He said, "The profit we make is divided between the prison "and the criminal." I passed through all the rooms where they were all assembled. I could not get from him how they were classified; but there they were. They never said a word. They knew very well if they spoke or misconducted themselves they would be sent back again to the usual separate condition. I asked him about mats. I said it was a great pity that in England we had no mat making which used to be our great staple; and I asked if the French people outside did not object to their making mats. He merely shrugged his shoulders and said, "We in prison here "do not care about what they say outside."

9814. You are in favour of the development of prison labour?—Yes, but I am very much against both the crank and the treadwheel. I have been against them for years. I have written against them. First of all as to the treadwheel what does it do? Some treadwheels you have got an enormous labour on, they grind corn; but the prisoners do not see what they are doing. Other treadwheels pump up water; and many do nothing at all. They grind wind. That is what is said of them. I think prisoners have to ascend something like 4,500 feet in 6 hours. They are constantly going up seeing nothing. As for the crank, I look upon it as still worse. A prisoner is kept in a cell at a crank for six hours, doing nothing. They go on doing this winter and summer. They have to perform 800 revolutions of the crank at a pressure of about 12 lbs.

9815. Are you at all afraid of associated labour?—Not in the least. I know a good many of my old friends who were in the service in the old times, think I am very wrong. It may require one or two officers more, and perhaps you would have to build workshops and so on; but I am not the least afraid of it. They are all associated in chapel; you could not have them more associated than they are there; and they are associated on the treadwheel; but I would not have more than 12 or so associated for work.

9816. Have you any suggestion to make as to the kind of work which should be added to what there is now in the prison?—We have got very little work at all as far as my district is concerned.

9817. You are in the north now?—No, I was formerly in the north-west I am now with Mr. Ruggles-Brise in the centre. I go from Pentonville right down to Carmarthen. In the London prisons you get a good deal of work and you get good work in large towns, but in the country prisons there is nothing else but oakum picking. In some prisons they do nothing else but re-picking oakum. I think the governor and storekeeper of each prison ought to find their own labour, and not leave it to the central authority to find.

9818. At the same time is not it necessary to have a central authority?—Yes, but to let them have the samples. To let the governor of a certain prison find the work for his own prisoners, and when he has found that work he can send samples of the work he has found to the Commissioners, and get their approval for carrying out this particular work.

9819. The Commissioners have had to be careful of late years because of outside agitation?—Yes, but would not that lessen the agitation very much. These agitations I always understood were in the towns; but in the country you do not have much agitation, I think.

9820. What is the market? Where would the produce be disposed of? in competition with the outside market?—Certainly, I think so.

9821. And would you undersell that market?—I suppose every man is a free-trader, whether he is in a prison or not.

9822. But the objection of the trades unionists I understand is that the outside worker does not start on the same level, because the prisoner is found free quarters, and the article is produced at the cost really of the Government, and is then put into the market in competition with other articles which have been produced at greater cost. That is their argument, as I understand it?—I know it is their argument; but do you think it holds water? I think that prisoners ought to work to pay for their own keep. A prison ought to be as much as possible self-supporting; and when I was a governor of a gaol I did my utmost to make it so, though I do not think I succeeded. I do not see Sir John Dorington here, or he could have mentioned that amongst the women at Gloucester we did washing, and we used to wash for the infirmaries, the lunatic asylums, and other places. There was no cry out about it and we used to make a good bit of money by it.

9823. I suppose you would agree that in organising prison labour, and disposing of the produce, you ought to avoid, as far as possible, competition with the local markets?—Well, if possible; even it would be better if we could send our produce abroad.

9824. It would be better still if you could get through your labour without competing with the outside world?—Yes, it would be better certainly; but it would be very difficult to accomplish.

At this stage of the proceedings the Chair was taken by Sir Algernon West.

9825. (*Sir Algernon West.*) I will just go on for a moment with the question of labour, and ask you whether you think it very desirable that there should be skilled instructors in all the prisons?—When I was at Maidstone we had a skilled boot instructor, and a skilled tailor instructor, and other instructors, and I think it worked well.

9826. The Committee has been told that very often prisoners who have gone out of gaol, and have tried to make their livelihood by the trade they followed in prison, have not been sufficiently good to come up to the outside requirements and compete with the open market afterwards. That would come, one would suppose, from deficient instruction?—That would depend very much on the length of the sentence. If a man, say, is sentenced to 18 months, and you have got a good shoemaker instructor, I think very likely he could compete with others when he goes out; but you must remember that the majority of prisoners in our local gaols are short sentence prisoners.

9827. I think the answer we got was to the extent that no prisoner coming out of prison was ever sufficiently instructed in the niceties of the trade to put him on a par with the others even if you had the best instructors?—No, I think differently with good instructors.

9828. What would be the result?—I am talking of the Kent County Prison, where I found it in existence.

9829. Did you find the prisoners on leaving the prison followed the trade they had learned in prison?—I think so; for instance, the trade instructor we had for mats was a first class man, and he taught prisoners how to make Turkey carpets, or rather Indian carpets. We made two carpets just before the Government took us over. One is at my house, and the other the late Lord Hardinge bought. They were made by the prisoners under the direction of this officer.

9830. Are you in favour of a classification of prisoners?—Certainly.

9831. Could you tell us in any way how it could be arrived at with fairness to the prisoners? You have nothing to do with convict prisons, have you?—No.

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9832. Would you tell the Committee how you would proceed to classify prisoners?—It would be a difficult matter to carry out, and would require a great deal of thought. I should not like to say at once how it could be done, but I think it might be done partially. For instance, there are so few first offenders in prison if you look at the whole facts of the case. The previous conviction prisoners come up to, I should say, 70 per cent. of the total.

9833. Previously convicted?—Yes; the remaining 30 per cent. may have been previously convicted as far as we know. They may be decrepit old people who cannot do anything.

9834. But you do not think it would be a good classification to say that first offenders, or even second offenders, should be treated one way, and third or fourth offenders in another way?—Yes, I should like to see that done, as I suggested just now, with regard to association. I think association ought to be properly classified.

9835. But do not you think we may fall into this difficulty, that a first offender may be an unmitigated scamp who might corrupt the second offenders?—That is quite possible.

9836. And, therefore, should not there be, not a hard and fast rule, but some means of really dividing the people into classes other than taking the number of their convictions?—Yes.

9837. Could not the discretion be left with somebody?—Yes, I think the discretion might be left with the governor.

9838. In your experience as an inspector do you find that the visiting justices take the same interest in the administration of prisons that they did before the Act?—Oh, no.

9839. Do you find it varies?—There is a very great difference. In some prisons they do not go at all. For instance, at Swansea they hardly ever visit during the year.

9840. Could you suggest anything by which by an improved system inducements might be held out to stir up an interest in them again?—I think if they had a little more power they would take more interest. For instance, if they were allowed to grant special letters, that would be one way of doing it.

9841. Would you allow them to assist the governor in the classification of prisoners?—Yes. I will tell you another way. I think they might see candidates or recommend officers for promotion. Let them have an interest, not only in the prison, but in the officers themselves.

9842. If classification was adopted (we will put aside the difficulty of classification) would you like to see a class in which half-witted prisoners could be put by themselves?—There are so very few of them that I do not think it is necessary.

9843. As to inebriates you answered the question?—Yes.

9844. Now as to people who are in prison for contempt?—Yes, they are usually called "debtors."

9845. Do you or not see any reason why they should be treated differently from other prisoners?—No, I see no reason at all for it, and I am sure we should be very pleased if they were not.

9846. You think they should be treated as other prisoners are?—I think they ought to be made to pick oakum or to do some work.

9847. They interfere as it is with the general discipline of the prison by being differently treated?—Yes, and they are put in one part of the prison or in a separate building.

9848. I think you report to the Commissioners?—Yes, once a year I report to the Commissioner of my district every time I return.

9849. Do you do it personally?—Yes, and sometimes by letter.

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9850. Would you have the power, supposing you thought anything wrong was going on, to report direct to the Secretary of State?—No, not at all.

9851. Do you consider it part of your duty to see to the discipline all through the prison; for instance, to see that the fire exercise is attended to, and so on?—Yes, I have seen fire exercise frequently when I was in my old district, at Knutsford Prison especially. And in other prisons I used to have fire drill very often also.

9852. Do you think that chief warders should ever be left in charge?—I do not like chief warders in charge; I object to the name first of all. I think the Act will tell you that there is no such rank. It says a "governor"; and a "warder matron" is a mistaken name also.

9853. What would you call the chief female officer?—I should call her a "matron," and that is according to the Act.

9854. But they are called "matrons," are not they?—No, they are called "warder acting as matron."

9855. (*Miss Orme.*) In very small prisons you mean?—Yes. For instance, at Cardiff there is an average of 68 women. I think there she has got the rank of "principal warder-acting matron."

9856. (*Sir Algernon West.*) Then do you think there should be matrons wherever there is a female prison?—I think you may call them matrons of the 5th, 6th, 7th, or 8th class, but they ought to be called "matrons."

9857. Then when the governor is on leave or absent in any way would you be satisfied with the position the matron now occupies?—Yes, certainly.

9858. And you think that is best?—Yes. You were mentioning something about the chief warder in charge.

9859. Yes?—I am not against their promotion; I think it is due to chief warders to be promoted occasionally, but when they are promoted they should be called "governor" in the same way as a sergeant-major promoted from the ranks is not called "sergeant-major in charge," but "lieutenant."

9860. (*Mr. O'Connor.*) But sometimes he may have only local rank?—In what way?

9861. Take Colonel Wolseley for instance. A man in the army may have only local rank, although it may be higher in name than his real one?—Yes.

9862. (*Sir Algernon West.*) About the chaplains; do you think that the present system of having one chaplain who goes his daily round is good either for the chaplain or for the prisoners?—In what way?

9863. I mean, it is not very apt to fall into routine both to the prisoners and to the chaplain?—I am afraid it is very much routine.

9864. Do you think it would be advisable or at any rate desirable to have different preachers in on Sundays so as to vary it both for the chaplain's sake and for the prisoners' sake?—No, I do not think that would answer. I think a good many chaplains—I do not say all—would object to it. I have met some excellent chaplains who have taken a very great interest in the prisoners, particularly on Sundays, and I think they would feel it as almost a slur against them if anyone was invited to preach unless they were previously asked about it. My own idea about the matter is that I am not in favour of daily chapels; I think if we had morning services two or three times a week, it would be quite sufficient.

9865. You think it would have a better effect?—Yes, and also it would stop a great many punishments.

9866. Why is that?—Because there is constant talking in chapel, and numbers of the entries in the punishment book are for talking in chapel. They see their friends that have come in, and they know when prisoners are going out and thus receive and send out messages.

9867. Will you tell us what your experience is of prisoners' aid societies?—Well, I think they do a certain amount of good, but it is only temporary.

9868. Do you think it possible that all the prisoners' aid societies could be organised in some way?—Yes, but where are you going to send the criminals? They cannot give much to a man. They may give him a suit of clothes, and when the man goes away and not procuring work gets desperate, he steals something and comes back again.

9869. Do you think there might be some intermediary establishment between a prison and absolute freedom. We were told the other day of a man coming out of prison and being absolutely dazed; do you think it possible to have some intermediary place where a prisoner might go with a relaxation of rules?—I have never thought of it, but it strikes me as one that requires consideration, and I think it would be favourable consideration. I think myself it is a very good idea.

9870. Perhaps you will think over that?—Yes, I will.

9871. You told us the story of a man who was employed in labour of some kind—that a policeman passing him told his employer he had been in prison. Is it the duty of any policeman to report a prisoner as having been in gaol?—No, but very often a policeman thinks a great deal of himself, and expects a great deal of *kudos* if he finds out a criminal. It is not supposed to be done.

9872. I thought when you had a convict out on ticket of leave that he was only amenable to special policemen; that is policemen high up in the service, or in plain clothes; but do you mean to say that any policeman seeing a man employed would feel it his duty to say anything about him?—This is merely an isolated case. I was only alluding to police supervision, which I consider is a very bad system. My brother-in-law, the late Sir James Fraser, who was the head of the City Police, said he thought it was the most absurd measure that ever was passed, that only those that chose to report themselves did so, and that they were the men who wanted to live honestly; but those who would not report themselves disappeared.

9873. (*Mr. O'Connor.*) You report as it is to the Home Office. You make your reports to the Commissioners?—To the Commissioners, not to the Home Office.

9874. Under the Act of 1865, section 22, an inspector of prisons is directed to report by letter, "addressed to the visiting justices, calling their "attention to any irregularity he may have observed "therein, or any complaint he may have to make "against the building, the officers, or the discipline "of the prison; and the visiting justices shall enter "a copy of such letter in their minute book." Is there anything in the Act of 1877 that you know of, or is there any other authority contained in the Act of Parliament which interferes with that?—Yes, there is this. You must first of all understand that in 1865 the visiting justices represented the magistrates, and reported to the quarter sessions. They used really to inspect and visit the prisons. The only inspectors were the two appointed by Government, one to take the north of England, the other to take the south. They reported independently to the Secretary of State. By the Prisons Act of 1877 the Prison Commissioners took the place of the visiting justices, and the two inspectors passed away. I believe in the original Bill, 1877, the inspectors were called "assistant commissioners," but in Parliament it was changed from "assistant commissioners" to "inspectors"; and we are merely the assistants, and are appointed by the Secretary of State.

9875. The distinction you draw is as between the inspectors under the Act of 1865 and the inspectors under the Act of 1877, and you say that the provision in the Act of 1865 does not apply to the inspectors under the Act of 1877?—No, certainly not.

9876. Do you think it would be a good thing, and would it enhance the interest of the visiting justices or the visiting committee in the prison, if the report was made to them now, as it used to be made under the Act of 1865?—By whom?

9877. By the inspector?—It would not do so long as we are under the Commissioners to write direct to the Secretary of State.

9878. Then your answer is "no"?—No, not to the Secretary of State at all. We are under the Commissioners, and in a matter like this I should say the right thing would be to abolish the present inspectors, inasmuch as we have no power whatever, and to increase the number of Commissioners.

9879. You think the inspectors should be as independent of the Commissioners as they are of the visiting justices?—Yes. Any new inspector you may appoint.

9880. But then we ought to have a proper system of inspection which should be independent of the Commissioners?—I think so.

9881. Do you think we can have that ideal system of inspection by officers who are practically appointed by the chairman and commissioners?—I would rather not say.

9882. I think that you gave evidence before Lord Kimberley's Commission upon penal servitude?—I think it was Lord de Ramsey's.

9883. That was on the grievances of prison officers. But did not you give evidence also before Lord Kimberley's Commission in 1878?—I am talking of Lord de Ramsey's.

9884. I am thinking of Lord Kimberley's?—No, I did not.

9885. Did you ever give any evidence on the question of insanity in local prisons?—No, I have never given any evidence, but I have my own ideas upon it.

9886. What do you say about the effect of a long separate confinement upon prisoners in respect of their mental condition?—I think it is better not to have it, but during the time I was governor, I have never known a case of any man going insane from being kept in separate confinement. You must remember, first of all, that they are not in separate confinement because they are constantly out; they are either on the treadwheel or something or other.

9887. Do you think it has any tendency to develop any germs of mental or brain disease?—That may be so, but that is more a question for the doctor.

9888. You gave evidence upon the Commission with regard to prison officers' grievances?—I did.

9889. Did you on that occasion say the warders take their tone very much from the governors?—I know that they do.

9890. Then if the governor is severe they are likely to be severe?—I consider that if the governor is severe his officers are severe also.

9891. Do you think the new men specially amongst the warders are inclined to be overbearing towards the prisoners?—No, if they are they are at once checked. It would not be allowed.

9892. You have not had occasion to dismiss a warder on the complaint of a prisoner?—No, never; but I have found fault with officers if they have used any harsh language to a prisoner. Certainly I would disapprove, and I would bring him before the notice of the governor.

9893. You think, therefore, that reports by warders against prisoners ought to be very carefully and impartially considered by the governor?—Yes; when reports were made to me, I heard every witness who was brought before me.

9894. As an inspector, what would you say of the condition of a prison in which you found that the warders in the exercise yard had to carry truncheons?—I think it is a most ridiculous idea.

9895. What would you surmise to be the condition of such a prison. I am speaking to you now as an inspector?—If I ever saw it I would withdraw the truncheons at once. It is the very way to make prisoners attack you.

9896. Looking at things from the point of view of an inspector, what would be your opinion of the condition of a prison if you found that several prisoners had attacked warders in the exercise yard?—Well, I should say at once that the prison was very badly managed.

9897. Are you aware that the officers in local prisons are paid at rates lower than those in convict prisons?—I only knew that lately. I do not know anything at all about the convict prisons.

9898. But you have learned that lately?—I have only learned that lately.

9899. Is that because the convict duty is supposed to be more arduous than that in the local prisons?—I cannot say.

9900. Do you say it requires a better class of men for the convict prisons?—I think we ought to have a better class of men in our local prisons.

9901. You would not at any rate be inclined to speak in favour of the employment of local prison warders to the duty of convict prison warders in local prisons?—If they were a better class of men than we have at present I do not see why they should not.

9902. But I am speaking of things as at present?—I am so ignorant about convicts.

9903. But you have some convicts in local prisons?—Yes, merely for the first nine months you mean?

9904. Yes?—But I am talking of the management of convict prisoners themselves. I have so little knowledge of how they are treated, or what they require.

9905. But as a class convicts are the better, I suppose?—I have seen convict officers drafted to local prisons, but I consider that in the local prisons they are quite as good as the others.

9906. Did you ever hear any suggestion of discontent on the part of local prison officers at having to do duty with convicts?—No, I never heard that, but I have heard this (and I mentioned it to Lord de Ramsey's Committee), that the assistant warders are so long before they get any promotion. I then suggested that it would be a right thing to do would be to do away with the rank of assistant warder altogether. We never required them in the days when I was governor, and I said, "Do away with the rank of "assistant warder altogether, let them begin with "60*l.* a year, rising so many pounds until they reach "the maximum of a warder."

9907. At present there is a sense of injustice amongst the assistant warders?—Yes, and some of them are 16 years before getting promotion. If you do that they can all go gradually up to that and there will be no complaint, but I know it is felt as a grievance, now.

9908. I suppose at any rate you would not be in favour of placing inexperienced prison officers in charge of convicts?—No. That depends also entirely on whom the governor chooses, some warders are not particularly brilliant.

9909. I suppose *primâ facie* such a thing as that would not be likely to improve the relations between the warder and the prisoners?—No, I have always found the convict prisoners well behaved. Many are a better class of men in fact.

9910. A better prisoner?—Not only a better prisoner but a better class of man.

9911. Now under the old system, which you are acquainted with, the convicts were removed as quickly as possible from the local prisons, were they not?—As soon as possible. As soon as we got the warrant from London.

9912. Was not it in those days considered proper that convicts should have a special staff?—No, it was the same staff exactly.

9913. Then what was the object of removing the convicts so quickly as you did in the old days?—Because it was a separate administration altogether.

9914. And they had as a matter of fact a special staff?—No. Not in local prisons.

9915. Now men are removed from the convict side on to the local side, are they not?—Now I think they spend nine months in local prisons.

9916. I meant to say the warders?—That I do not know.

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9917. Have you eve heard any expression of discontent on the part of the staff?—No; I do not inspect Wormwood Scrubs, but I inspected Pentonville, and we have no convict prisoners there.

9918. How does promotion go there? Does it go through the service, or is it by prisons?—The way promotion goes is this. An assistant warder gets his promotion in the prison in which he is; and a warder in the district to which he belongs; a principal warder gets his by seniority throughout the services.

9919. Do you know anything about the condition of Wakefield Prison in the old time?—In Captain Armytage's time, yes.

9920. When the convicts were in a county prison, such as Wakefield, was there not a separate convict staff for them?—I believe there was.

9921. It was considered then in some cases the proper thing to have a special staff for them?—Yes.

9922. It was not considered right that the local staff should be employed with the convicts?—No.

9923. Then would you say that the present system of employing the local prison staff in connexion with convicts is an improvement or a retrograde step as compared with the system that was countenanced before?—That assumes that you think——

9924. Never mind what I think; I want to know what you think?—You assume that the officer who looks after the convict prisoner shall be superior to the one looking after the local prisoner.

9925. No, I do not say he is superior or inferior; I think he is something special?—Then I say I do not see the slightest necessity for there being two classes, if you have a proper officer, a man who is superior in every way, who is properly educated. The education of the assistant warder who now passes into our prisons is most defective. The Civil Service Commissioners send down questions to them which a boy of 10 in our board schools would laugh at.

9926. You have been on inquiries, I believe, with regard to the conduct of officials at different times, have you not?—Yes.

9927. If you had to inquire into a disturbance at a prison, would you condemn a man without hearing him in his defence?—No, certainly not, I would never condemn a man until I had found him guilty.

9928. Or calling him as a witness?—Certainly, he must tell his story himself. I had a case the other day in which a man brought a charge against an officer and I had two officers brought up one after the other and also the deputy-governor. The prisoner tried to make out that he had not had a proper hot bath. I heard his story and I found he was telling me a tissue of lies; and by the bathing officer's evidence, I found there was 90 odd degrees of water in his bath. So of course I dismissed a case like that.

9929. We have had evidence before us to the effect that outbreaks might occur in prison very suddenly. Would you be inclined to entertain that view?—I have not known of an outbreak during my experience.

9930. By an "outbreak" I mean serious misconduct on the part not only of one but of several men?—I have never known it in my experience. I have never known it, even as an inspector in the districts which I have been.

9931. You would not say then that a prison might be quite quiet one week and in a state of very poor discipline the next week?—In such a case there would have to be defective management, and whoever allowed such a thing is not worthy of the name of governor.

9932. Do you know, as an inspector, whether a governor has a right by way of punishment to deprive a man of his chapel for a week?—I know it has been done, but I have not approved of it. I have spoken to the Commissioner, and he, I believe, ruled that a governor has no power to do it.*

9933. (*Miss Orme.*) Supposing there was a general re-arrangement of the duties of inspectors, do you think it would be the best plan to give an inspector one district in which he should always inspect, or do you think you would get better results if they went from one part of the country to another?—I hold a singular opinion upon that subject. I know some of the Commissioners do not agree with me about it, but my opinion is that if you are attached to a particular district you take an interest in that district; you know and encourage the officers to do their work; you encourage the prisoners to do theirs; and in fact you find that if you treat the prisoners properly, and you treat the officers properly, you will find it satisfactory. I do not like the idea of moving officers about.

9934. Moving an inspector from one district to another was my question?—Well, moving an inspector.

9935. You do not think that an inspector who is always inspecting in one district suffers from not having the means of comparison of different systems?—No, because very often they do inspect their brother officer's district; but I think myself they ought to have their own districts and be able every now and then, as they hope to do, to see elsewhere any little improvements in another district which may benefit their own.

9936. By voluntary visits you mean?—Yes. I formerly inspected the north-west district, I used to do that. Then I went to the north-east, and then to the south, and so on. We were talking just now about washing. There is no doubt that in Lancashire, for instance at Preston, they used to wash very well for the outside, and at Strangeways they used to wash remarkably well; in fact they realised from 1,100*l.* to 1,200*l.* a year clear profit, and that without hurting the people outside. The people outside never found fault about it; the judges of assize used to go there and have their shirts washed, and I think the last time I was there as much as about 1,200*l.* clear profit was made. The storekeeper I thought ought to have given more assistance; but the matron there (Miss Little) is in my opinion the best matron in England. She herself went from club to club and so on, and by that means she made every year a larger and larger produce.

9937. (*Mr. De Rutzen.*) Just to go back for a minute to those visiting justices. In some places you say they hardly attend at all, and in some places they attend well?—Yes.

9938. And they even vary in the same county where there are two prisons?—Yes.

9939. At Swansea you say they do not attend at all?—Not at all.

9940. But at Cardiff they attend, do they not?—Yes.

9941. And attend well?—Yes.

9942. Do the inspectors or the Commissioners ever try to keep in touch with the visiting justices?—I used to be very much in touch with the visiting committee in my old district, but you must remember I have been only two years and a half in my present one; I always make a point of seeing the magistrates when I can.

9943. Do you make any appointment with the visiting justices?—No, if they want an appointment they write to me and frequently I meet them at the prison.

9944. Of course you are aware of the rule laid down for the visiting justices that they shall co-operate with the Commissioners in promoting the efficiency of the service?—Yes.

9945. As a matter of fact do the inspectors and the Commissioners so far as you know take much trouble to put themselves in touch with the visiting justices?—I think the Commissioners desire to do so very much, and I try all I can to assist them in the matter.

9946. Do you mean that at Swansea if you give them an intimation that you would like to see a magistrate they do not attend?—Major Knight told me it was very difficult to get any attendance, and even in Cardiff it is difficult. For instance, if you want to certify a lunatic it is very difficult to get two magistrates to come in; they are all strewed about so much.

9947. Of course the visiting justices have great powers?—Yes.

* For Colonel Garsia's evidence on this point, *see* 11,741.

9948. And can report upon anything the same as you gentlemen as inspectors can report?—They report direct to the Secretary of State.

9949. Yes, they can report direct to the Secretary of State without the intervention of the inspectors or Commissioners?—Yes.

9950. And are in that sense entirely an independent body?—Yes.

9951. And therefore I suppose you would say the most useful, and in fact the only outside body that is independent?—That is quite right, they are the only independent body.

9952. Would you think it would be of great service to get them to be a little more regular in places where they are not regular?—Yes. I think if they had a little more added to their responsibility and their work that they would take greater interest in the prisons.

9953. You say that the few kind words which you said to a boy in the cell had the best possible effect?—Certainly.

9954. Would you recommend that the gaol should be more thrown open to visitors who were inclined to come in and perform good services?—I think it would be dangerous to do a thing like that, unless you knew the people well. We have lady visitors in some prisons.

9955. I should suggest that they should be people well qualified, who are known to the visiting justices, known to the governor, and approved by both. Would you see any objection that there should be a better influence introduced into the prisons by that means?—I think it is more likely to be done if you have got good visiting justices. That is quite sufficient. I would not have too many, and of course they could bring in a friend, because they can do so now by virtue of their position as magistrates.

9956. They would have a right to go?—Yes.

9957. But I am rather pointing to those who have not a right to go, but who would be willing to give their services for good. Would you see any objection to that?—Well, I would hesitate about it.

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9958. Do you think it would interfere with the discipline?—No, it might not, but it might give a good deal of trouble to the officials. In some prisons the number of officers is very low.

9959. I do not suggest that they should go round if they were approved of by the governor, accompanied by the warder at every step they take, but that they should have a little freer opportunity?—Do you mean that you would allow them to go by themselves?

9960. I am rather putting it to you?—Well, I do not think they ought to go round alone. There is a good deal of sentiment in some people and they might overdo their duty. I think it would be dangerous to introduce that.

9961. You say the thing to look forward to in the future is education?—I think so.

9962. At present there is no report made of the state of education of the people in the local prisons?—There is no special report. I think the per-centage of illiterate people in our prisons might be put down at about 20 or 21 per cent.

9963. That is of illiterates?—Yes, ten years ago there would be a much higher per-centage of illiterates.

9964. That 20 or 21 per cent. is the state of things at the present moment you mean?—Yes, I have inquired about that in going about in my district.

9965. (*Mr. O'Connor.*) How many prisons have you in your district?—16.

9966. You see every one of them every month?—Yes.

9967. Then you have a good deal of travelling?—Yes.

The witness withdrew.

The proceedings were adjourned until Thursday, the 13th of December, at 11.30 o'clock.

NINETEENTH DAY.

Home Office, Whitehall.

Thursday, 13th December 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Honourable Sir ALGERNON EDWARD WEST, K.C.B.
Sir JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ORME.
JAMES GRANVILLE LEGGE, Esq., Secretary.

Mr. EVELYN J. RUGGLES-BRISE called and examined.

Mr. E. J. Ruggles-Brise.

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9968. (*Sir Algernon West.*) You are a Commissioner of Local Prisons and a Director of Convict Prisons?—I am.

9969. Will you tell me the date of your appointment?—January 1892.

9970. Therefore you were appointed subsequently to the outbreak at Wormwood Scrubs?—Yes.

9971. Will you tell the Committee about the constitution and duties of your board?—There were two boards, and they are amalgamated. There is the old board of directors, who were appointed in 1850, and there were the new Commissioners, appointed by Act of Parliament in 1877. These two boards were amalgamated for practical purposes in the year 1887, or thereabouts. The chairman of the Board of Directors became chairman of the Prisons Commissioners, and I must tell you it was one of the recommendations of the Kimberley Commission in 1879 that the Board of Directors should have meetings and act as a Board, so that I take it that previous to 1879 they did not meet as a board, but the chairman was absolutely their head, and their duties were confined to monthly visits to convict prisons and administrative work in connexion with their respective prisons.

9972. Are you appointed by warrant or by patent?—I am appointed by sign manual to my commis-

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sionership, and by the Secretary of State to my directorship.

9973. I am talking now mainly of your commissionership; is there any difference in the letters patent, distinguishing the difference between the chairman and the Commissioners?—You mean the sign manual appointment?

9974. Yes.—No, I believe not; the appointment is only permissive under the statute.

9975. Therefore, as far as the letters patent go, you have joint authority?—Yes, there is quite co-ordinate authority under our appointments.

9976. But practically there is a chairman?—Practically, as a matter of convenience, the Secretary of State has appointed a chairman.

9977. Will you tell me how often your Board meets?—Since I have joined the Board we have had very few meetings indeed. This has been due, practically, to the fact that the chairman, owing to illness, has had long absences abroad, and we have had no deputy chairman. It is partly due to the system which I found in existence when I joined the Board. It was not the practice to have regular board meetings.

9978. Roughly, could you give me an idea of how many times you have met in a year as a Board?—I should think not more than six or seven times.

9979. Then how is the work arranged; is it divided amongst the Commissioners, or do the Commissioners act as a committee?—It is divided amongst the Commissioners; each Commissioner has a district assigned to him containing from 17 to 20 prisons. I am talking of local prisons. For that district he is individually responsible. He visits the prisons in that district, and all the papers coming to the office relating to the prisons in that district come before him. That is the daily routine work. Large questions of administration, which are not connected with the local administration of those particular prisons under that system, are dealt with by the chairman. For instance, the Home Office refer papers, which is, of course, a most important part of our work, and they are dealt with by the chairman on his own authority, frequently unknown to the Commissioners. They do not necessarily pass under the Commissioners cognizance as part of the machinery.

9980. Then all large questions affecting the system do not come up for discussion before you as a Board?—As a rule they do not.

9981. And the papers referred to the Commissioners by the Home Secretary are dealt with individually by the chairman, and are sometimes not seen by the Commissioners at all?—Of course there are exceptions. If the chairman had called a board meeting, and there happened to be a controversy pending then between the chairman and the Secretary of State, that would no doubt be brought to our knowledge, but we are not necessarily consulted on matters of administration.

9982. Supposing in your district you found something you disapproved of very much in the system, should you feel bound to bring it before your brother Commissioners, or your chairman, or to deal with it yourself?—I feel I have a very large latitude with regard to matters in my own district, but if I felt a general question of policy was involved by any decision I might give, and it was new to the practice, I should certainly refer it to the chairman on paper in the same way as he might refer it to the Secretary of State.

9983. And you would get his decision?—Yes.

9984. Which would be communicated to all the Commissioners?—Not necessarily; the machinery does not compel that.

9985. Therefore, it would be an individual decision of the chairman, and not a collective opinion of the Board?—Certainly, you must take that to be the fact.

9986. And yet it would be issued as the decision of the Commissioners, I suppose?—Certainly.

9987. Though the Commissioners knew nothing about it?—Well, it might happen, and has happened, to my knowledge.

9988. In what relation to your Board does your secretary stand?—Well, the history of the secretary is rather a peculiar one. His position downstairs depends largely on his own individual character, and the position which he will assume for himself. We happen at the present time to have a very strong man, and there is no doubt, therefore, that the present secretary is enjoying far greater powers than were enjoyed by his predecessor.

9989. Does he ever write letters on the prison system without the orders of the Commissioners?—Never; he is the absolute mouthpiece of the Commissioners, individually or collectively.

9990. Does he ever write letters on the orders of the chairman separately from the Board?—He certainly would carry out the orders of the chairman, and, as a matter of courtesy, he would inform the Commissioners.

9991. It would not be brought before them officially?—As a matter of courtesy, I have become aware of the decisions; but it is only as a matter of courtesy, which I should not have known under the existing machinery. It is a pure matter of courtesy whether the secretary circulates them or not.

9992. In fact, you say it is left to his individuality whether he does so or not?—Yes.

9993. Is there anything in your department which allots different clerks to different Commissioners, or are they clerks of the united Board?—They are all clerks of the Board, but, as a matter of fact, we have got three independent departments constituted. They are the growth of time, and they are the result of this system. The chairman, being an absolute authority, works directly with the heads of the department, not necessarily through the Board and their secretary. For instance, he would work directly with the store accountant if he wanted a question of stores or of labour considered. Their independence has been established owing to the power of the chairman. It is an autocratic system.

9994. But has he any separate department of his own?—No, one of the clerks is attributed to him as a confidential clerk, and in that capacity all the patronage of the office is exercised.

9995. How are appointments made? I want you to tell me the machinery by which appointments are made by the Board?—Do you mean the appointment of all officers, the higher and the lower, because there is a difference between them?

9996. From governors to warders?—The chairman would never select a governor without a Board meeting. Most of the Board meetings to which I have been summoned have been mainly for the purpose of recommending a governor or deputy governor to the Secretary of State. In fact, as far as my experience goes, whenever the Commissioners have met it has been for the purpose of dealing with questions of patronage in the higher branches of the service. The governors generally come before us as a board, and are interviewed individually, but in regard to the patronage of the lower ranks we are not necessarily consulted. We are not consulted as to the appointment of a medical officer or a chaplain; we are not consulted at all as to the appointment of warders and subordinate officers.

9997. These junior appointments are made entirely on the single authority of the chairman?—Acting with his confidential clerk or private secretary, whatever he is called.

9998. But you would hardly called call him a joint authority?—No, except that owing to the great power which he has had as assisting the chairman in all matters of patronage, he is really practically constituted the head of the patronage department. The thing is very anomalous according to my ideas; I call it the "staff department" on paper when I write to him, I always write to the "staff department"; for there is a large staff department which is concerned with patronage, and their work does not necessarily come under the knowledge of the Commissioners.

9999. I am alluding to this confidential clerk?—Certainly he has one of the important offices in the office.

10,000. I should like you to explain more what you mean by the confidential clerk that you call the head of the staff department. What position does he occupy in the office?—He is an ordinary prison clerk who would in ordinary course be concerned with all the routine work connected with the promotion and selection of officers, and all that sort of thing. He ought in ordinary course to prepare all information on matters affecting questions of promotion for the Board. That would be his normal duty. He should be the head of the staff dealing with those questions. He would be an official in the staff department acting under the Board, or acting under the secretary. The point is that he is not under the Secretary, but he is an independent entity. It is difficult to understand this, I know, unless you are practically conversant with the working of the machine, but that is the position.

10,001. We all know that the heads of the departments may privately, as much as they like, consult their private secretaries on all matters; but, of course, the private secretary is an unknown man. He is in no responsibility whatever, and he does not appear in any way as such?—He gets 100*l.* a year from the Treasury for doing confidential work.

10,002. That is his position?—Yes; he is called "private secretary," though I am doubtful if he has ever been officially designated as such by the Treasury or the Secretary of State. I am doubtful of that, but I think not.

10,003. I gather from that, that, putting Governors aside, this gentleman is consulted and you are not consulted on the appointment of warders, promotions, and so on?—I am not consulted as to the appointment of subordinate officers.

10,004. Or as to their promotion?—Yes; that is a question coming within my own department. All the promotions in my prisons would necessarily come before me. I am quite satisfied as to my position in that respect.

10,005. There is a document prepared which is called "The Annual Report of the Commissioners"?—There is.

10,006. Will you tell the Committee how that is prepared?—That again is prepared a great deal, as I may say, unofficially. It is prepared by the chairman himself, and he uses his private secretary or confidential clerk, and the other independent entities which I have referred to in the office for any material that he requires. When it is drafted it is circulated amongst the Board of Directors and Commissioners, and we pass it. That is all I have to do with it myself.

10,007. When you say you pass it, do you deal with it as a report submitted to you for criticism and for making your alterations, recommendations, or amendments; or do you really sign it as a duty?—Personally, when I came down I was surprised to find that I had no share in the preparation of this report. I looked upon it as the most important work of the year, and I thought we should have a Board meeting to consider it; but practically that was not the course adopted, and it was considered that the practice had grown up of its being the peculiar privilege of the chairman. If anything wrong had occurred in it I should have felt it my duty to draw attention to it, but my share in its preparation is practically nil. The secretary is also excluded from participating in that, which I think is a bad thing. It does not come under our regular secretary, it would come under the unofficial secretary.

10,008. We know that you are a Commissioner of local prisons. In that capacity do you visit them?—I do, once a year.

10,009. But as a director of the convict prisons do you visit them?—Once a month.

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10,010. And in visiting them do you make any report to the other members of the Board?—I take notes of anything which occurs to me, or which the governors call my attention to, and I discuss it informally with the governor and the Board. I generally have a large mass of such notes when I return to the office.

10,011. The inspectors are under you as a Board, I think?—They are.

10,012. Do they report to you?—Informally, and their short report appears in the appendix to the Annual Report. I always make a point of seeing my inspector when he returns from his district. He takes notes of anything it is necessary to call attention to, and I deal with it with him.

10,013. Do you have any lady inspectors?—We have none.

10,014. Do you think it would be a bad thing to have female inspectors for the female prisoners?—I should be glad to have one female inspector for the female prisoners. It might do good, and I think it it is a want in our system.

10,015. And are you in favour of the classification of prisoners in local prisons?—I should be in favour of it. Of course I am aware of the stupendous administrative difficulties there are in the way of doing it.

10,016. But may I say you do not appear to have those difficulties in dealing with the classification of the convicts, because you have a star class there?—That is all; that is comparatively a very simple matter. The only classification practically in our convict prisons is the star class, but in our local prisons we have many classifications. There are four, five, or six kinds of prisoners.

10,017. Let us take, for instance, the classification into habitual drunkards, epileptic and half-witted prisoners, and juveniles?—I should be strongly in favour of classification if we could carry it out. I think it is possible to carry it out as far as first offenders are concerned, but there would be great difficulty in determining who were first offenders.

10,018. Yes, the term "first offenders" seems entirely to have broken down, because Mr. de Rutzen has told us that sometimes a first offender is a hardened villain who has been clever enough to elude the police for a time, but who comes in for the first time; and it he were put with what I may call more decent people he would be very damaging to them?—Certainly, the most difficult class we have to deal with, I should say, are the vagrant class,—men coming from London to Gloucester, and so on. We have no register of the classification of criminals. Governors have certain methods of trying to get information as to the character of people who come in. They circulate forms with a photograph, saying, "Do you know this man," but there is no complete classification.

10,019. I may take it that you are strongly in favour of classification?—Yes, if it is not laid down on too rigid lines. I should like to get the discretion of the governor and other local authorities as to who was a first offender.

10,020. That is, supposing classification were adopted, you would be in favour of not making it a hard and fast classification?—There should be a large discretion left to the governor, and probably also to the local magistrates, who are conversant with the antecedents of the prisoner. I hardly ever go to a prison but what I see someone who, superficially speaking, ought to be treated as a first offender.

10,021. If we could define that in some other way it would be practically a star class?—Yes, of men or women whose antecedents are good enough not to class them as hopelessly incurable.

10,022. Take the local magistrates. You are aware that in many prisons the visiting justices have almost ceased to exist?—That is a very deplorable result of the Act of 1877.

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10,023. Would you be very much in favour of encouraging in some way or other the interest taken by the local magistrates in visiting prisons?—Certainly. I think it is the only satisfactory basis of a good prison system.

10,024. Would you restore to them some of the powers they had before 1877?—I would not go as far as that, but if they exercised the powers which they are empowered to exercise under the Act of 1877 that would be a most enormous advantage to us.

10,025. I mean you must do something. You have failed hitherto in getting them to take an interest; would not it be possible to give them an interest if you gave them some power and authority?—Yes, I would extend it as largely as I could, consistently with the supremacy of the Secretary of State, but that supremacy must be maintained. And by the "supremacy of the Secretary of State," I mean that he is the head of the Prison Department.

10,026. You tell us that the inspectors are held responsible to you as a board; would you think it objectionable that there should be one or two or more inspectors of a superior class who should report to the Secretary of State?—No, I should be strongly opposed to that on every ground. I think it would be bad on principle and unworkable in practice.

10,027. Have you seen enough on your visits of the duties of chaplains to form an opinion as to whether you think the system a good one by which a chaplain goes on year after year, and again year after year?—I do not think it a good one.

10,028. Could you suggest any means which would be an improvement on the present system?—I should like to see the system which is in force to a limited extent largely extended, that is, not to appoint permanent chaplains in our smaller prisons, but to introduce clergymen and their curates from outside.

10,029. That has a good effect?—Yes, both on chaplains and prisoners, because you get new blood, and you get a change for the prisoners.

10,030. You would not limit that, I presume, to the Church of England, but you would allow a change in the way of ministers of certain religions?—That is a very big question, I did not intend that. Of course we never have had the undenominational ministers other than Roman Catholics in an official position.

10,031. Is it laid down in the prison rules that clergymen, other than the chaplain, coming into the prison must be members of the Church of England?—Not that I am aware of. Any minister can come in under the rules.

10,032. (*Chairman.*) But not as assistant chaplain? Not in an official capacity. That has never been recognised, as you know.

10,033. (*Sir Algernon West.*) Perhaps you would rather take it in this way, that the ministers of different denominations would not have appointments, but would you like to see them allowed to come in for a change?—Well it has always been held to be a very sacred principle of our system that a person has no business to see the prisoners in connexion with their spiritual instruction, except under the guidance and with the consent of the chaplain. I do not wish to see any hostility set up by opposing denominations, though I think as a rule the chaplain would not object to it.

10,034. Supposing, as to classification, that the difficulties of which we have been talking were got over; and supposing homes were established for habitual drunkards; and supposing the age for admission to reformatories was increased, and supposing also that epileptic patients were kept separate, could you give the Committee any idea of what the balance of prisoners who remained would be?—Well, I could, if I had my report.

10,035. You would enormously run down the number of prisoners whom you would have to deal with as prisoners?—There is no doubt about that.

10,036. Therefore, I think, we may assume there would be a good many prisons, taking England as a whole, which might be used for the purposes of their detention or whatever it is called?—No doubt in time it would be so, but I am not sanguine of it myself. I wish we could have retreats for these different classes.

10,037. Would you consider it advisable if such a thing could be arranged, that there should be some intermediate establishment between a prison and liberty. We have been told, I think, by several witnesses that a prisoner coming out from prison, where he has been treated as a machine, is perfectly dazed when he gets out into the outer world with a pound or two in his pocket. Would you think it possible to establish some intermediate establishment for those prisoners?—It has been tried and discussed, especially with regard to the establishment of refuges for discharged prisoners abroad, but I think public opinion is opposed to it. You have the evils of contamination and association, which have been guarded against in prison, in full force when you get bodies of men together. Of course in small prisons you could do it, where they come out two or three together, but not in large prisons. I should be opposed to it.

10,038. What do you say about the work done by the various prisoners' aid societies?—I think that is a field where a great deal of useful reform might be started. There is a great want of uniformity in the work of the societies and in their methods. In almost every prison a different method prevails, and I should like to see a uniform system established.

10,039. And you think that it might be established?—I do. I have gone a good deal into that question throughout my district, and I have seen good systems prevailing there, and also bad ones.

10,040. Would not any organization tend to a reduction of subscriptions? People subscribe to things which are local things, who very likely would not subscribe to an organized system?—No, it would have to be a matter of very careful arrangement, so as not to put any obstacles in the way of voluntary work.

10,041. There are a great many subscribers and members concerned in these prisoners' aid societies who would naturally oppose anything of the kind?—Some of them are paid superfluous salaries. The chaplain should be the honorary secretary, and it should be made his duty to work in connexion with the local people. In many of our prisons it is strange that our chaplains have nothing to do with the prisoners' aid societies. It is strange that it is so, but it is so.

10,042. Do you think that prisoners who behave very well should have more encouragement to continue their good conduct by allowing them to earn some small wage for themselves?—I see no objection to it after a certain period of detention. It has been tried in this country, as you are aware, under the local system.

10,043. Have convicts ever been allowed to smoke?—Not to my knowledge.

10,044. Would you see any objection to that, supposing it was a reward for continued good conduct?—I should be opposed to it on grounds of discipline. I do not think it is necessary. There are many other solaces and comforts they might have, but the fumes of smoke getting into other cells would be objectionable.

10,045. I mean at exercise?—Then there are little cells which look out on to them. I should not be in favour of it. I think there are other ways in which to show appreciation of good conduct.

10,046. I will not enter into the great question of prison labour, but I should like to ask you whether you do not think it is very desirable that any trade that is taught in our prisons should be conducted by skilled workmen?—Yes, certainly; the absence of any recognized training of the instructing warder is a great want in our system; certainly in local prisons.

10,047. Are you satisfied now with the schoolmasters in prisons?—I am not quite satisfied with the result. I am not sanguine of any results from our educational scheme. When we started it it was anticipated that the greatest results would follow from it; and it was thought that the result of the education would be that we should have no illiterates, and that

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we should be able to consider a scheme of higher education for prisoners. But we have still a number of people who are illiterate. Sometimes they declare themselves illiterate on purpose, but they are still a very large percentage.

10,048. I gather from that that you do not think sufficient interest is given to prisoners?—I think the law interferes with us by forbidding education to interfere with the hours of labour. That is the standing difficulty, in my opinion.

10,049. Could you devise any scheme which would obviate that difficulty?—I cannot without an alteration of the law; I cannot as long as the law stands as it is at present.

10,050. But you would be in favour of an alteration of the law?—I certainly think it is not desirable that we should have illiterate prisoners coming there to remain for anything less than four months. That is where the initial stage begins. That is the result now. They cannot be educated in less than four months. I should like to see that term abolished.

10,051. Would you be prepared to give instruction during the hours of labour; that is to say, diminish the labour and add to the instruction?—I should, if it were carefully done.

10,052. Now, as to conversation and silence; would you like to see that altered in our convict system? Everybody, I think, that we have had before us agrees that though silence is laid down, yet practically they all talk?—They talk at their work now, and are obliged to do so.

10,053. Would you be in favour of allowing well-conducted convicts under proper surveillance to talk, instead of having a rule which is always broken?—It is not always broken.

10,054. Well, we have had overwhelming evidence from convicts and others that practically they know all that goes on?—I know it is perfectly marvellous how they do know everything, but that is a good deal due to the construction of the old-fashioned iron cells, through which they can talk.

10,055. Should you object to well-behaved convicts after a certain time being allowed to talk with other prisoners?—Do you mean during exercise?

10,056. Yes?—And during exercise only?

10,057. Yes, during association, I will put it to you?—What, talk to each other when they are in the boot shop, for instance, and say, "How is your wife," and so on?

10,058. Yes?—Then I should not be in favour of it.

10,059. Then I will limit it to exercise?—Before 1879 they used to talk at exercise, but the system of single file exercise, which was then introduced, was, I believe, the result of the Kimberley Commission. Anyhow, it was a matter of great controversy at that time, and that system was formally adopted and put in force with the sanction of the Secretary of State. It is a big thing to say off-hand that that is wrong; I am not prepared to say so. If you put me to it, I should say I am opposed to it. From a short experience, I see no harmful result from what is called the silent system. They come before me in hundreds, and their powers of voice are not impaired by the system. I do not think it is a hardship on them; they have frequent opportunities of seeing the chaplain and the governor.

10,060. (*Miss Orme.*) Should you see any objection to some more Rescue Homes being added to the list of those which are recognised by the department in London?—For female convicts?

10,061. Yes?—I should be largely in favour of any extension of that work.

10,062. Take, for example, the Rescue Homes which are managed by the Salvation Army in Hackney?—Any agency which comes forward to help discharged prisoners I should warmly welcome; that is the only way, I believe, of dealing with recidivism.

10,063. Should you be in favour of persons, carefully appointed by the authorities, being allowed to visit the female prisoners some days before they leave the prison?—That is the practice in some of our local prisons.

10,064. In some of the London prisons, one or two ladies visit, but in several cases the managers of the Rescue Homes are not admitted to the prisoners. Would you see any objection to extending that system if they were carefully appointed?—Yes; but they must be carefully appointed, and if they were, I would extend it as far as you can go.

10,065. So that, for example, a woman who was an officer in the Salvation Army, might see those prisoners in Holloway who wished to go to their Rescue Homes three or four days before leaving the prison, in their cells?—Yes, if it were anybody officially appointed, I do not want wandering visitors in the prisons; but anybody who was appointed by the Secretary of State I should warmly welcome. It works excellently in one or two of my prisons, where I have got philanthropic ladies who do a tremendous amount of good by visiting the female prisoners.

10,066. Could you explain to me what advice is taken in choosing the work that women are taught in prisons during the longer sentences. I mean where do you obtain the information which leads you to choose a particular industry for women to learn?—I am afraid that has been to a certain extent neglected. It has been taken for granted that women are only good for laundry work and needlework, and it is difficult to extend it much beyond those boundaries. I do not know that the subject has ever been officially considered.

10,067. For instance, you have never made inquiries as to the market price of the particular kind of work so as to discover whether a woman could earn her living by it on coming out?—Individual governors have done it, but as a system it has not been done. The system depends enormously on how governors work it; some work it well, some do not; some are anxious for that sort of thing, others do not bother their heads about it; but where you have a governor who interests himself in that sort of thing, I have no doubt he does make local inquiries, but it is in that way only.

10,068. Supposing there was a suggestion for some new industries, and supposing, for instance, it was suggested that women should learn to work the knitting machine, instead of doing ordinary knitting, by which they could earn about 1*l.* a week, would that suggestion come from the governor to you, or from you to the governor?—It ought to emanate from the store department.

10,069. But it has not been so?—Not to my knowledge I am speaking only of my three years' experience, it has not come before me.

10,070. With regard to the system of religious instruction in the prisons, do you think it would be well to increase the custom of having female scripture readers to visit the prisoners instead of their only receiving visits from the chaplain?—I think in our large prisons it would be a good thing. You must remember our female prison population is scattered over an enormous number of small female prisons. In one place I may only find one female prisoner; in another, perhaps, three; and in another, eight or nine; so that you cannot have any great advantage, I think, in those cases.

10,071. But take such prisons as Holloway, Wormwood Scrubs, and Strangeways?—Yes, in all these prisons there is a certain per-centage of female prisoners who might afford ground to work upon.

10,072. And you think that you might give a great deal of opportunity for the work of the women instead of the hurried work of the chaplain?—I think so.

10,073. Are you aware that in some of the large prisons the accommodation in the reception ward is so insufficient that the women are either put two together in small cells until they are ready to give them the bath, and in other cases that they stand in a group of old women and young women together until

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the matron can deal with them?—That has not come before me in my own district, but I have no doubt it is the case that females are congregated together in some districts.

10,074. In Strangeways, for instance? — Yes, perhaps.

10,075. And if you did see that occurring you would think that a very bad case, and a very bad form of association?—Of course; our efforts for years have been directed to preventing association of any sort.

10,076. Are you in favour of prisoners performing any personal service for the warders?—I should not allow it.

10,077. For instance, cooking for the warders' mess. Do you approve of that?—I should not be in favour of it.

10,078. You are aware that they do do it?—No, I am not aware that they do. You are talking of the female wing?

10,079. Yes.—I was not aware, as a matter of fact, that they did cook for the female warders.

10,080. Do you approve of a prisoner, who is on strict prison diet, cooking ordinary food for the warders?—I cannot approve of it from the point of view of discipline.

10,081. Then, with regard to the female warders, should you be in favour of an alteration by which the hours during which they are liable to answer the prisoners' bells at night should be regarded as working hours?—Yes, but of course we have always held that the night duty is not a duty which is counted by hours of duty either by men or women.

10,082. The men are not liable in the same way, because the night watchman answers the bell; but on the female side the warders, who have been at work all day, and are going to work on the following day are liable to be awakened any number of times during the night. Are you in favour of that?—Would you count the whole of the night as hours of duty?

10,083. I should, personally. You agree, I suppose, that in a large prison like Holloway the strain is very great on the matron, and on those warders who act in the reception wards?—Certainly.

10,084. Do not you think she should have an undisturbed night after that?—I do: I think that a large prison deserves peculiar treatment, but that those rules ought not to be applied to all prisons. Of course in a little prison no bell ever rings, perhaps, and I think it should not be established as a principle, that it should be regarded as night duty, or they would be all working for 24 hours a day.

10,085. But you agree, that in a prison of special difficulty, there ought to be some modification?—Yes.

10,086. (*Mr. O'Connor.*) You said that you had not noticed that there was any impairment of speech by continued silence?—I have not noticed it myself. I have only practically taken over the duty of director for a short period.

10,087. Would you test the severity of the silent system by the noticeable impairment of speech?—No, I should not attach much value to that. I mentioned it incidentally, but I do not attach very much value to it.

10,088. What practical experience of the detail of prison administration did you have before you became a Commissioner?—Of the actual details of the practical working of the prison, of course, I had none.

10,089. I suppose you have sometimes garotters and other offenders who are sentenced to flogging by the court, and who are flogged in prison?—Yes.

10,090. That is, after a public trial by a Supreme Court judge?—Quite so.

10,091. And in the convict prisons who sentences to flogging?—The visiting director.

10,092. Is the prisoner defended?—He is not defended, but the trial is on oath.

10,093. Are you a visiting director?—I am.

10,094. Have you seen the evidence that has been already given before this Committee?—I have not; I saw it for about the first six sittings, but not since.

10,095. Did you see the evidence with regard to the accommodation in the London prisons?—I did.

10,096. Was that new to you?—No, I was familiar with that subject.

10,097. How was it, as the Commissioners were aware of the want of accommodation, or of the occasional over-pressure and duplication of prisoners in cells, that something was not done to remedy it?—Well, perhaps they had too great a faith in the power of the alternate prison system. It was always supposed that if a governor was overcrowded, he should apply for leave to remove to another prison.

10,098. But, as a matter of fact, very often it has been so?—Yes.

10,099. And that is against the rule?—Certainly, it ought to have been provided against by the governor.

10,100. Can you account for Mr. Asquith's answer in the House of Commons last July, to the effect that, however the accommodation is calculated, there is sufficient room*?—Are those the words?

10,101. I will not answer for the words, but that was the impression conveyed to my mind?—Those words, "however calculated," are very important. There is space enough for all prisoners if we calculate all the reception cells and hospital cells.

10,102. But the allegation was that, however calculated, there was abundant accommodation. How do you reconcile that official answer of the Secretary of State in the House of Commons with the facts?—Well, the actual accommodation is in the return which was furnished.

10,103. I am speaking now of what we have elicited in evidence here, and what you tell us was known to the Commissioners; and I was asking you if you could reconcile that with Mr. Asquith's answer?—On paper there is accommodation. I did not see the answer which was drafted for the Secretary of State, and I do not know on what figures it was based; but on paper, if you take the London prisons at the present moment, there is sufficient accommodation.

10,104. That was scarcely my question. Of course, generally, there would be sufficient accommodation, because the prisoners would not be in very large numbers?—Quite so.

10,105. But when they are in very large numbers there is not sufficient accommodation?—No, I do not think there is.

10,106. That being the case, how can Mr. Asquith have been directed to say in the House of Commons, that, "however calculated, the accommodation was sufficient"?—I do not know. I was not responsible for the answer.

10,107. Do you know who it was?—No, I do not know who drafted it.

10,108. What is the proportion of staff which you consider sufficient for a prison?—We have 5 per cent. staff in a local prison, and 10 per cent. in a convict prison, and I believe that to be adequate.

10,109. Have you read the evidence with regard to the staff at Pentonville?—No, I have not had the opportunity of seeing that.

10,110. Pentonville has to serve Newgate, I think?—No. Holloway serves Newgate.

10,111. Then I will ask you if you have seen the evidence with regard to the staff at Holloway?—No, I have not seen that.

10,112. Have you seen the evidence with regard to the overworking of some of the disciplinary staff?—No, I have seen no evidence since the 8th of August.

10,113. Were you aware that the warder or chief warder might sometimes be on duty from 6 o'clock one morning until 8 o'clock the next morning?—Yes, if you include sleeping in as duty. That is the point.

* *See* Question 10,366 for the actual terms of the Home Secretary's answer.

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10,114. No, no, not sleeping in; out of bed?—I never knew of a case in a local prison, certainly.

10,115. Will you tell me what steps the Commissioners take to secure that their orders and the law are observed in the prisons; what active steps do they take to watch prisoners, and see that the law is not violated, or that their orders are not violated?—By the two methods of inspectors and visiting committees.

10,116. Is there a vacancy amongst them now?—No, not at the present moment.

10,117. How many inspectors have you?—At the present we have four. The vacancies have not been filled up for some time.

10,118. (*Chairman.*) Does that include Colonel Garsia?—No, it is exclusive of Colonel Garsia.

10,119. (*Dr. Bridges.*) Exclusive of Dr. Gover?—Yes. Major Griffiths, Colonel Hankin, and Captain Lennox.

10,120. (*Mr. O'Connor.*) When was the last appointed?—A long time ago; it was sometime in the seventy's, I think.

10,121. Has not there been a vacancy since?—Yes, we had a vacancy the other day, Admiral Fenwick's vacancy was not filled up.

10,122. How often do the inspectors visit the prisons?—Once a month, as a rule.

10,123. Do you think it is sufficient?—I think it is sufficient. I am not sure it is not more than sufficient; that is, provided that our local justices will come in and help us to keep an eye on the prisoners themselves.

10,124. Then I understand you leave an inspectorship unfilled, relying on unofficial inspection?—Well, it was felt by the Secretary of State that there were more inspectors than were required owing to the diminished number of prisons.

10,125. Was the diminution in number of prisons on the ground of the reduction; or was the ground that there was not sufficient work for all the inspectors?—I should say what practically led to the diminution, was the reduction in the number of prisons.

10,126. Regardless of the fact that the inspectors only inspect now, once a month?—They never inspect more than once a month, I believe.

10,127. With regard to the staff, would you say that the staff of the prisons, generally, is in a contented state?—I think our disciplinary staff is in a contented state.

10,128. Let us take that first. Do you say that the assistant warders are, as a body, a contented branch of the public service?—I should say, as a body they are. I think Lord de Ramsey's Committee removed some of their more specific grievances. There are exceptions, of course.

10,129. I will put it, whether on account of hours, or lodgings, or pay, or leave, or Sunday service, or fines, you would say that there is, or is not, in the disciplinary staff, a considerable amount of discontent, which affects them as a body?—I should say that there is no more discontent in the conditions of the service than is inseparable from all large bodies of public servants. Of, course, we have petitions from time to time, asking for an eight hours' day, and so on; but, from my own personal experience from going to prisons, and seeing the warders, I think that, as a body, they are a contented set of men.

10,130. I do not want to go into details, but what is the general position of the assistant warders in point of prospects of promotion, and rate of promotion?—Well, we hope that in 10 years there will be promotion for a warder. Personally, when I have seen a man with longer service than that, I should try to get him transferred to another prison, where, in ordinary course, a man with considerably lesser service would have been promoted. Ten years is about the time in which it is expected a man may get his promotion from assistant warder to warder.

10,131. Have you any number of assistant warders of more than 10 years' service?—Not a considerable number, but I have some up to 16 years' service in one of my prisons.

10,132. Do you consider that a contented state of the staff is a matter of great importance in the administration of the prison service?—It is of the first importance.

10,133. Do you employ assistant warders anywhere? I mean casual assistants?—Temporary officers, yes; but we have reduced it to a great extent.

10,134. Still the system does obtain?—Yes.

10,135. Do you know the class of men that are got in? You can judge that by the rate of pay they get?—We have to rely on the discretion of the governor, absolutely, as to that. It does not come before us.

10,136. Are they men who are hired at the rate of 4*d.* an hour?—I forget what it comes to now, but I think it is 3*s.* 6*d.* a day.

10,137. Do you find that trafficking is the result of the employment of these men?—No, I should not say so, as far as my own experience goes.

10,138. Trafficking is not unknown, even in the present day?—No.

10,139. You take an establishment for the purposes of the estimate presented to the House of Commons. Do you know how many you are short of that establishment in your actual staff?—At the present moment?

10,140. Yes?—That I cannot say.

10,141. Would it be 238?—I cannot give you a definite answer without inquiry.

10,142. Do the Commissioners ever call upon the governors for a record of the number of hours their staff is worked?—Yes. I should do it myself, if a complaint came from a prison saying that a man had been working above the regulation hours.

10,143. I mean apart from a complaint, what would the Commissioners do to administer their system?—There is no automatic process by which we periodically call for returns.

10,144. You do not spontaneously inspect, for the purpose of seeing whether the rules, with regard to hours, are observed?—No.

10,145. So that, as a matter of fact, a man might be worked 26½ hours without the Commissioners knowing anything about it?—It is not likely to occur.

10,146. But it might. As a matter of fact, we have been told it does, and has?—Really, I was not aware of that.

10,147. Beyond their inspection, what steps do the Commissioners, in their administration, take to ascertain the conditions of prisons, or of any particular prison?—Beyond the inspection by the inspector, they visit themselves, periodically, and there are constantly other authorities in the prison, such as the surveyor or his foreman of works. There is generally somebody from head-quarters moving about the district.

10,148. Were you a Commissioner in January 1892?—I was appointed in January 1892.

10,149. Can you say whether the condition of Wormwood Scrubs, at the end of 1891, was known to the Commissioners?—That is after the trouble we had there.

10,150. I mean before that?—It did not come before the Secretary of State. In those days I was private secretary to the Secretary of State, and it did not come before the Home Office.

10,151. You cannot say whether the Commissioners were, or were not, aware whether the prison was in an unsatisfactory condition?—I was not aware of that.

10,152. Is it the duty of the Commissioners to see that no illegal punishments are inflicted in prisons?—Certainly it would be so.

10,153. If you saw a man's record, would you be able to tell from inspecting it, whether it was a record of legality or not?—I hope I should be able to.

10,154. I will just ask you to look at this record, of a prisoner whom I will call "J. E.," and say whether there is anything about it which would strike you, as a Commissioner, as to its irregularity or

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its illegality. (*Handing record of "J. E." to the witness.*) You do not see it at once?—No, I do not.

10,155. You are conversant, of course, with the Acts of Parliament?—Yes.

10,156. I will show you something. Just look at that "19/12/91," and tell me if that is not absolutely illegal. I will refer you to the 43rd section of the Prisons Act of 1877, which says that "It shall not "be lawful for the gaoler to order any prisoner to be "confined in a punishment cell for any term exceeding "24 hours; nor shall it be lawful for the visiting "committee of justices to order any prisoner to be "punished by confinement in a punishment cell for "any term exceeding 14 days'"?—This is by the visiting justices, 10 days.

10,157. He was imprisoned for 42 days?—"10 days' punishment cell, No. 2."

10,158. "Forty-two days' punishment cell" is what I want to draw your attention to?—"No. 3 diet." That "punishment cell" is erased; I do not know who by.

10,159. I made a copy of it when we had it before, in order to check these things. My note says: "10 days' No. 2 punishment diet, to commence at "end of present punishment, 42 days' punishment "cell"?—That is erased, as you see, in pencil. I do not know by whom.

(*Mr. O'Connor.*) Then I will hand this up to the Chairman.

(*Chairman.*) You mean there is an erasure in the sense of a scratching out, by a pencil mark being put through an ink entry.

10,160. (*Mr. O'Connor.*) I do not know when that pencil mark was put on it. Who is responsible for the accuracy of these records?—The governor of the prison.

10,161. That was Colonel Garsia at the time?—I think it was.*

10,162. Under the Act of Parliament that is absolutely illegal?—Yes.

10,163. Under the Act of Parliament the visiting committee has no power to give 42 days' punishment cell, and the governor must be supposed to have known it. The prisoner is undefended, and therefore the prisoner cannot know it?—The governor would know it.

10,163*a*. (*Chairman.*) There is no mistake about "P. cell," meaning "punishment cell," I suppose?—It must be "punishment cell," I think.

10,164. (*Mr. O'Connor.*) Can we get some other document which will show where this man was during the period covered by these entries? Under the date of the 19th December there would be a record.

(*Secretary.*) I have the punishment book here. The words "P. cell" have been inserted afterwards.

10,165. (*Mr. O'Connor.*) The point of my question is, that what steps, if any, do the Commissioners take, or what steps do they adopt to see that these illegal punishments are not inflicted?—It is the duty of the inspector at his monthly visit to go through the monthly journals; the Commissioner would also go through it. It is certainly one of the primary duties of the inspector to check the governor in that way, and not to assume that his duty is done.

10,166. Do you know who was the inspector that visited that prison next after that?—At Wormwood Scrubs, in 1892, I think it was Major Griffiths or Captain Wilson, I am not sure which.

10,167. At any rate it is the duty of the Commissioners to see that no illegal punishments are inflicted?—Certainly, we are responsible for that.

10,168. And I suppose your secretary is the organ by which you communicate?—Certainly.

10,169. And your secretary, when that would come before the Commissioners, was Colonel Garsia?—Well, if it came before the Commissioners, the secretary would not necessarily communicate it.

10,170. He left the prison shortly after?—Yes; but the paper would come before me as Commissioner of the prison, to be dealt with independently of the secretary in the ordinary course.

10,171. If an outbreak or serious disturbance occurs in a prison, what system of inquiry is adopted by the Commissioners?—If it is in the ordinary course an inspector would be sent down to make a report. It would not be necessarily the inspector of the district. In a very grievous case (certainly if it occurred in one of my prisons) I should go myself to inquire.

10,172. Do you know what system of inquiry was adopted in that particular prison where this illegal punishment was inflicted?—I only know that from the papers coming before the Secretary of State. I was not a prison official at that date; but as far as I know the inspector of the prison was sent to report.

10,173. You were a Commissioner within a fortnight of that happening?—I did not take over my duties for some days. I think it was the inspector who reported to the Board, and the Board reported to the Secretary of State. I only saw the report of the chairman of the Board to the Secretary of State. That would be the normal procedure, and I think it was probably followed in this case.

10,174. Is there anything irregular with regard to this man's dietary?—10 days' No. 2; 42 days' No. 3; that is the maximum of No. 3.

10,175. I mean were the intervals duly observed. There are certain prescribed interval?—"10 days' "No. 2, to commence at the end of the present "punishment." It does not strike me on the face of it. I should have to look into it by the help of the statutes and the books to give you an answer.

10,176. Is it the duty of an inspector when he goes to a prison of this kind to check every one of these sentences?—Certainly, he ought to do so.

10,177. You notice that this man was tried and sentenced on the 11th of December?—Yes.

10,178. He was sentenced to No. 1 prison diet?—Yes.

10,179. On the 19th of December, that is eight days afterwards, he got 16 days in punishment cell No. 1, punishment diet?—Yes.

10,180. Was it lawful to give him that dietary?—Without an interval? I must look into the dietaries before I can answer that; I cannot answer it straight off.

10,181. What we are concerned with is to know what system the Commissioners adopt to protect these men who are in the charge of jailers against possibly illegal punishment or improper treatment?—I have already answered that by saying it is the duty of the inspectors to go through the governor's journal and also the visiting justices', who they know have large powers. There is no more check than is ensured by those means.

10,182. You are not conversant with the details of the Wormwood Scrubs inquiry?—No; I saw the official Home Office papers, of course.

10,183. Do you know what the finding was?—Do you mean the finding as to the cause of the outbreak?

10,184. Do you know what the decision arrived at was with regard to responsibility?—No, I was not aware that that question arose in that acute form.

10,185. Was anybody blamed for it?—No, not that I am aware of.

10,186. Everybody was acquitted?—I do not think the question of allocating blame arose.

10,187. At any rate, so far as you know, nobody was blamed at the time?—No.

10,188. Captain Schuyler was not blamed at the time?—Not as far as my memory goes.

10,189. Would the Commissioners know of such a thing as a prisoner being deprived of his attendance in chapel to exercise his religion in common with the rest of the prisoners for several weeks together?—Yes, not for several weeks, I think; but I think, as an ordinary matter of discipline, a governor would keep him out of chapel for a short time, I do not think he would for a long time.

10,190. How would the Commissioner know that?—I think he would ask for instructions; you must rely on the governors, the whole thing depends on that.

10,191. If, then, a governor kept a person away from his chapel or from the exercise of his religion for several weeks, the Commissioners would not necessarily know of it?—Not necessarily, because governors have a very large discretion and very large powers.

10,192. You were speaking of the Commission of 1878, of Lord Kimberley?—Yes.

10,193. Are you aware that that Commission reported that the then system, at any rate up to that date, had failed to reform offenders? They do report that, do not they?—That is so.

10,194. And I think they attribute it to the contamination in these establishments?—Yes; there is no doubt it has been alleged, with a certain amount of truth.

10,195. They also say that the evil has been diminished, they hope, by the new regulation in English prisons under which male convicts exercise in single file?—Quite so. It was alleged at that time that a great deal of this contamination was due to exercising not in single file.

10,196. And on page 15 they say that all communication has been prohibited beyond what is indispensable at their work?—Yes.

10,197. Do you think that system—I will not call it a silent system, but a system of absolute isolation and enforced silence—has made convict prisons more reformative?—I do not quite understand what you mean by "absolute isolation."

10,198. Each man is by himself, and is not allowed to communicate with his fellows by speech?—He is with them all day, and he can talk to them about his work; he can also talk to his warders who are instructing him, so that he does talk a great deal, as a matter of fact.

10,199. Do you think that the system which has been pursued since this new regulation, has been more reformative than what preceded it?—No, I have got no reason to believe so.

10,200. Have you noticed that the percentage of re-convictions has increased since that date?—I am aware of that.

10,201. And that the proportion of licenses forfeited has also increased since that date?—I was not aware of that.

10,202. It is shown in your blue book?—I have forgotten it.

10,203. In the light of these suggestions would you be inclined to consider that the new system is an improvement upon the old?—Well, I can hardly hold that it is a new system since 1879. The changes which are the result of the Commission of 1878 are not of themselves of such great importance that you could call it the adoption of a new system.

10,204. Has your attention been drawn to the proportion of the death-rate in Irish prisons and the death-rate in English prisons?—No, my attention has not been drawn to that.

10,205. You are not aware that the death-rate in Irish prisons, according to the last book published, is 6 per thousand, whereas in English prisons it is 14 per thousand?—That has not been brought to my notice.

10,206. I mean in English convict prisons?—Yes, and in Irish convict prisons for the whole Irish establishment.

10,207. In Irish convict prisons it is 6 per thousand, and in English convict prisons it is 14 per thousand. The death-rate in the English local prisons is 7·6 per thousand?—Yes.

10,208. And for the five years ending 1894 it was 7·7 per thousand?—Yes.

10,209. The death-rate in the Irish prisons for the five years ending 1894 is 3·9 per thousand?—In the local prisons?

10,210. Yes?—They are very small.

10,211. So that the death rate in the English local prisons and convict prisons is twice as high as it is in the Irish local prisons and convict prisons respectively?—Just so.

10,212. How can you account for that?—I cannot account for it.

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10,213. You have a considerable amount of corporal punishment in the English prisons?—To a certain extent, yes, but not to a very large extent. It is practised in both countries.

10,214. Can you account for the fact that, in the Irish prisons throughout a whole year, no case of corporal punishment occurred, either in the convict prisons or the local prisons?—Of course, I cannot. Of course there is a much smaller population to deal with, and if they had as large a population as we have, I should doubt if they could show so good a record.

10,215. Could you say that Irish prisoners are more amenable to discipline than English prisoners are?—I have no reason to say so.

10,216. Or that the Irish staff are men of more tact or intelligence than the English staff?—No; of course I cannot give you an answer with reference to anything without knowing the men. I have never had an opportunity of going over an Irish prison yet.

10,217. You have not seen the 16th report of the Irish Prisons Board, showing that there have been no corporal punishments whatever, in any of the Irish prisons?—I have not. That is very remarkable.

10,218. Would you think it an unreasonable thing to say, having regard to the comparatively low rate of mortality and the very much lower rate of punishments in Irish convict prisons and local prisons than in the corresponding establishments in this country, that the Irish prisons are more humanely administered than the English prisons?—No, I should be very unwilling to say that. I do not believe it to be the case. That would be a very bold deduction to draw from these facts. Nobody would contend that our system is so inhuman that we killed men, and that we flogged them unnecessarily.

10,219. But, still, they are flogged?—Yes, I have ordered men myself to be flogged under the greatest possible safeguards, and I have observed no evil results follow; but generally there is a good result.

10,220. Did you ever hear of a prisoner committing suicide from dread of a repetition of a flogging?—There may have been such cases; I have no personal knowledge of it.

10,221. Such a thing might occur without the Commissioners knowing it. Supposing a man was sentenced to be flogged twice?—By the judge?

10,222. By anybody?—I should not sentence him myself to be flogged twice. I should not approve of it by anybody; I think that is inhuman. You mean at intervals?

10,223. Yes. Did you ever hear of four men being sentenced to be flogged, and one of them, after his first flogging, committed suicide?—Yes, I believe I have heard of that case.

10,224. Did you see the evidence of an ex-prisoner that we had before us?—No, I have not had an opportunity of seeing any of the evidence.

10,225. Did you hear of four suicides in one year in Portland Prison?—No. That would be some time ago, would it not?

10,226. I am afraid I forget the year?—I know it was before my time. If it were in my time, of course I should know about it.

10,227. Do you consider it of great importance that your medical staff should be men who are conversant with mental diseases?—Yes, that is most important.

10,228. Can you say, of your own knowledge, whether any of them have had a special training in that respect?—No.

10,229. Do the Commissioners, before appointing a man as medical officer, inquire whether he has had any experience in mental disease?—No, they do not require that; but they do require a general medical and surgical qualification.

10,230. Do you know how much per year it costs to keep a prisoner on the average?—About 24*l.* in the local prisons, and 26*l.* in the convict prisons, I think.

* For Colonel Garsia's evidence as to prisoner J. E., *see* 11,742–4, 11,790–8.

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10,231. If a prisoner is sent to a lunatic asylum, do you know how much the prison vote has to bear for him per annum?—No, but it is more than that, I think. I have seen the figures, but I cannot carry them in my head.

10,232. (*Dr. Bridges.*) Has your attention been much called to the question of lunacy as occurring in local prisons?—Yes; of course that is a question which is always, more or less, before us.

10,233. In your 17th report I observe that, excluding the large number of cases—I will not say that are remand cases—sent for special supervision, and taking only those cases that occurred a month, or more than a month, after the conviction of those which were not remand cases, 50 of such cases occurred in the year included in your last report?—Quite so.

10,234. Is not that number, out of a population of a little more than 10,000, a very much larger number than that which occurs in any class of the adult population as estimated by the Lunacy Commissioners?—That is large, no doubt; but can you compare the prison population with the adult population outside? Of course, there is no doubt that a great portion of the criminal population are morally imbecile or mentally weak.

10,235. You would say that a large proportion of the prison population was mentally weak?—I think that is so with the bulk of the recidivists. I think I should call it "moral imbecility." They are called "half-sharps."

10,236. So that the proportion of prisoners requiring some attention on the ground of mental weakness would be very large?—Yes, I think so, but it is difficult to discover. It is difficult to fix it. We frequently have men under observation in our prisons.

10,237. There would be a certain number of those recidivists placed under medical observation, and certain others who would escape the attention of the medical officer from not presenting any very marked symptoms?—Yes, I think so; I frequently have men before me when I go to a convict prison. A man puts his name to see a director once a month, and they frequently come to you and talk a great deal of rubbish, although the man may be a well-behaved man, and the governor will say to you: "He is a little wanting, you know."

10,238. How, in your opinion, would such a fact as that—I mean the fact of a very large proportion of the recidivists being more or less mentally unsound—bear upon the question of the separate confinement system; I do not mean of absolute isolation, but separate confinement?—I am not sure that I have not gone too far in saying that any large portion of prison recidivists are mentally weak. The percentage is great, no doubt; but I do not think the percentage is enough to affect the general question of separate confinement.

10,239. At any rate, you would be of opinion that, in the case of persons who were mentally, perhaps, not quite sound—I will not put it stronger than that—it might be desirable to modify the system of separate confinement?—Yes, certainly, to that extent. If he is a man of weak intellect, you must certainly modify the system so far as he is concerned.

10,240. And men with the seeds of mental disease in them?—Yes. You cannot apply the separate system to him.

10,241. He might perhaps, under the separate confinement system, be more likely to have those seeds germinate than if he were placed in association with other people?—I imagine that to be the case; but of course, that is more a medical question as to whether solititude does engender disease more than being in company with other people.

10,242. With regard to the larger prisons, I think you have already expressed the opinion that it would be very desirable that medical officers should have some training in lunacy?—I think we ought to make it a *sine qud non* that they should have a certain amount of knowledge, not that they should be specialists, of course, because that would exclude a knowledge in the other branches; but I think it should be a *sine qud non* that they should have some acquaintance with lunacy.

10,243. And in the larger prisons would you say that the medical staff is sufficient? For instance, take the strongest case of all, Holloway?—I look upon Holloway as a very peculiar prison, requiring very peculiar treatment. As I said before, if the medical officer there says he is not sufficiently furnished with assistants, he ought to have some more.

10,244. With regard to the inspection of prisons, I am not quite clear whether the medical inspector has for part of his ordinary duties to inspect the prisons systematically?—No, not systematically; but as a matter of fact to always inspect them. He has no routine to go through.

10,245. He goes in case of a special occasion?—Yes, and often at other times. If he is not fully engaged he will take a run round, but he has no periodical visitation.

10,246. Would there not be some advantage in a larger proportion of the class of inspectors being medical men, supposing the posts were all vacant now, and that you had to appoint a staff of four men?—I think a doctor would be rather thrown away if he were put to do purely inspectorial work. It is mostly disciplinary work; a great deal of it is disciplinary work. Though I should welcome any addition to the medical strength of the department, I do not think that it could be usefully employed in that way.

10,247. With regard to the question of exercise in the open air, we have been told by several witnesses that frequently, in fact generally, there is no exercise on Sundays?—I am afraid it is the case that there is no exercise on Sundays.

10,248. Is that from a deficiency in the staff?—Yes.

10,249. That you would wish to see, if possible, remedied?—Yes; you see the recent demands for Saturday half-holidays, and the privilege of the Sunday "off," really make it impossible for us to get our full staff there on Sunday.

10,250. With regard to labour for the short sentence prisoners, would it be possible in any of the prisons to employ some of them in digging work?—Yes, I should be very glad if it were possible. I have been personally looking a good deal into that question in my own district, and I find most of my prisons are situated in the towns, and in the densest parts of the towns. I think prisoners ought to go out into the fields, and all governors agree that digging in a garden is the very best form of labour for short sentence prisoners.

10,251. It would be, I suppose, for very idle people, rather a deterrent?—No, I am afraid it would not be that. They like it very much as it is now. In the few prisons where digging is done it is looked upon rather as a reward for good conduct.

10,252. Is not that rather work of the gardening sort?—Yes, it is not the severe agricultural labour like they have at Dartmoor. That is the severest work we have. They hate that, but gardening in the open air they like.

10,253. Yes, but hard digging work in the fields they would not like?—No, and, of course, we cannot get it, unless we attempt to reclaim land.

10,254. I think you spoke of the communication that took place in convict prisons, and I think you expressed the opinion that it was due to talking through the corrugated iron cells?—I am afraid it is so. I have had one or two cases of that sort brought to my notice lately.

10,255. Those cells are condemned?—Yes, lately they have been.

10,256. Have not they been condemned a very long time?—I think it was not until last year that the question arose. It is a big thing, and it will require a tremendous lot of new buildings at Dartmoor and Portland.

10,257. Is it to be done?—Yes, they are going to pull down the old cells altogether, I think.

10,258. When I was at Portland I noticed them?—At Portland it is more difficult, because we have not got the space to build on.

10,259. At Dartmoor, then, it is intended to do it, but at Portland it is delayed?—Yes, many difficult questions arose in connexion with getting the land to build on, because our Board has not power to hold land. That is one of our difficulties.

10,260. (*Chairman.*) Have the directors no power to hold land?—No, but the Commissioners have, under the Statute.

10,261. Not the directors?—No.

10,262. Then how do they manage about the land at Dartmoor?—We lease that; we under-lease from the Duchy of Cornwall. As a matter of fact, although we have no power to hold land under the Act, the Treasury Solicitor generally gets round it.

10,263. (*Sir J. E. Dorington.*) You are speaking of Portland?—Yes, that is a great difficulty at the present moment; the land outside does not belong to us.

10,264. Who is the owner?—I do not know who it is; I do not know whether it is private property or not.

10,265. You cannot buy it?—No, it is one of the things which has caused delay in dealing with this question of the corrugated iron cells. However, they are doomed, and so far that is satisfactory.

10,266. When you start on a tour of your local prisons, do you do them all at once, or do you do them by degrees?—I generally do them by degrees.

10,267. How many prisons have you got?—18 local prisons and two convict prisons.

10,268. Do you ever communicate with the visiting justices that you are coming?—No, never.

10,269. Are they surprise visits?—No, I generally inform the governor. It is necessary that I should; because I want to see all the authorities, the chaplain, the medical officer, and others.

10,270. Evidently, you are desirous that the visiting justices should take a more active part than they do?—Yes; I look upon the alienation of local sympathies as a great fault of the Act of 1877.

10,271. Do you think if you invited the visiting justices to come on the date of your inspection that it would be as well?—Yes; I should like to meet them, and to make a point of giving them greater power.

10,272. Do you think it is possible for the visiting justices to replace the inspectors?—I do, very nearly; anyhow, I think the proportionate power of the visiting justices and the inspectors is quite inverse to what the intention of the Act was.

10,273. You think if they had the responsibility of inspectors, and felt themselves to be responsible, that they would do more than they do?—I have no doubt about it.

10,274. And, if they were invited to meet the Commissioners and sit with them as part of the body, to whom the inquiries as to what is conducive to prison discipline was referred, that would be an inducement to them?—Yes.

20,275. It would not require an Act of Parliament to do that?—No, it could be done easily.

10,276. With a little alteration of the regulations?—Yes. When the Act was passed the inspectors were high officers, with large salaries, and they overawed the visiting justices. There was a certain amount of irritation with them, and they did not like to be servants where they had been masters. There was a sort of anxiety that the rules would not be carried out unless it was done by our own men. The consequence is that the inspectors are gaining power and the visiting justices are lapsing. That is, I think, the history of the difficulty there.

10,277. Practically they think they have got nothing to do except to see that there is no abuse?—That is so.

10,278. And having no responsibility they do not trouble themselves about it?—No.

10,279. Do you think it would be practical to get that responsibility restored?—I am certain of it, from what I have seen. I am talking of my own district.

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10,280. You think you have got abundance of prison room now?—Yes, except in a few centres where there has been congestion. I have had congestion at Birmingham and at Cardiff. Of course, in London the question is always with us.

10,281. Has it been noticed by the Commissioners that one of the principal reasons why the number is so much diminished is due to the shortening of sentences, rather than to the lessening of offences?—That is one of the accepted reasons.

10,282. So that if there was any change in the method of sentencing prisoners, probably you would get your prisons congested again directly?—Certainly, if we were to revert to long sentences again.

10,283. Therefore, great caution ought to be taken in closing prisons?—Yes.

10,284. Especially if they are destroyed; because they would not be available then?—Quite so.

10,285. Has your attention been drawn at all to figures showing that the number sentenced to imprisonment in 1857 was 102,000, and that in 1890 it was 142,000?—Yes, I am aware of that.

10,286. And consequently, if the sentences were as long and as severe as they used to be, the present prisons would be very largely crowded?—Certainly, unless they took a step in the direction of freeing our prisons from a large proportion of the cases which come there now; namely, those cases as to which during the last few years there has been an agitation in Parliament to get certain classes excluded from prison treatment. I mean such cases as those under the Highways Acts and Town Council Acts, which involve the imprisonment of men who are not really criminals.

10,237. That would require classification?—Yes.

10,288. You would have, then, to provide other places to put them in; but they would not be called prisoners?—I think prison is a doubtful expedient for the large number of people who are convicted in regard to social questions, such as the Education Acts, the Vaccination Acts, and so on.

10,289. They are sometimes fined?—They are always fined in the first instance; and then the poorer men come into prison on the second occasion. They are not really criminals; it is an enormous question, which requires consideration.

10,290. Do these returns distinguish that class which is not criminal?—No, and it is a defect. I believe they will be discriminated. It is a very important question. There is the Act by Mr. Channing of 1891, which dealt with this point. There was a debate upon it in the House of Commons.

10,291. So that you would rather look to that as a possible means of diminishing the number of prisoners?—I should; and also that should be so with our hopeless recidivists; all those men and women who are committed for more than 10 times. It is perfectly appalling.

10,292. Are you under the impression that that is increasing?—It is not decreasing.

10,293. There is more recidivism than there was?—It is not decreasing.

10,294. It remains about stationary?—Generally it is thought proof of a good prison system. The question is, whether you can get the first convictions diminished. We cannot help these hopeless cases. That is the general opinion, I think, in the Home Office.

10,295. (*Chairman.*) I rather understand that is not your opinion?—Yes, it is. It is also my opinion that it is a difficult question, and I hesitate to give an opinion about it.

10,296. Do you think that as much is being done as can be done to get hold of this habitual criminal class when they come into the prison?—I myself look upon the work of the Discharged Prisoners' Aid Society as the most effectual thing we have to cure recidivism, and I do not know whether that work is

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being adequately done at this moment, because the Prisoners' Aid Society do not attempt to deal with old offenders. They say in all their reports, "We do not "attempt to deal with recidivism; all our energies "are directed to first, second, and third convictions." The system practically leaves untouched the great bulk of old offenders, that is, men with more than four sentences. The late Lord Derby took a great interest in the Discharged Prisoners' Aid Societies. He laid down that it was the bounden duty of the Government to see to each man when he went out of prison, that each man's case was considered, and earnest steps taken to prevent his relapsing into crime. That is not done now. You would be perfectly horrified at Cardiff, where the prison is in the lowest part of the town, and these men go out together. There may be no effective aid society there. These men are discharged from the prison in gangs at 7.30. They have only got a few shillings gratuity in their pockets; 10*s.* is the maximum. They herd together; they tumble into the first public house they come to, and the next day, or the same evening, they are back again in prison. We must have a system upon which this work is conducted.

10,297. I rather understood you to say that you did not approve of the proposal of homes for discharged prisoners?—No. I should not like to have homes. I should like to have district committees formed in every town where there is a prison, both for males and for females, so that every case could be referred to them. There is one at Chelmsford.

10,298. Have you any experience of a Home which was started 15 years ago by the Salvation Army?—No; but the Governor of Birmingham is proposing to ask General Booth to take some of his cases on discharge. That is the only way it has come before me lately.

10,299. They take old offenders?—Yes, they would take anybody, I believe, at 4*d.* a head.

10,300. The evidence given to us the other day was, that to a certain extent, and to a considerable extent, their work was successful?—Yes, I have no doubt it is. I certainly encourage the governor at Birmingham to go on with it.

10,301. That is a home for discharged prisoners?—Are the discharged prisoners kept there? They are not necessarily discharged prisoners, are they?

10,302. They are all discharged prisoners, and mostly first offenders and long sentence men?—I was not aware of that. I thought a discharged prisoner would have his conviction lost sight of, and would start life again, and become an ordinary citizen.

10,303. No; they take all classes there. You say there is danger of contamination; but is there not a greater danger of the same kind of contamination, and also of other kinds of contamination, from the sudden discharge of this apparently hopeless prison element into association in Cardiff or wherever it may be?—If they are discharged into Cardiff they are not necessarily associated with their old prison companions. If two men are in prison together, and one of them gets dissipated in Cardiff, they might lose sight of each other.

10,304. Still, if they are bent on crime it is easy enough for them to pick up associates?—Of course it is.

10,305. Then, is it not dangerous from the point of view of contamination to turn that class of men out into association in a very low part of the town where they would naturally be able to find associates more easily. Is it not absolutely as dangerous as it would be to turn out people with a contagious disease into that locality?—Yes.

10,306. And, therefore, is not it absolutely necessary to think of the possibilities of a home as it is in a hospital?—Well, I have got the experience of a great many people who have had practical acquaintance against me. I have read a good deal about these men, not only here, but abroad; and, certainly, public opinion is opposed to that, on the ground that they do not repay the amount of money expended on them.

10,307. Assuming that those homes could be properly managed, and could be made successful, and could be found to reclaim a percentage of the hitherto habitual class of criminals, it would be a wise thing to encourage it?—Certainly, if you could get one per cent. of them.

10,308. And, upon its being proved that these men were well managed and doing good work, it might be even desirable to recommend that they should be given a certain amount of Government grant?—Certainly, anything in that direction is warmly to be supported and encouraged.

10,309. The question of temporary warders was raised, and a question was asked about trafficking. I should like to know whether, in your experience, you have found trafficking more general amongst those temporary warders than amongst the others?—No certainly not; as far as my experience goes it is six of one and half a dozen of the other.

10,310. You express yourself as dissatisfied with the results of the secular instruction of the prisoners. What prisoners are instructed?—Only those who are under a four months sentence, and of course that reduces them to a very small percentage.

10,311. It is not all classes of prisoners, but only the long sentence prisoners?—He gets books, and he can go into arithmetic or anything of that sort.

10,312. I see the extract from the Prisons Acts in the local prison rules says that provision shall be made in every prison for the instruction of prisoners in reading, writing, and arithmetic"?—Quite so.

10,313. Is it the rule that when a prisoner is ignorant of reading, writing, and arithmetic, he should be taught?—Yes, but not unless his sentence is over four months. That is the essence of the thing, and that makes it practically inoperative, because, only three per cent. of the prisoners' sentences are over three months now.

10,314. I rather think that evidence was given the other day by a witness to the effect that only prisoners were taught who could not read or write?—That is not true, it is largely left to the discretion of the chaplain, but the rule is that all prisoners of over four months should be allowed to receive instruction, if they should wish it.

10,315. Do you think there is danger in collecting them for tuition?—Boys under 16 would be taught in classes, and the absolutely illiterate also; but we do not often get a body of illiterates under the present system.

10,316. It would take more schoolmasters to teach them singly?—Yes.

10,317. Is there much danger with that class of prisoners?—No; the cellular teaching is approved by all chaplains.

10,318. I can understand that, given a sufficient number of schoolmasters?—Yes.

10,319. But, if you have not a sufficient number of schoolmasters, are not the advantages of collective teaching superior to the advantages of cellular teaching?—Certainly, I see no objection to teaching in classes.

10,320. I understand that you do not think there is much danger of association during the classes?—No, I do not; it would be association in a small degree. Of course, you would not have large classes; but, if we are going to associate our prisoners for labour purposes, surely we can associate them for educational purposes, also.

10,321. You said that the question of women's work in prison has been to a certain extent neglected?—That is my pious opinion. Since I have been on the Board, I have never heard it suggested, and I have seen no papers where it has been raised.

10,322. Do you think that the question of male prisoners' work has been sufficiently considered?—No, I do not think sufficient prominence has been given to it.

10,323. Who is responsible for the supervising of the general prison labour throughout the country?—We are—the Commissioners are.

10,324. Is any one official told off for that?—Of course, the store accountant is essentially the man who superintends that particular thing.

10,325. But evidence has been given before us which rather goes to show that sometimes it happens that work, which is excellently adapted for local prisons, has been taken away and given to convict prisons where the difficulty of getting work is not so great?—It is quite possible, I think; there should be sufficient supervision over the distribution of the work.

10,326. You think it could be further organised?—I do, most distinctly.

10,327. Do you think that punishments for minute infringement or neglect of rules are too often inflicted?—In local or in convict prisons do you mean?

10,328. In both?—No, I cannot say that I think so. I have no reason to think so.

10,329. There is a recent article which has been written by Mr. Davitt?—I have read that.

10,330. Of course, he is speaking about the convict prisons. He expresses a strong opinion about the worry and irritation consequent upon continual small punishments for breaches of rules which are sometimes accidental and very slight in their character?—Against that there is the remarkable fact of the enormous number of convicts who go through their sentence without being reported at all. That is quite remarkable, and it appeared in a report some years ago. At all events, it is an argument against that view.

10,331. There may be some danger in the cases of prisoners of irritable temperament who come into collision with the warders, and subsequently are frequently had up for small breaches of discipline?—Yes; and it is our duty as directors to guard against that sort of thing. If such a man came before me, I should talk to him.

10,332. Those cases are rather exceptional?—Yes; if I have been told that a man is not a bad prisoner, but an irritable man, I have always talked over the case with the governor, because that is part of my duty.

10,333. Have there been any complaints from representatives of the Nonconformists about a difficulty in getting access to prisoners of the same persuasion as themselves?—No, but I am very much surprised there has not been; I am not aware of any. By "Nonconformists," do you include the Salvation Army, for instance?

10,334. Well, I suppose they are Nonconformists?—I was rather applying the term "Nonconformists" in the usual acceptation of the word.

10,335. I would, speaking generally, include them in my term of "Nonconformists"?—Ministers and different spiritual agencies, in fact?

10,336. Yes?—Yes, there have been. We have had some difficulty lately in the matter.

10,337. Have the prisoners complained?—I am not aware that they have.

10,338. Have you any opinion upon the question of the size of prisons?—Yes, I am in favour of small prisons. I am opposed to large ones.

10,339. What is the limit you would assign?—Well, I think, 500 has been suggested by several people, but, I think, 500 is too many for one governor to be able to have really individual influence on each prisoner. Of course, the object of small prisons is, that each individual prisoner shall receive individual attention, but that is impossible really in a prison with more than 250.

10,340. Would you be inclined then to go back from the present system of large prisons in London and elsewhere?—I am afraid it is a necessity, especially in London, where you have so many to accommodate. It must be so in big towns.

10,341. You would appoint a deputy governor in what cases?—I think, with any prison of over 500, there is ample scope for a deputy governor.

10,342. Whether men or women prisoners?—Either.

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10,343. Five hundred, all told?—Of course, if you do appoint deputy governors to a small charge like that (because it is a comparatively small charge under our present system) they must understand that they have got something more than purely mechanical functions to discharge, because the mechanical functions with regard to 500 in the local prison would not give the deputy governor much scope; in fact, it would hardly justify his appointment.

10,344. Are you in favour of appointing principal warders as chief warders in charge?—No, I do not think I am; in fact, I may say emphatically, I am not.

10,345. For what reason?—Well, I think that it rather emphasizes the purely disciplinary point; that is one reason why I am opposed to it. I think the governor has enormous duties to discharge in connexion with the reformation of prisoners; and those reformatory duties are strange to the chief warder. From the point of view of what we have been saying as to the advantages of co-operation on the part of the local justices, I think a chief warder in charge is a mistake. He ought to associate with the visiting justices on equal terms, and he ought to associate with them very closely.

10,346. Then the heads of prisons should be governors or deputy governors, you think?—Yes. I do not want to say that we should not appoint a chief warder to the office, but we should appoint him as governor. A man who is fit to take the position is fit to be called a governor. To have a man in uniform and in a lower position of life than the visiting justices and other prison officials is not conducive to discipline. I should like promotion in a very different way altogether. I should like it as they do it in Scotland. I think we might tentatively adopt the principle of having the clerical staff taken from the disciplinary staff. That is so in Scotland; they promote the disciplinary officer to the clerical staff. They call them "store warders," and they are bright, intelligent men, and make excellent clerks. They say that the ordinary warder in Scotland is a more intelligent man. But, as an Englishman, I am disposed to resist that idea, especially since the extension of education. That was true, no doubt, 40 years ago.

10,347. On the other hand, in England, would you propose to make the storekeepers and the clerical staff eligible for promotion in the general prison service?—Do you mean, would I make storekeepers eligible for promotion as governors?

10,348. Yes?—Yes, I think they have, perhaps, stronger claims than the disciplinary officers.

10,349. I think you said the warders in charge were generally taken from the convict prisons?—Not generally; but if there was a particularly good man in a convict prison, there is no reason why he should not be promoted to a local prison. There is no rule about it.

10,350. As a rule, are they taken from it?—No, it is exceptional.

10,351. Should you be in favour of retaining two prisons, or more, as training prisons for warders?—Yes. It has been adopted with great success in foreign countries, especially at Rome. I was reading of it the other day. It is a great success. They teach the warders in ambulance classes, and so on.

10,352. Generally, do you find that the general staff is adequate, I am speaking more particularly of warders, male and female?—Yes. As a general opinion I should say it is adequate. There are isolated cases where the peculiar construction of the prison may make an addition desirable. There are many such cases.

10,353. The female warders are now of the same relative strength as the male warders?—Yes.

10,354. Is not it the fact that female prisoners require rather closer and more concentrated attention individually?—Certainly, no doubt, where they are congregated in large prisons. I do think our female staff in small prisons can be recruited in the same way. For instance, I can take you where you can see two

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female warders sitting with folded hands and asking for work to do.

10,355. But, taking a place like Strangeways, do you think possibly the staff might be strengthened?—I do; but you know what the difficulties are. Where those special circumstances exist, of course we who have practically to do with prisons know that the conditions are peculiar, and we ask for an increase of staff, and often do not get it. We are bound hand and foot by the regulations.

10,356. Have you any views to express as to the regulations of the inspectors, and their duties?—I think their work should be largely done by the visiting committees of local justices, and I think monthly inspections have become quite perfunctory, and are not necessary. But I should always have two or three inspectors to send here, there, and everywhere. Local inquiries are necessary in regard to cases of trafficking or drunkenness, or anything of that sort, and the inspectors should be always available.

10,357. Do you think they should report to the Commissioners, but not to the Secretary of State?—I do not think the latter is a possible plan. You must either revert to the old plan, and make the men higher than the Commissioners to communicate directly with the Secretary of State, or if you appoint the same class of man, and he is our subordinate, it is impossible that our subordinate can report to the Secretary of State over our heads. I do not think the Commissioners could logically exist if that were done.

10,358. Do the inspectors come regularly to the Home Office?—They have no room in the Home Office; they have no clerical duty. As a matter of fact, Captain Wilson, my inspector, always comes and sees me on his return, and when he is in London, he comes every day.

10,359. The inspectors, I understand, live in their own private houses?—Yes. They have got their own districts.

10,360. And they can inspect at their own times and seasons?—Yes, at their own times and seasons.

10,361. Would it be better to have a certain proportion of the Home Office staff employed in that way, and send them wherever and whenever it is necessary?—How do you mean, the Home Office staff?

10,362. I mean that they should be regular officials in the department doing other prison work?—Yes, I think that would be a feasible plan. I do not think this present system of inspectors' districts works very well. It is fixed for 3, 5, or 10 years, but it is practically fixed for ever. I should like to have two or three inspectors, and at the beginning of each month I would tell him what prison he is to go to, so that you would get a constant change of blood, and the thing would not become mechanical in the way it has otherwise a tendency to become.

10,363. (*Sir J. E. Dorington.*) You would rather go down to see whether the visiting committee was working satisfactorily with the governor?—Yes.

10,364. In fact he would inspect the whole of the prison system which would be bestowed upon the governor and the visiting committee?—Yes.

10,365. That is the change you would suggest?—Yes.

10,366. (*Chairman.*) I think I had better read out the actual answer of the Home Secretary on July 17, 1893, to which Mr. O'Connor referred. It was this: "In order to answer this question it is necessary to "know the precise meaning to be attached to the "word 'metropolis'"; even then it would take a long "time to go through all the details of prisoners, "approaching 4,000, who were in custody on June "1st, to ascertain how many were committed within "the boundary intended within the word 'metropolis,' "and how many from outside it. As there are 4,392 "certified cells, besides others in the infirmaries, and "associated accommodation for special cases besides, "there is obviously ample accommodation for the "prisoners of the metropolis, however it may be "defined." It is clear that the answer has been misunderstood. The Home Secretary's words, "however it may be defined" relate not to "accommodation" but to "metropolis."

10,367. (*Mr. O'Connor.*) You said what I could not quite catch, but which interested me a good deal; the prisoners cannot be educated in less than three or four months?—They are not liable to receive instruction under the scheme of 1885, which was made with the assistance of the Committee of the Education Department. They made out a scheme for the instruction of prisoners, and that says that "all prisoners, "except juveniles, whose sentences do not fall below "four months, will, on reception, be examined by the "chaplain"; so that it excludes from consideration all those who are sentenced to less than four months.

10,368. Which is the great mass of the prisoners?—Yes.

10,369. A schoolmaster, if he is only a schoolmaster, is employed for eight hours, of which six are to be teaching hours according to the rules?—Yes. You are talking now of convict prisons; because there are different classes in the two prisons.

10,370. I think that is the rule for the local prisons too. But at any rate warders are employed in schools?—They are in the local prisons.

10,371. And in that case, besides the teaching for the six hours, they are employed in other duties, covering eight hours altogether, and then they have two hours besides?—Yes, it is so.

10,372. So that they have two hours work as warders more than the schoolmaster proper has, and they do not get schoolmaster's pay?—You mean the schoolmaster in the convict service is a specially selected officer.

10,373. I mean a schoolmaster warder has more work to do?—Yes, he is worse paid than in the convict prison, and he is appointed on a different system.

10,374. I should like to ask you one question with regard to your estimates and your staff. You estimate for a considerable number of officers of different grades, and you do not have those officers of the grades, but you have men waiting for promotion in great numbers who are not promoted?—That is so.

10,375. We will take the case of Birmingham, where you estimate for 13 warders and 20 assistant warders. As a fact, you have 21 assistant warders, that is over your establishment number, but you have only eight warders, and you have five vacancies in your warder staff, but you do not promote any men?—Yes, I know these estimates are very misleading.

10,376. But you get the money for them?—Yes.

10,377. And you do not give the men the pay?—No, the number of men would be regulated by the population; there are a different set of rules as to that.

10,378. But the House of Commons gives you money for 19 warders in Holloway, and you have only 13?—Yes.

10,379. There are six vacancies?—Yes.

10,380. Whereas the establishment of your assistant warders is exceeded?—Yes. That gives rise to a great deal of discontent.

10,381. Now you have warders of 16 years' service and no promotion?—Yes, that is so.

10,382. So again in Pentonville, you have an establishment of 28 warders, as appears by the estimates, but you have only 23 actually receiving pay?—I must tell you that as a Commissioner, under the system, I have no voice in the preparation of that estimate.

10,383. Who is it done by?—The chairman of the board is also termed the accounting officer, and he himself prepares the estimates, but I think this incongruity between the estimate and the actua practice gives rise to a good deal of discontent.

10,384. As long as you understand that point, I am satisfied with what I was trying to bring out?—Yes, I quite understand it.

The proceedings were adjourned for a short time.

10,385. (*Chairman.*) Have you any statement you would like to make on any point to the Committee?—I have gone through all I wanted to say except one or two things which I have hardly touched upon. One was the question of the amalgamation of the two systems; that is a question that is quite worthy of consideration, I think. Of course, I have no definite views on the subject now. I mean the consolidation of the convict and local prisons was touched on by the Kimberley Commission, and they were in favour of a man for three years being kept for that three years in the local prisons. We have not altered our convict system since 1850, when we could not continue to send out our transportation cases. Since then we have altered our penal system, and penal servitude may now mean where they serve only two years and three months. I think it is just as well to consider whether, for a certain class of convicts, you should keep them in the local prisons the whole time, provided that you are going to apply the system of remission in local prisons as you would in the convict prisons.

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10,386. What is the main argument for amalgamation?—That penal servitude does not apply to the ordinary conditions of sentence on the part of many criminals who go to convict prisons. It would free our convict prisons to a certain degree. It has been in my mind that it might be well to have certain establishments set apart for hopeless recidivists, and that there are, for instance, men who might be sent to, say, Dartmoor for indeterminate sentences. Anybody who has to deal with these question must be struck with this, that many prisoners are in a hopeless state, and some remedy may be found for it. I have nothing more to offer than mere bare suggestions on this question; but they are great questions, and I feel that the day has come when they ought to be taken in hand.

10,387. The question is rather outside our reference, except so far as it really bears upon the question of classification?—Yes, quite so.

10,388. Was it gone into at considerable length by the Commission?—No, quite parenthetically; it had hardly arisen then. You see we had not three years sentences then, but the system of keeping a man for two years in a local prison and then going to all the trouble and expense of sending a convict under a three years' sentence, after nine months in a local prison, to a convict prison is anomalous.

10,389. Assuming the amalgamation is not taken in hand, are you against sending a convict for nine months to a local prison first?—I see no great advantage in it.

10,390. Except on the ground of economy?—I do not know that it is so, even on economical grounds.

10,391. But it would be an expense to send single convicts?—Yes, on that ground it is true it saves the isolated conveyance of convicts.

10,392. But excepting that, you see no advantage whatever?—There is no great advantage.

10,393. Do you see any advantage?—I see an advantage in this way, that you could make inquiries whether they were fit for the star class while they were in the local prisons.

10,394. (*Sir A. West.*) A much shorter time than nine months would be ample for that?—Yes, three months would.

10,395. (*Chairman.*) Are those convicts sent in large bodies, say from Knutsford?—Not from Knutsford in large bodies, but they are from Wormwood Scrubs.

10,396. How many would be sent together from Knutsford?—I cannot say; there might be 6, 8, 10, 12, or 20. There is just one more thing which I was going to say something about, that was the idea of extending (with a view to the classification of prisoners) the first-class misdemeanants. As you know, there has been a considerable agitation in favour of extending the rules for treating people as first-class misdemeanants, and it is held that a large number of people who are not ordinarily criminal should be treated under those rules. The Secretary of State being questioned on the law by Mr. Atherley Jones, alleged that he had no power to alter the rules for the treatment of convicted prisoners, and it was no use his interfering with vaccination cases, because under the rules he had no power to make classification once they were convicted prisoners. I think he said also that if you decide a person is to be a first-class misdemeanant, the indulgence is too great. We want to lessen the privileges and comforts of first-class misdemeanants, and we want to bring a larger class under it.

10,397. (*Sir J. E. Dorington.*) Do you say that with regard to the treatment of the debtors?—I am quite opposed to the present system with debtors. I think it is bad for the discipline of the prison. You see them loafing about in their ordinary clothes, and also frequently there are small children come to the prison gate with jugs of ale for them. It is most destructive of discipline; they ought to be made to work. It is only the dishonest debtor who goes to prison now. There, again, you may classify a few people who will not pay rates, but, as a rule, it is the dishonest debtor and the ne'er-do-well who go to prison, and you should make them work.

10,398. You would deprive them of the privilege of having food from outside?—Yes; I think that a man who, under any circumstances, gets into prison should have the prison food. You must get rid of that anomaly.

10,399. (*Chairman.*) Would you concentrate them in particular prisons?—It is a great expense. The administrative difficulty of concentrating is, under the Secretary of State's ruling, that you must not take people away from their relatives. It cannot apply to all convicted prisoners, because I cannot send a man from London to Birmingham or Stafford, because they will say the next day, "Send me back to Stafford, so that I may see my wife."

10,400. (*Sir J. E. Dorington.*) When did the Home Secretary give that ruling?—It was Mr. Secretary Cross; it is not a rule on paper.

10,401. Is that one of the difficulties of removing three months' prisoners from Newcastle to somewhere else?—If they petition to be re-transferred, we have to give way to them; and, as far as debtors are concerned, that applies with more force, because they are entitled to more visits.

10,402. (*Chairman.*) Then there is the case of the unconvicted prisoners, are you satisfied with that?—Well, I have been told by one of my prison doctors that after being on No. 3 diet, which is the unconvicted diet, for a month or three weeks, they go on after conviction and get No. 1 diet, and he says that he has observed evils arising from that.

10,403. In the case of unconvicted prisoners, if they happen to have money, they can get better treatment?—That is true.

10,404. If they have not any money they are under the ordinary rules, and prison food is provided for them?—Yes.

10,405. That gives an advantage to the man with the money?—Undoubtedly.

10,406. It is a wrong principle?—Yes.

10,407. It acts unequally between the man who is well off and the poor man?—There is no doubt about it in those particulars.

10,408. (*Mr. O'Connor.*) But any one of those men may be a perfectly innocent man?—Quite so, and he presumably is.

10,409. (*Sir A. West.*) Do you know what the proportion is of men who are sent to gaol, and on trial, are acquitted?—I cannot give you that.

10,410. I am told it is about 25 per cent.?—(*Secretary.*) It can be obtained.

10,411. (*Mr. O'Connor.*) But the diet of an unconvicted prisoner is not so good as the diet of a

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convicted prisoner?—Yes, he gets No. 3 (b), and that is a good deal better than the first class for convicted prisoners.

10,412. We had it in evidence from more than one that the dietary of a man under remand was even worse than the diet he afterwards got if he was convicted. An ex-prisoner told us he suffered from the dietary when he was only under charge?—The diet of a man under sentence of simple imprisonment is worse than that of a man who is under hard labour.

The witness withdrew.

Mr. ROBERT SIDNEY MITFORD called and examined.

Mr. R. S. Mitford.

10,415. (*Chairman.*) You are one of the Commissioners of Prisons?—Yes, I was appointed a Commissioner of local prisons in 1882, and a director of convict prisons in 1892.

10,414. Were you in the prison service before that?—No. I had had 14 years previous service in the Home Office, chiefly as private secretary to successive Secretaries of State.

10,415. It has been brought to the notice of the Committee in connection with the Wormwood Scrubs outbreak of 1891 that there was a certain series of sentences passed on a prisoner "H. E." On the 19th December the visiting justices sentenced him to 10 days No. 2 punishment diet in a punishment cell, to commence at the end of the present punishment; that was a sentence of 14 days. Then 42 days punishment cell on No. 3 diet, crank labour, and to be treated as a prison breaker?—Yes, that was so.

10,416. Under what authority was that sentence passed?—Part of the sentence, I must tell you, was illegal, that is to say, the 42 days in the punishment cell was illegal.

10,417. To begin with, was the 10 days upon the 14 days illegal?—No, that was legal.

10,418. The 14 days had not expired?—The 14 days had not expired, but there were two separate sentences for two separate offences.

10,419. Then may visiting justices for different offences sentence to an indeterminate length of time in a punishment cell?—No, clearly not; 14 days is the limit in a punishment cell.

10,420. For any one offence?—For any one offence. That he got on the 11th December 1891. That was the previous sentence—14 days in a punishment cell on No. 1 punishment diet. The second sentence, which was for a distinct offence, was 10 days in a punishment cell on No. 2 diet.

10,421. How long under those sentences would "H. E." have been in a punishment cell?—He would be 24 days in a punishment cell, but not on No. 1 diet.

10,422. How long would he have been on No. 1 diet?—For 14 days during the first sentence, but he would not get 14 consecutive days on No. 1 diet. He would not get the same diet every day. There is an interval of 3 days No. 1 followed by 3 days No. 2, or whatever the diet may be. It is a stirabout diet, and then it has to be followed again by 3 days No. 1. They go alternately.

10,423. So that the No. 1 diet should not run for more than 3 days together?—Yes, not more than that at a time.

10,424. But it would be 24 days in the punishment cell consecutively?—Yes.

10,425. But the Act provides that visiting justices should not give more than 14 days?—For one offence, but there were two distinct offences.

10,426. Should not you say that the intention of the Act was to provide that the severity of the punishment should be limited by the 14 days, and that it was not intended that there should be other sentences added on for other offences which would make a punishment run to a longer time?—Possibly; but it has always been considered that for distinct offences he might remain in the same cells, but he did not remain on the same diet.

10,427. Apart from the particular point I raised, according to the interpretation of the Act of 1877 that sentence was legal?—Yes.

10,428. Then we will come to the 42 days. That sentence was given on December the 19th?—It was.

10,429. When was "H. E." moved to Wandsworth?—On the 28th of December.

10,430. When he got to Wandsworth was he put into a punishment cell?—Yes, certainly.

10,431. How long did he stay there?—Perhaps you will allow me to read a statement to make it plain to you.

10,432. (*Mr. O'Connor.*) Was the first sentence at an end by the 25th of December?—Yes, that expired on the 25th. At Wormwood Scrubs he had done two days of the second sentence. The prisoner "H. E." was sentenced on the 11th December 1891 by the visiting committee to 14 days in a punishment cell on No. 1 punishment diet. On the 19th December 1891 he was again sentenced by the visiting committee to 10 days in a punishment cell on No. 2 punishment diet, to commence at the end of the first sentence, and to 42 days in a punishment cell on No. 3 diet at crank labour, and to be treated as a prison breaker. The first sentence would expire on the 25th of December, and the fresh sentence would begin. They were two distinct sentences. The prisoner was removed to Wandsworth on the 28th December, so that he did but two days of his second sentence at Wormwood Scrubs. On the 29th of December, the day he was received at Wandsworth, the governor of that prison referred to the Prison Commissioners as to the legality of 42 days in a punishment cell.

10,433. That was on the very day he got to Wandsworth?—Yes, it was on that very day. The Commissioner replied, "You must act upon the "Statute. The term of 14 days in a punishment cell "cannot be exceeded. The remainder of the term "ordered, if any, should be passed in an ordinary "or separate cell," and the Commissioner thereby told the governor not to carry out what was not legal, and had been awarded, evidently, in error.

10,434. (*Chairman.*) Was that decision conveyed to the visiting justices who had inflicted the sentence?—No, I believe not.

10,435. Were they left in the same state of ignorance as they seem to have been in when they inflicted it?—As far as I know, but I was not the Commissioner who dealt with that particular case, and I was not dealing with that prisoner at that time.

10,436. Who would have been present when that sentence was inflicted?—No doubt the governor or the deputy governor, or whoever was in charge.

10,437. But the governor must have known that that sentence was illegal?—It is possible, but still he would not, necessarily. I mean he had no control over the visiting committee. If he saw it he might speak to one of them and point it out.

10,438. But the Act is so framed in limiting that kind of punishment to 14 days that his sentence of 42 days surely must have struck upon any accustomed ear as very strange indeed, when the sentence was being pronounced by the visiting justices?—I do not think the practice is for them always to announce it. The sentences are written down. I am not sure that the justices always announce the sentence to the prisoner, but I am unable to speak positively as to the practice.

10,439. Then it would look very strange surely when you saw it on paper?—Yes, certainly; if the governor had noticed it he would probably have referred it, as the governor of Wandsworth did, direct to the Commissioners, for instructions.

10,440. Do you imagine that such a thing has ever been done before, as to inflict an illegal punishment of that kind?—I am not aware of it; I have never heard of such a case. I believe, as a rule, the magistrates know their own powers pretty well.

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10,441. Who were the visiting justices on that occasion?—That I am unable to say.

10,442. Perhaps you could find out their names for the Committee?—Yes, I will do so.

10,443. You think that the particular sentence was accidental?—I think it was purely accidental—the insertion of "42 days' punishment cell" must have been purely accidental, I think.

10,444. Of course, the condition of Wormwood Scrubs prison at the time was in a sense unsettled, in the way that the then governor had only just come in, and, in fact, at the end of the month he was made inspector of prisons, so that things were in a state of transition?—That was so.

10,445. And there was some serious question arising as to the discipline of the prison?—Yes.

10,446. And it is conceivable that that may have been the cause of that particular sentence escaping his eye?—It is possible.

10,447. Do you think that this power of inflicting punishment and giving so many days in a punishment cell for different offences without any limit to the time is satisfactory?—The time is limited.

10,448. For the particular offences?—Repeated offences, do you mean?

10,449. But if it is on different occasions, I understand from you he can, under the Act, be given 28 days, or it might be 42 days if there were three offences proved?—Yes, it might be; but then he does not get No. 1 punishment diet. The punishment is hardly so severe as it looks, because he can only have No. 1 punishment diet for 14 days. The 42 days carried No. 2 diet, and if it were a longer period it would carry No. 3 diet.

10,450. But still these cells are partially darkened?—They are partially darkened, but very little.

10,451. And no books are allowed to the prisoner?—No books are allowed in a punishment cell.

10,452. It is a very severe punishment; there is no work?—There is no work in a punishment cell.

10,453. It means that it is a very severe punishment?—Well, it is severe because it is low diet, and he is kept by himself.

10,454. Does a prisoner in a punishment cell get any exercise?—Yes, he would not be kept all that time without exercise. He would get his exercise. We should not keep him in a punishment cell for 42 days without exercise. The medical officer would not allow it.

10,455. In 14 days would he get his exercise?—Certainly, I believe so.

10,456. Still, it seems contemplated by the wording of the Act that the sentence is of such a severe nature that it must be limited to 14 days?—Yes, no doubt, on account of the low diet.

10,457. Do you think it is advisable that a prisoner, even a man who commits serious offences against prison discipline, should be liable to cumulative punishment and long detention in a punishment cell with the penalties which such a cell entails?—Well, I think you must have some means of punishing him if he continues to repeat his offences. It is difficult to see what else can be done with him.

10,458. Do you approve of the No. 1 diet as a punishment?—As a punishment; yes.

10,459. Have you considered whether any fuller classification of prisoners ought to be made?—I think it is essential that juveniles should be kept apart from other prisoners.

10,460. Do you agree with the Committee's Report with regard to habitual inebriates?—Yes, I certainly think so. I think as a general principle that you should classify as much as you can.

10,461. Would you classify habitual criminals?—Yes, I would keep them apart, if we had the means to do it.

10,462. Do you think it would be an advantage to treat epileptic and weak-minded prisoners as a separate class to be put in a separate prison hospital?—Certainly, if you have the means of doing it, in all cases it would be well to classify.

10,463. But at present you get in various prisons a few of those epileptics and obviously weak-minded prisoners who are kept together?—Yes.

10,464. Now, as a rule, the medical officers have not had any special training in lunacy cases, and although they are perfectly adequate for the ordinary discharge of their duties, they are not skilled in the special treatment of such cases?—They are not specialists in mental or lunacy cases.

10,465. Would it be advisable that such cases as require the treatment of a specialist should be concentrated where they could be under the best medical observation?—Yes, I think it would be a very good thing; I quite agree as to that.

10,466. Do you think that the prison staff is adequate for its duties?—Yes, I think it is; it has been recently increased, and I am bound to say that at present I think it is adequate.

10,467. Do you think the women warders are sufficiently numerous? Well, I have never heard any complaints from them about being overworked. I see that is mentioned in the schedule, but I have no reason to believe that they are overworked; I have never heard of it

10,468. Would you say that as women prisoners require more special observation and more independent treatment, that that is rather an argument for giving a larger proportion of strength to the women warders than to the men?—I am not sure that that would hold good everywhere.

10,469. I am speaking now of where there are a large number of female prisoners?—Yes, I have no doubt that a large number of female prisoners give more trouble to officers who are having to look after them than a large number of men, but I have never had reason to suppose that the staff was not adequate to perform its duties.

10,470. Should you approve of the proposal to establish training prisons for warders and discipline officers generally?—Yes, certainly; I think that it would be a very good thing if you had certain selected prisons throughout the country taking a certain group where you could have a reserve of officers and keep them in training, and fill up your appointments from those men as they came on.

10,471. Do you think that the present system of putting chief warders to be warders in charge is satisfactory?—No, I do not like the system; I think we have too many of them now.

10,472. Would you make them all governors or deputy governors?—The present chief warders, do you mean?

10,473. Yes, those who are in charge. Would you alter their classification?—I should not object to seeing them called fifth class governors, the lowest class governors, if they like it; but I would not appoint any more of them at present.

10,474. You think they are not adequate for the discharge of the duties?—It is not altogether that. Some are better than others. But, I think, at the head of a prison it is better to have a man of more education, especially when a chief warder has the doctor and the chaplain under his orders, which is rather an anomaly, I think. I should prefer to see prisons with a population of up to 50 made prisons for chief warders in charge, instead of up to 100.

10,475. In the case of convicts about to be discharged, do they have any special food?—No, I believe not.

10,476. They go on with their prison diet until the day of discharge?—Yes.

10,477. Would you think it was advisable to give them rather more food before discharge?—Well, that seems to me to be a medical question. If the prisoner before discharge is considered by the doctor to be needing any more to fit him for work, he would immediately order it. It is more a question which is in the doctor's hands.

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10,478. Does not the prisoner get into a more excitable state, and would not it be better, as a general principle, to feed him up before he goes out, to break the contrast which must take place in many cases?—I do not know that it would be; I do not think there is anything in that really. I never heard any complaints about it on the part of prisoners afterwards.

10,479. Do you think it would be dangerous to allow convicts to speak to each other for a certain time during the day?—I think it would have a very bad effect on discipline.

10,480. Supposing there was rather a careful classification, and that prisoners who were well behaved and a better class of prisoners, were allowed to speak for an hour, would there be any danger likely to arise from that?—I am afraid there would be. You could not trust them; it might lead to all sorts of trouble.

10,481. But they can speak, as a matter of fact?—They do speak, as a matter of fact.

10,482. Then does trouble arise from that?—They get reported for it sometimes; but there is no objection to a prisoner speaking to an officer about his work. It depends on what he says.

10,483. But a man who is in for 10 years is not according to the rules allowed to speak to anybody except to the prison officials, or when he receives a visitor?—Yes, that is so.

10,484. What danger would there be from allowing him under proper supervision, and after he has earned the privilege by good conduct, to talk as women convicts talk in convict prisons?—The danger of using filthy language and talking in the way that they do. I am afraid that does goes on.

10,485. But I am assuming that those prisoners would be well-conducted men who had earned the privilege by good conduct, and who would not therefore be likely to use filthy language, which would involve a loss of remission?—Well, I think it would be difficult to trust them. I believe that in the old days they used to talk, but that was stopped in consequence of the Report of the Royal Commission which Lord Kimberley presided over.

10,486. Then they were all allowed to talk promiscuously?—On Sundays.

10,487. But promiscuously?—Yes; I suppose it was so. Without being classified you mean?

10,488. What I had in my mind was, that after you had had these convicts under observation for a certain amount of time, the prison officials would come to know what kind of men they were, and they would also know how they had behaved, and an hour's conversation would be a premium on good behaviour?—Yes.

10,489. I want to know what mischief could arise. Surely if they were going to organise a conspiracy they could organise it without this open talk by means of communicating with each other while at work easy enough?—They might, certainly.

10,490. No further danger could arise, then, on that score. Would any other danger arise?—If you could trust your prisoners, I do not think there would be any harm in it, but I think it would be a dangerous experiment in the interest of the discipline of the prisons.

10,491. After all, is not the great object to humanize the prisoners and make them more like rational men?—Yes.

10,492. Is it likely that condemning them to silence is altogether a natural system, calculated to reform them?—Certainly it is a hard system; it is a serious punishment to a prisoner to be condemned to silence.

10,493. Is not it an unnatural existence?—It certainly is; but so is all prison life, I suppose, more or less.

10,494. It is a further unnatural condition in a necessarily unnatural life?—As a matter of fact they do speak, and they do talk, and they are not always punished for it. Many a man is cautioned if he is seen on the works talking to another prisoner, but he is not reported at once. He is constantly checked by the warder and he may be admonished by the governor.

10,495. Would the permission to talk help prison discipline by removing one of the most obvious incentives to breaking the rules?—I do not think it would unless you could absolutely trust a prisoner.

10,496. But I have been trying to ascertain what danger there would be. Assuming you could not trust the prisoners in a matter of honesty and so forth, I am trying to see what danger there would be in allowing them to talk, and even assuming they were not trustworthy, what mischief could arise?—They might make any nefarious arrangements which might lead to an outbreak, or anything of that kind, or to contamination.

10,497. But, as you say, they can hardly do that?—Not nearly to the same extent as if they were allowed to talk.

10,498. Then the men who were arranging an outbreak, or some sort of conspiracy against the authorities, would be the worst class of men, who would be known to the prison officials, and that class could be kept apart?—I think the difficulty now would be to classify them like that to carry it out.

10,499. However, you do not think that anything could be done?—I do not see my way to doing that at present, because I think further classification of convicts is difficult.

10,500. Now, with regard to Prisoners Aid Societies, do you see any objection to allowing a prisoner before discharge, both in local and in convict prisons, to have a list of all societies willing and able to help prisoners. Of course I mean *bonâ fide* societies, and permission given him to choose one?—I see no objection to that whatever.

10,501. And, further, that if he elects to be helped, or to ask for the assistance of any particular society, that he should see the accredited agent in prison before discharge?—Yes, I think he might do that.

10,502. You see no objection to that?—Certainly not.

10,503. Do you think that unconvicted prisoners are treated satisfactorily now?—I think they are; as far as we can do anything for them in prison, I think they are.

10,504. At the same time the poorer men, who cannot pay for any extra comforts, are in a much worse condition than the man who can pay?—Certainly in the matter of diet they would be.

10,505. But, as a matter of fact, they ought to be treated exactly equally?—I suppose they would be worse off outside in the same way. Probably in very many cases the diet they get inside the prison would be better than the diet they would get at home.

10,506. A poor man might be perfectly comfortable at home with his small and humble comforts, but not having money to buy them in prison he might be put to very considerable hardship while he was there?—His friends can send food into him while he was there. His wife or his friends can do that.

10,507. But it is possible he may have no friends?—Yes.

10,508. Does not the Act say that regard shall be had to his safe custody, and that due regard having been given to that, he shall be treated with as much consideration as possible?—Yes.

10,509. Is he treated with any more consideration, except a little diet, than the ordinary prisoners have?—He gets everything that he can under the prison rules.

10,510. Yes; I am rather wondering whether the prison rules are quite as they should be?—We are quite open to any improvement of them.

10,511. Is it your opinion that the treatment is sufficient and satisfactory for unconvicted prisoners, who may or may not be innocent?—That is a difficult matter to answer; because you must have regard to the different stations of life and the different circumstances of the different prisoners who come in.

10,512. Surely if you do that you must have regard to the different circumstances and stations of all

prisoners?—In considering the treatment, when they first come in, they are all supposed to be innocent men.

10,513. Quite so?—But at present they have the power to buy food or to have it sent in for them by their friends. If they can do neither one nor the other they have to submit to taking the prison food.

10,514. I will take a case of a working man with 25*s.* a week, who is charged with crime and who is remanded. In the eye of the law that man is innocent, but he may be living away from home, and he may be earning no money at the time. He may have, and probably has, lost his earning capacity; he may have no resources and no possibility of buying anything. He is cut off from his tobacco, he is cut off from his beer, and he is cut off his meat to a large extent, and he is reduced practically to this prison diet?—Yes.

10,515. But a man who is of independent means can send out and buy anything he likes?—I should have no objection to seeing the diet improved in these cases.

10,516. But do you think that the present system is fair and equal?—Certainly it is. It cannot be equal exactly, of course.

10,517. As between a rich man and a poor man?—No, certainly not.

10,518. There are one or two questions I should like to ask arising out of the local prison code. How often is inquiry made upon oath in connexion with prison discipline?—In the local prisons, do you mean?

10,519. We will take either one or the other?—I do not quite understand your meaning.

10,520. What is the rule governing inquiries upon oath? When are inquiries held?—In inquiring into prison officials or prison offences?

10,521. Where prisoners are concerned, either when they charge a warder with improper conduct or when they are charged with a breach of discipline?—The visiting committees do that in local prisons. In the case of the convict prisons a director would do it, if the prisoner has committed a sufficiently serious offence to be put back and remanded for trial.

10,522. Then are all the directors' inquiries upon oath?—Certainly; the director has the full powers of a magistrate in the convict prisons, in the same way as the Commissioners would have in the local prisons.

10,523. Then all his inquiries are on oath?—All trials of prisoners for offences are certainly on oath.

10,524. And it is the same with the visiting justices?—Yes; they relieve us of trying prisoners in the local prisons.

10,525. Then are all the witnesses sworn?—Yes.

10,526. The prisoners would be sworn?—If necessary.

10,527. But in an inquiry upon oath when other prisoners are called, would not the prisoners be sworn?—The prisoner witnesses?

10,528. Yes?—Certainly, if the prisoner wished to call them as witnesses.

10,529. Is the prisoner himself sworn?—*No*; the warder witnesses are sworn. I have never yet had a case where a prisoner has called a prisoner as a witness when he has been brought up for a serious assault. I was appointed a director in 1892, and I have never yet had a case where a prisoner called a prisoner witness.

10,530. But supposing a prisoner makes a charge against a warder, and that offence is heard by the director, would that prisoner be sworn *before* making his statement?—Not necessarily; it would depend upon the director's discretion. He might be able to settle it without doing that, if it were a mere charge; but where a prisoner might be sworn is in cases of trial by the director for a serious offence. The governor would settle the other punishments.

10,531. Are all prisoners examined by the surgeon before discharge?—Yes, always before discharge.

10,532. Every prisoner?—Yes, every man is examined before discharge.

10,533. Have you ever found any difficulty in connexion with the religious instruction of the prison? Have you heard of any application from the representatives of different religious bodies claiming that they have a right of access to the prisons other than the Established Church or the Roman Catholic community?—I never heard of anyone claiming as of right to have free access to prisons.

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10,534. Well, not as a right?—We often have applications from a certain minister not of the Established Church to visit a certain prisoner belonging to his persuasion, and in that case we should allow it.

10,535. But no representation has ever been made to you, or, as far as you know, to the other Commissioners, asking that access should be given to those representatives of religious bodies?—No, I have no recollection of it.

10,536. As a matter of fact all chaplains and assistant chaplains belong either to the Roman Catholic Church or to the Established Church?—Yes.

10,537. Are you satisfied with the present system of secular instruction?—I believe it works very well.

10,538. As regards the results, do you think they are satisfactory on the whole?—I think so; I have no reason to suppose that they are not.

10,539. Is it the fact that in most prisons the education is limited to the third standard?—I believe it is.

10,540. That is the general rule?—I believe it is, but I cannot speak positively.

10,541. With regard to prisoners who are sentenced to four months or less, would they be taught?—No.

10,542. Not at all?—Not under four months. My impression is that it is not under three months, but I can verify that.

10,543. But is that satisfactory?—No, I do not think it is altogether, but it was the result of a Committee which was appointed in the early days of the Commission to make recommendations on the subject of the education of prisoners, and I believe it was thought that less than that time really did very little good to uneducated prisoners; and therefore the limit was laid down as four months.

10,544. Are you in favour of teaching in classes, or do you prefer the cellular system?—I do not see any objection to teaching in classes, if there is proper supervision exercised by the schoolmaster.

10,545. Of course it saves time?—Well, it saves the visit from cell to cell. I daresay, in a cellular system, the prisoner gets more individual attention from the schoolmaster than he would in a class.

10,546. Do you think more might be done in the way of organising prison labour?—We should be very glad to obtain more labour, if we could get it.

10,547. Would it be an advantage to make a director or some official immediately responsible for the organisation and supervision of all the prison labour in the country?—We all do that now. Do you mean to concentrate the labour?

10,548. What I mean is to concentrate the labour according to requirements as between convict prisons and local prisons?—Yes, that we do now. We distribute the labour to the best of our ability.

10,549. But is it done satisfactorily?—No, I do not think it is altogether satisfactorily done; but one of our greatest difficulties is to get labour. We want to get labour.

10,550. But even with the labour at your disposal, is it divided up as economically and to the best advantage that it could be?—I think it is divided as well as we could possibly do it now, with the labour and materials we have, but labour in prisons is very apt to vary.

10,551. A case was brought to us the other day of the removal of coal sack making from Lewes Prison, and the transferrence of that industry to convict prisons, and it was pointed out that in convict prisons they have outdoor labour and plenty of labour, or at least much less difficulty than local prisons, in getting labour?—Yes.

10,552. And that since that was taken away it has been found very difficult to get something to take its place?—That is our chief difficulty; if one labour goes we cannot find a substitute.

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10,553. Why was it taken from the local prison where it was suitable, and sent to the convict prison where it was not?—I am not aware what the reason was in the particular case you mention, but it may be that the local prison was unable to complete them for delivery by the time they were wanted, and therefore they had to be sent away.

10,554. Do not you think it would be advisable to make a particular official responsible for the supervision of this work, rather than to leave it generally to the directors and Commissioners?—Yes, I think you might put it in the hands of one man very well, but I do not see that very much advantage would be gained by it, because it comes on all the Commissioners now.

10,555. What prisons do you visit generally? Which of them come into your work?—The local prisons I take are all those in the north of England; and for convict prisons, I am now taking Portland, Borstal, and Dover.

10,556. I think Mr. Ruggles-Brise told us that the board meetings were held once or twice a year; is that about the number?—I am afraid they are not held very often.

10,557. Then do you have your own special work?—Yes, we each take a district, and each take a certain number of convict prisons. If one of us is away, the other takes his work for him.

10,558. Then if you have any particular difficulty you refer it to the Chief Commissioner?—Certainly; we write a minute, and if we think it necessary to refer it to the chairman, we pass it on to him.

10,559. What are the occasions when board meetings are held?—Well, they have chiefly been held about appointments, recommendations for promotion, and new appointments, and then at the meetings anything else may be discussed that it may be thought needs discussion.

10,560. But general questions of prison administration are not considered, as a rule, at board meetings or collectively by the Commissioners and Directors?—Well, they may be, but they are not always necessarily discussed by the board.

10,561. (*Sir Algernon West.*) I should like to know a little more about the constitution and duties of your board. We have been told that in the letters of appointment your duties and position are identical with that of the chairman of the Commissioners?—Yes.

10,562. And that the chairman, for the sake of convenience, is appointed separately by the Secretary of State?—Yes.

10,563. But this board, practically, does not meet?—Not very often.

10,564. It is a casual meeting, there is no fixed time for it?—No, there is not.

10,565. May any of the Commissioners summon a board meeting?—Certainly. We may always ask for a board meeting at any time.

10,566. Do you always get it if you apply for a board?—I have never applied for a board.

10,567. You do not recollect any instance in which the Commissioners have said it is time to have a board?—No.

10,568. Would you tell the Committee who is responsible for the expenditure of the board?—The chairman, as accounting officer.

10,569. As accounting officer he does not consult his board as to expenditure?—No, that is a matter he is responsible for.

10,570. He has the sole responsibility?—Yes.

10,571. That is because it has fallen to him in practice. There is nothing specially laid down in his appointment or regulations, is there?—He is the accounting officer.

10,572. There is an accounting officer in each office, but he is not necessarily the man in authority. I think he must have all the experience of the other officers; but the accounting officer is not a high officer who says this or that shall be done?—No.

10,573. But in this case your chairman is not only a director and commissioner, but he is first accounting officer in all matters of expenditure?—Yes.

10,574. Supposing a new prison is built, do you consider your chairman is responsible for the policy of building another prison. Supposing another prison has to be built somewhere in London, would you be consulted first of all as to the necessity for that prison?—Not necessarily; but he probably would do so, because it would affect one of our districts.

10,575. For instance, was the building of Wormwood Scrubs, in place of other prisons, a matter which was discussed by the board?—That I am unable to say; I was not on the board when the building was being discussed.

10,576. Have you, since you have been on the board, had a new prison either built or enlarged?—No, we have never built a new prison.

10,577. Or shut up one?—Yes, we have shut up several.

10,578. Has that been a question which has been considered and discussed at the board?—Not necessarily at the board; but it might pass in conversation between the chairman and the commissioner of the district.

10,579. But I want to know whether the matter is discussed by the board, as a board, in those cases; for instance, in your time Liverpool has been shut up?—Kirkdale has.

10,580. Yes, Kirkdale has been shut up, and Strangeways has been opened?—No. Kirkdale was shut up, and Strangeways, and Liverpool, made to receive the prisoners.

10,581. Were Kirkdale and Strangeways both existing simultaneously?—Yes.

10,582. And Kirkdale was shut up?—Yes. There was also the Manchester City prison, which was closed.

10,583. Was that discussed at the board?—I had not that district; but I do not think it was.

10,584. That prison was in a state of collapse, I understand?—Yes; Manchester was in a state of collapse.

10,585. I think we have been told how prison appointments are made; what is the lowest class of official? Is it the prison clerk?—It is the assistant warder or messenger, or night watchman.

10,586. Will you tell the Committee how these appointments are made?—These are made entirely by our chairman and the staff department.

10,587. The staff department means, I understand, one specially allocated clerk?—Yes; he has clerks under him, and there are clerks specially attached to him.

10,588. Is he the head of a department, or is he a confidential clerk to the chairman?—He is clerk in charge of the staff department, and is selected to be private secretary for the chairman.

10,589. Are the two necessarily identical?—No.

10,590. I mean to say, the head of the staff department is not necessarily the man that is in the position of the present private clerk?—No.

10,591. What is his seniority in the office with reference to other officers in the Prisons Department?—He is one of the senior clerks.

10,592. Then I understand that whenever there is a governor appointed there is a board meeting for it?—Yes.

10,593. And also for a deputy governor?—Yes, for promotion as well.

10,594. But other appointments are made by the chairman and the staff department?—Yes.

10,595. Then do you ever work as a committee; does the chairman ever say, "I should like the commissioners to meet and discuss something"?—No.

10,596. He deals with you as if you had a distinct district, and were a distinct commissioner?—Yes, he does.

10,597. Will you just tell us about the duties of inspectors; are they dealt with in the same way? Do they report to the commissioners or to the board?—They would report to the commissioners.

10,598. And an inspector of the northern division would report to you?—Yes.

10,599. And therefore the commissioner who looks after the southern division knows nothing whatever about the reports of the inspector of the northern division?—No.

10,600. Having reported to you, do they go up to the chairman with remarks?—No, we should settle it, and decide what was to be done, unless it were thought necessary or desirable to refer to him.

10,601. Is your secretary the secretary of the chairman or commissioners, separately or of the joint board?—Of the joint board.

10,602. Would any communications received by him necessarily be sent up to the commissioners?—Not necessarily, but probably. No doubt they would go to the commissioner who took the prison to which they referred.

10,603. Would any communication about prison discipline be made to the Secretary of State without its being made known to the board. I will give you an instance of what I mean. The other day we had the evidence of Mr. Wheatley, who told us that he had received a communication, which he handed in, telling him he must not go inside the prison; would that necessarily be passed to and be considered by your board before it was issued by the department?—No, I saw it after it had been done.

10,604. That was written by the order of the Secretary of State in the Home Office?—It was.

10,605. Of course it would be communicated?—It was communicated.

10,606. After it was done?—Yes.

10,607. That is to say it did not go up to the Secretary of State, and on that he gave his order?—No, I saw the letter from the Secretary of State giving his decision about it, and it was circulated to the Commissioners after it was seen by the chairman, and dealt with.

10,608. In a case of that kind who would put the Secretary of State in motion, because of course he would not personally know that there was some abuse creeping in?—The chairman is appointed for the purpose of being the medium of communication between the Commissioners and the Secretary of State.

10,609. Then I suppose that that order really emanated from your chairman, that it goes to the Secretary of State who, through his under secretary, deals with it, and that then it is sent to the Commissioners for their information?—Yes, that would be it.

10,610. The inspector in the north would report to the Commissioners of the northern department, and the inspectors of the southern to the southern department, and so on. Supposing a Commissioner had a matter of grave importance to report, who would he report it to?—If it were such an important matter that it must come before him, we should send it on to the chairman. The Commissioner would use a discretion whether he could deal with it himself, or whether he would consider it sufficiently serious to send it to the chairman.

10,611. Are you satisfied with the system of inspection as it exists?—I think they might very often change districts.

10,612. Are they fully occupied?—They have a great deal of travelling.

10,613. Do you think it at all degenerates into a routine inspection?—I am not prepared to say it is a routine inspection, but I think where you have men travelling the same round for a considerable period, they are apt to see things done in the same way, whereas another inspector would, perhaps, see things in a different light.

10,614. In a visit to a prison have you found certain things, for instance, take the exercise drill for fire engines, have you found that kind of thing had not been done and should you call the inspector to task for it, or should you call the governor to task for it?—If I were at the prison, I should speak to the governor about anything I saw there or I should enter a minute in the Commissioner's and inspector's note-book. I should also take the opportunity when I came back here of meeting the inspector and telling him what I had found.

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10,615. Have you any observations to make about the system of appointing chaplains?—I have no special views about their appointment.

10,616. I do not mean about their appointment but about their duties; do you think it is a good system for one chaplain to be appointed to one jail and to go on that round of duties?—Well, it is rather difficult to answer that. I do not see what else you could do very well; in many prisons we have a chaplain who takes duty in the town, and who is not giving his whole time to the prison.

10,617. You have chaplains who also take duty in the town where they are located?—Yes, we have many who are not appointed to give their whole time to the service.

10,618. That would be a better way of doing it, would it not?—I do not know that. What I mean is that they are not appointed to give their whole time to the prison service.

10,619. Supposing classification took place and inebriates or habitual drunkards were separated from prisoners, and supposing the age of juveniles were raised, and supposing paralytic, epileptic, and half-witted prisoners were separated, I want you to give the committee what would be the balance of prisoners remaining?—I will make a note of it and let you know.*

10,620. Would you be in favour of having any intermediate place of detention which was half-way between a prison and absolute liberty for prisoners?—Yes, I think it would be a very good thing.

10,621. You think it might be a practical thing?—Yes, I think it might be carried out.

10,622. Then do you think it very desirable, with all these women prisoners and convicts throughout the country, that there should be a lady inspector to visit them?—I do not know that that is a necessity.

10,623. Therefore you are not in favour of it, I may take it?—I do not think it is required.

10,624. There is one thing I think you would like to alter in your original evidence. Prisoners in punishment cells do not have exercise unless it is specially ordered by the doctor?—Yes, I am obliged to you for letting me make the correction.

10,625. (*Mr. De Rutzen.*) Do you and the other Commissioners draw up the report together, or how is the report drawn up?—The report has always been drafted by the chairman.

10,626. And practically drawn up by the chairman and signed by the Commissioners?—We have sometimes had a Board and considered the report.

10,627. Is there a Board always held to consider the report?—Not always.

10,628. Was there one for the last one?—No, there was not one for the last one.

10,629. I see that in the last report a good deal is said with reference to the practice of committing prisoners who were supposed to be lunatics to be kept under observation, as being a very bad practice and one which ought to be put a stop to; have you any suggestion to make as to how that could be got rid of in any way?—I do not see how it can be avoided under present circumstances. These people are charged with an offence, and I do not think the magistrate would have any option but to remand them to prison.

10,630. Then, practically, you do not agree with the observation in the report upon that?—May I ask what is the observation in the report?

10,631. "The practice of committing persons who "are supposed to be lunatic to a prison, to be put "under observation, has been a great deal too common, "and, as we venture to think, unjustifiable. Would "you agree with that"?—I agree that it is not desirable to commit lunatics to prison, but at presen

* *See* Appendix III.

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they have nowhere else to send them because they are charged with offences against the law.

10,632. You do not go so far as to say that it is unjustifiable?—No.

10,633. With reference to the visiting committee, what is your view with reference to the duties which are deputed to the visiting committee? Do you think that they are performed, or that in many places the visiting committee do not attend at the prisons as they might do?—As a general rule, I believe, they do attend to their duties very well.

10,634. And attend regularly?—Yes.

10,635. One of the rules, with reference to the visiting committee, is that they shall co-operate with the Commissioners in promoting the efficiency of the service?—Yes.

10,636. Have you Commissioners ever given them a chance, so far as you know, to help them to promote the efficiency of the service by making appointments to meet them, and talk with them over the matter of prison administration. If you look at the rule it says that they "shall co-operate with the Commissioners "in promoting the efficiency of the service"?—Yes, I am aware that that is the rule.

10,637. Have you Commissioners ever taken any steps by letting them know what day you are coming, and so on?—Certainly, I have myself. When I was first appointed a Commissioner I used to make a point of writing to the visiting committee beforehand to let them know.

10,638. Do you meet them?—Not always.

10,639. But they always have a chance given them?—They have not had the chance of late years; the custom has rather dropped.

10,640. How has it come about that that custom which you thought was a good one has been dropped now?—Well, I found in some cases that on that particular day when I visited no one came at all, and therefore I dropped it.

10,641. Do you think that their usefulness would be increased by giving them any increased power?—In dealing with prisoners do you mean?

10,642. Yes, and the appointment of some of the lower staff of warders, or anything of that sort?—I think they might have certain powers in dealing with prisoners, such as giving extra letters, and visits to convicted prisoners. I think their powers might be increased in that way, but I am not prepared to say that it would be desirable that they should have a hand in the appointment of the subordinate staff. I think it would be better to keep it as it is. At the same time I should say that any member of the visiting committee can now recommend any candidate that comes for an appointment, and that we should be very glad to have any recommendations of that kind.

10,643. Do you find that they do so?—In some instances they have.

10,644. When they attend, do they attend with a clerk. They have to keep a book and minutes of what takes place?—They keep their own minute book.

10,645. Do they attend with a clerk?—Yes, they have their own clerk.

10,646. Do they always have a clerk with them?—I am not able to say what they do always; but they have a clerk always at their meetings. I think for their monthly meetings they always have a clerk. In many cases there are one or two magistrates who would visit once a week only.

10,647. (*Mr. O'Connor.*) I suppose in the case of that man "H.E." who was punished at Wormwood Scrubs, and whose sentence you say was, in part, illegal, that if it had not been for the governor of Wandsworth your Commissioners would not have known anything about it?—I cannot say.

10,648. If that man had remained at Wormwood Scrubs and had completed the punishment which he had already begun there, and which apparently was illegal, there would have been nothing to have brought it to your notice?—No, not necessarily; but I think that probably the deputy Governor would have discovered it in time.

10,649. As a matter of fact, he it was who brought the matter before the visiting committee?—Yes.

10,650. He it was who recorded officially his punishment?—No, he would not record it officially, the committee would write the sentence down.

10,651. We have seen his initials. At any rate it was brought to his notice; so far his initials indicate notice. Are you prepared to say that that is the only case of illegal punishment which has occurred since you have been a Commissioner? It is the only record which has been brought before, us and it shows an illegal punishment?—I cannot say.

10,652. I should like to ascertain how the Commissioners protect themselves or their department against illegal punishments being inflicted?—First, we have the governor of the prison, and then we have the inspector, who visits the prison every month, and it is his duty to look over all the books and go through the punishment book; we have also the visiting Committee who, if they see anything wrong, would at once call attention to it. They would write either to us or to the Secretary of State.

10,653. But at any rate in this case your attention was not drawn to it until the man was removed to another prison?—That is so.

10,654. Were the Commissioners aware in the year 1891 and during the year 1891, that the state of Wormwood Scrubs prison was more or less unsatisfactory?—In the early part of 1891 I believe there was some little trouble with some of the local prisoners.

10,655. A little trouble more than usual?—At that time there was nothing in the nature of any combined outbreak.

10,656. Did the warders carry obedience in the exercise ground? Do you know that?—I am not able to say.

10,657. I learn from your report of 1890-91 that the convict prison at Wormwood Scrubs was then discontinued?—Yes.

10,658. And the convict staff was dispersed?—Yes.

10,659. You then brought in 37 men who had not been there before, apparently. Do you recollect how that body of 37 men was recruited?—I am afraid I am unable to say at this distance of time.

10,660. Can you say whether any or all of them were already in the service, or what proportion of those 37 men had been in the service before they went to Wormwood Scrubs?—I cannot speak offhand as to that.

10,661. Would you ascertain for me if it is true that 31 men out of the 37 were fresh men?—I will ascertain the fact.

10,662. Perhaps you could give us a statement of the services of the men who were in charge of that prison—of the disciplinary staff for the year 1891?—The whole of the subordinate staff for the year 1891.

10,663. Yes.—Yes, certainly.*

10,664. Do you know whether, taken as a body, the men were unexperienced?—No, I should say not. The older officers were, some of them, very good and experienced men.

10,665. But I am speaking of the 37. At any rate, you knew that there was something requiring special attention in that prison at that time?—No, our official attention was never called to anything of the sort. We heard this afterwards.

10,666. Were the Commissioners, as Commissioners, aware, during the course of the year 1891, that there was something in Wormwood Scrubs which was not altogether satisfactory?—No, that was not officially recorded.

10,667. Let me help your memory. There was a governor there, was there not?—Yes, Captain Kirkpatrick.

10,668. Yes, he was not in the best of health?—No, he was not.

10,669. He was absent?—His health broke down.

* *See* Appendix IX.

10,670. The staff was in part, at least, new?—That I am unable to say.

10,671. The prison was partly a convict prison and partly a local prison. It was a local prison, with convicts in one wing?—Yes.

10,672. Can you say why the Commissioners sent to so important a prison, under these circumstances, men who were not governors but only assistant governors?—The reason was that there was no one else to send. There was an emergency there in this way: the Governor (Captain Kirkpatrick) was taken ill on the 1st of August 1891, and went on sick leave, Colonel Garsia, the deputy governor taking charge. He, in turn, was obliged on the 18th of September of 1891, to have leave on medical grounds; on the 7th September Captain Kirkpatrick was reported to be unequal to remaining on duty, and the medical officer recommended an extension of his leave for four weeks, which was granted. Under those circumstances Captain Schuyler, who was the only deputy governor available, was ordered to take over the deputy charge of Wormwood Scrubs, in order to meet the emergency, which was not expected to last nearly as long as it did; and it was quite possible that Captain Kirkpatrick might have returned to duty at the end of his four weeks extension of leave.

10,673. My point is this, from an administrative point of view how was it that the Commissioners sent to that prison, which was so important a prison, and so serious a charge, a man who was below the rank of governor when there were many governors in the service?—For this reason, that in an emergency of that kind, if we wanted to send a man in charge at once we should naturally take the nearest available deputy governor; that is the ordinary thing to do in the service.

10,674. To place a prison like Wormwood Scrubs in charge of a deputy governor?—We knew of no reason why he should not be in charge of it for the time being.

10,675. (*Chairman.*) But is not it common practice, in the case of a prison like Liverpool and Strangeways, where there are 1,000 prisoners, that in the absence of the governor on sick leave, the prisoners are put in charge of a chief warder?—Yes, that is also quite an ordinary thing.

10,676. (*Mr. O'Connor.*) From an administrative point of view, however common it may be, do you think it is good or right?—I cannot see any objection to it when you have no reason to suppose he will not do it perfectly well. He had been in charge of Wandsworth for a period of three weeks.

10,677. Colonel Garsia had?—No, Captain Schuyler had.

10,678. It was Colonel Garsia who was only a deputy governor?—Yes.

10,679. You sent first one deputy governor and then another deputy governor, and you did not send a governor at all?—Captain Kirkpatrick was on sick leave.

10,680. You did not transfer a governor from a smaller prison to a larger?—No, we took the nearest available deputy governor. Colonel Garsia, I may tell you, was a man of long experience in the prison service.

10,681. A governor going away from a large prison may leave that prison in charge of a chief warder?—Yes, he may.

10,682. Have you seen the evidence which has already been taken before this Committee?—I have not seen the evidence latterly. I have seen the first part of it.

10,683. As an inspector or a commissioner, what would you say of a direction by the governor that a man shall not be allowed to go to chapel for the present, leaving it indefinite in that way. Do you consider that is regular?—I do not see why he should not. That means he would not go to chapel again until further orders.

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10,684. You consider that is not irregular?—I see nothing irregular in that.

10,685. Does not the Act of Parliament say that a man shall go to chapel?—But he may punish him if he misbehaves himself in chapel by prohibiting him from going to chapel.

10,686. (*Chairman.*) In that case, if a governor stopped him from going to chapel it would not be so much as a punishment as it would be in order to put it out of the power of a particular prisoner to misbehave in chapel. Would not that be the object of the prohibition?—Yes, it might be, clearly, either or both, if he had reason to believe he would give trouble in chapel.

10,687. (*Mr. O'Connor.*) Still it is not a recognised form of punishment to stop a man from going to chapel?—Not for any other offence than that of misbehaving in chapel.

10,688. My point was with regard to the terms of the sentence. You do not consider there is anything irregular in giving an indefinite order that a man is to be kept from going to chapel. I can understand it if you say it is to last for seven days or a fortnight, but I do not understand an indefinite order?—No, I do not see any harm in that.

10,689. Have you had any occasion to consider the amount of punishment given in the English prisons, as a whole, compared with the punishment in Irish prisons?—No.

10,690. According to your reports, I notice that with an average daily convict population of 3,674, your punishments are 9,069; that is to say, there are nearly three punishments for every prisoner of daily average. In Ireland there are 485 of daily average population, and the total punishments come to 439, that is to say, in Ireland there is not one punishment per man of the average daily population, or to put it in another way, your punishments in England are three to every one of the corresponding population in the Irish prisons?—The punishment numbers show this, that the same prisoner might be brought up several times.

10,691. That would occur in both countries?—Yes.

10,692. We are taking it for a whole year, and the punishments in a year for the whole population in English prisons are three times as numerous as they are in Ireland. How do you account for that?—I am unable to say anything on that.

10,693. I suppose the medical officers exercise a good deal of control over the punishments inflicted on prisoners?—Nobody is punished by dietary punishment or other means unless the doctor has certified that he is fit to bear the punishment.

10,694. In many cases the doctor does certify that a man is not fit for this, that, or the other punishment?—Certainly.

10,695. There would be many cases of flogging but for the medical officer?—No; flogging is very seldom resorted to now.

10,696. Have you looked at the number of floggings in the English prisons lately. Do you know what the number is?—I have not specially looked at them.

10,697. What is the number in the English convict prisons for this last year. I fancy you will find it on page 16, at any rate you have flogging in convict prisons?—Yes, it is an authorised punishment, and is resorted to when necessary.

10,698. Of prison punishments you had 39, according to that page?—Yes, but that would include not necessarily all with the cat-of-nine-tails.

10,699. No, but I suppose 39 corporal punishments does mean 39 corporal punishments?—Yes.

10,700. Do you know how many there were in local prisons?—Ninety-eight.

10,701. Then that will be 39 in the convict prisons and 98 in the local prisons?—Yes.

10,702. Can you tell me how many there are in the Irish convict prisons?—There are none.

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10,703. Will you tell me how many there are in the Irish local prisons?—There are none.

10,704. Can you account for the fact that there are three times as many punishments altogether inflicted upon prisoners in England in proportion to the population as there are in Ireland; and that there is so much flogging in the English prisons, whereas there is none at all in Ireland?—I cannot account for it.

10,705. Can you account for the fact that the death-rate in English prisons is twice as great as it is in the Irish prisons, whether convict or local?—I have not the slightest idea why it is so.

10,706. A very large number of the punishments are inflicted for talking?—A great many of them are; I would not say a large proportion.

10,707. Do you think that an irritating and rather trying rule is calculated to provoke breaches of it?—No, I do not think so.

10,708. Do you think yourself that talking is so serious an offence as to deserve punishment?—I think the rules must be maintained when they exist.

10,709. When they exist, certainly, but the question is, should they exist?—I think it is very much in the interest of discipline that these present rules against talking should exist.

10,710. Can you tell me why it is that your staff, as shown by the estimates, is 2,022, and that your actual officers are only 1,794, showing a deficiency of 228?—That is because of what we call the chairman's 5 per cent. rule of officers, and that, according to our average population, we did not require to use all that were provided for in the estimates.

10,711. Would you tell me why you estimate year after year for this number when you do not want it?—It is necessary to have a certain number of officers provided for; we might have some increase in the population, and we only work up to our number.

10,712. Are you aware that in prisons, for which you estimate a certain number of warders and a certain number of assistant warders, your number of assistant warders is in excess, but your warders are not up to the estimates, and men are kept there who might be promoted, but who are not, but pay is taken for them as warders?—I am not aware of that.

10,713. Do you think that any of the men of the disciplinary staff or watchmen are overworked?—Night watchmen, do you mean?

10,714. Yes?—No, I have no reason to believe the warders are overworked now.

10,715. You have never had any complaints from night watchmen about overwork?—Recently I have had none at all.

10,716. Are you an inspecting Commissioner at Borstal?—Yes, I am visiting director of Borstal Prison.

10,717. Has any representations been made to you as to the work of the staff there?—Not to me, but I believe represention were made before I became a director.

10,718. How long ago was that?—Rather more than two years.

10,719. Would you think a man was rather overworked who never got relief for 15 successive years on Christmas Day?—Yes. I do not know how that can be. I am not aware of the case to which you allude.

10,720. I am referring to the case of Borstal Prison?—I mean I am not aware of the circumstances of the case to which you allude.

10,721. That is only one of a large number of cases that I have received from the staff; for instance, take the case of Holloway Prison; do you know anything about the circumstances of the staff there?—I have not any special information about the staff now.

10,722. You have not heard that the men complained that they had evening work every third day?—I have not heard complaints.

10,723. When these things are complained of how are they dealt with?—Such a complaint as that would come to the Commissioner who took that prison, and he would deal with it.

10,724. Would he deal with it with full authority?—Certainly.

10,725. He would not go to the chairman?—Not necessarily. If it were a large question affecting other prisons it would go to the chairman undoubtedly, but a single question would be dealt with by the Commissioner.

10,726. I want to ask you about the proportion of your convict population. As far as I can make out, you have got a total population of 4,771, and of them only 3,588 are in convict prisons, the balance of 1,183 being in local prisons; that is to say, almost exactly one-fourth of your convicts are in local prisons. Do you see any advantage in sending these men to local prisons rather than to convict prisons. Could not you have a convict prison for the first service for the first nine months?—I should prefer to see a separate prison for nine months men.

10,727. Then you would make that as a practical suggestion, that there should be a nine months convict prison for the first period?—Yes. At the same time I should like to say that, though I see no special objection to keeping these nine months men in the local prisons, I should prefer to see it separate.

10,728. It would simplify administration?—Yes.

10,729. That would be an advantage?—Yes.

10,730. And it would keep the convict population entirely apart from the local prisoners?—Yes.

10,731. (*Sir J. E. Dorington.*) With regard to the sufficiency of the diets of convicts, it has been stated to us here that the food, although sufficient for men who are working on indoor labour, is not sufficient for men on outdoor labour, that is to say, at Dartmoor, or on the quarries of Portland; have you any reason to think so?—I have no reason to think so. I have heard no complaint.

10,732. Do you know whether the men lose or gain in weight while they are there?—In many cases men gain; in other cases some lose weight.

10,733. There is no general rule about it?—I do not think there is a general rule about it. The doctor has full powers to make up anything to them if they want more diet.

10,734. From your experience you think that the diet is adequate both for the outdoor and the indoor labour?—I have every reason to suppose so; but that is a medical question which I am no authority upon.

10,735. Perhaps you might be able to form some idea if we were to have the weights of, say, 100 convicts on discharge?—I could get you that.

10,736. Will you do so, distinguishing those who were employed on outdoor labour and those who were employed on indoor labour?—Yes, I will get that for you, certainly.*

10,737. And you will distinguish which were on outdoor labour and those which were on indoor labour?—Yes, which men were working on the public works, and which men were engaged on sedentary work.

10,738. Such as clerks?—Yes, indoor labour.

10,739. Sedentary labour as distinguished from outdoor hard labour on the public works?—Yes.

10,740. Perhaps it will be safer to carry it to 200 cases?—It would give a better average, perhaps. Shall we take it for Dartmoor?

10,741. Take whichever you like, and take 100 for each?—Then I will take Dartmoor and Portland.

10,742. (*Sir Algernon West.*) May I ask to whom this offences and punishment book is referred. I see two initials all round in each case. Is it the governor?—Yes.

10,743. And the inspector?—Yes, he sees it.

10,744. He sees each punishment?—Yes, at each visit.

10,745. Does the Commissioner see to it?—Not unless he goes to the prison. The book is laid before the visiting committee also.

* *See* Appendix VII.

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10,746. Which inspector signed "H. E.'s" punishment?—Those are the two members of the visiting committee.

10,747. In that special case it was the visiting committee?—Yes.

10,748. (*Miss Orme.*) Then the governor does not initial it when the visiting committee does?—No.

10,749. It is not initialled by the governor?—No.

10,750. (*Sir Algernon West.*) Is that Colonel Garsia?—Yes.

10,751. Is any summary made at any time of the offences? You cannot look at this for a moment without being struck by this, that wherever you look you find repeatedly "talking in chapel," "talking in chapel," and so it goes on, "talking in chapel," "talking in chapel," again and again?—The mass of these offences are for looking round, looking about in chapel, or talking in chapel.

10,752. I was struck by the enormous number of punishments for that. I should like to know whether there is any summary made of the offences?—We trust to the inspectors, and the Commissioners get monthly returns of officers and punishments.

10,753. Would not an inspector come and say if "there is one rule that is always being broken"?—He might say that.

10,754. And could not he devise some means of obviating it, or altering the rule?—Certainly, it is quite his duty to do that sort of thing, and we assume that he does it. That is what he is sent round for.

10,755. (*Mr. O'Connor.*) As Commissioners you take stock of the chaplain's service in the prisons and the amount of service that is given?—Yes.

10,756. As Commissioners, would you take any notice of a report by a chaplain, that by reason of overwork he had not been able to visit some prisoners in their cells from one year's end to the other?—Yes, if such a report came before the Commissioners they would deal with it.

10,757. Such a report has come before you, because you published it; it is in your own report. How did you deal with it?—I am not aware of the particular case to which you allude.

10,758. It has been dealt with already in the evidence; but at any rate it ought to have been dealt with by the Commissioners, and presumably it has been?—If there was any complaint of that kind it would be dealt with.

10,759. Will you kindly let us know what the Commissioners did on receipt of your report, which has been already referred to before us, and which I think, is printed in one of your appendices for this year?—Certainly, I will. I am not aware of the case to which you refer. I do not remember the prison; however, I will look it up.*

10,760. But it is the case in which the chaplain says that some prisoners were unvisited in their cells the whole year round, and the Commissioners themselves published it in their report. Have you any preference as between military men and civilians for governors, warders, chief warders, or assistant warders?—No, I have no particular views on the subject. Civilians are very often appointed as warders.

10,761. I notice that during the period you have been a Commissioner the governorships of Lewes, Bristol, Reading, Canterbury, Nottingham, and Leicester have all been filled, in every single instance, with military men, and that no civilians have been appointed governor in your time?—No, they have not.

10,762. (*Chairman.*) Under what authority do visiting justices inflict dietary punishment?—There is none. It has always been done by the visiting committees, but I believe that there is no legal authority for it.

10,763. Was it a tradition which was handed down from the old system?—That, no doubt, was it. There is nothing specially mentioned in the Act or the rules about inflicting a dietary punishment. Corporal punishment and the punishment cells they could give but there is no doubt the intention was that they should have the power of inflicting this punishment, because dealing with prisoners on reports, and the punishment of prisoners was one of the chief duties allotted to the Committee when the duties were taken over by the Government.

* *See* Appendix VIII.

The witness withdrew.

The proceedings were adjourned for a short time.

Sir E. F. Du Cane, K.C.B., R.E.

Sir EDMUND F. DU CANE,* K.C.B., R.E., called and examined.

10,764. (*Chairman.*) Will you state to the members of the Committee the offices that you now hold?—I am Chairman of Commissioners of Prisons under the Act of 1877, Chairman of Directors, under the Act of 1850, and Surveyor General of Prisons. I am also Inspector General of Military Prisons, which has nothing whatever to do with the present inquiry.

10,765. Questions have arisen with regard to the present staff, perhaps you would give us your general views on the point?—It may serve to explain the present position in regard to the staff if I state what steps have been taken from time to time in fixing the numbers of the staff since the local prisons were transferred to Government. As the intention of the Act was that a great number of prisons should be abolished, there would be a consequent reduction in staff. Before that event took place, we sent the inspectors round to all prisons to pick out the least efficient members of the existing staff, so that the efficient only might be retained, and these were concentrated at the prisons which remained. At that time the total local prison population was upwards of 21,000. After we had actually taken over the prisons we deputed the inspectors who had considerable practical prison experience to confer with the governors and to propose what staff should be fixed for each prison taking into consideration its population, its construction, and any peculiarities which affected this matter. Besides the permanent duties of the staff there are certain duties to be provided for which are quite temporary, such as watching condemned and specially sick prisoners, escorting, attending assizes or sessions, guarding prisoners employed out of their cells on buildings, &c., and these were provided for by temporary officers, either to perform these duties themselves or to replace those who did, so also were temporary vacancies from any cause, in the permanent staff. The prison population very soon began to fall, and this fall was continuous, year after year. The effect of this was that the staff became, in many cases, disproportioned to the numbers. It was not, however, reduced at once, but, on the occasion of any vacancy, consideration was given to whether it should be filled up, and if the reduction in numbers seemed to warrant it, the appointment of a successor to [illegible] the vacancy was suspended. In the course of [illegible] increase was made to the amount of leave given to officers, and the Saturday half-holiday and alternate Sunday off-duty had to be provided for. This led to an increase in the employment of tem-

* Owing to the state of his health, Sir E. Du Cane was unable to attend before the Committee. His evidence was therefore taken on Commission, by Mr. H. J. Gladstone and Sir John Dorington on the 18th December, and by Mr. H. J. Gladstone and Dr. Bridges on the 17th December.

porary officers to replace those off duty. After a time a permanent addition was made to the staff of every prison, intended to cover leave, and all ordinary contingencies, but still providing for special duties, which are required only for a short period, by temporary officers. This is how the matter now stands. There is every reason to believe that the present numbers of the permanent staff are adequate for the present prison population and the employment of temporary officers is reduced to a minimum. But it must always be remembered that a very great deal depends on the capacity of the governor for organization and that a bad organizer will complain that his staff is insufficient, while a good organizer, with the same staff and a prison of the same size, will find it ample. What I have said relates generally as well to the female staff as the male; but we have not yet fixed a permanent female staff. This will be taken in hand; but the very small number of prisoners on the female side of many prisons makes it a somewhat difficult matter to arrange satisfactorily. There are several prisons in which at times there are no female prisoners, many in which the average is two, three, and four, and 19 under 10, so that if there were a permanent staff to meet all ordinary contingencies, as on the male side, the staff would in many cases exceed the number of prisoners.

10,766. Would you agree that female prisoners require rather more attention than male prisoners, and that their individual cases have to be more carefully watched?—Yes, I think very likely they do.

10,767. That would be an argument for considering the strength of the staff?—Yes.

10,768. Then, in the case of the women warders when they sleep in—in the prison day and night—that is not reckoned as hours of duty, is it?—Not to any warders, male or female, when they are sleeping in.

10,769. But I mean when they have to answer the call bells from the cells?—No, I do not think that is counted as a special hour of duty. I should say that answering a call bell is a very uncommon thing.

10,770. In the male prisons, I understand that duty is generally done by night watchmen?—Yes.

10,771. But in the case of the female warders it would have to be done by the warder in charge?—Yes, by the warder in the hall.

10,772. With regard to the medical staff, do not you think there would be some advantage in providing some special training in lunacy cases for medical officers whose duty would bring them into contact with a considerable number of cases, as, for instance, in Holloway?—I think if we had an officer who was not up to the mark in the matter, it might be desirable to put him into training, but I never have been told by our medical inspector, whom we rely upon in such matters, that there has been any defect in that way, either as regards their practice or their knowledge.

10,773. Then do you think that it might be desirable to concentrate in any one prison or more prisons, according to convenience, the weakminded and epileptic prisoners who are now, in comparatively small numbers, kept in prisons?—If there were any large number of them, I should say yes, and if they were in for a long time; but I do not believe that that is the case. I think, so far as regards epileptics, and so on, that there are a great number of prisoners who are below par mentally, all over the kingdom, and I think the thing to do with them, if their weakmindedness leads them to become criminal, is to put them under control permanently. That, perhaps, is more than public opinion would warrant, but still that is my idea of what it is the right thing to do.

10,774. (*Sir J. E. Dorington.*) Unless a man is sufficiently weakminded to be unable to take care of himself you could hardly put him under control permanently?—I know it could not be done now, because they have to be certified as being lunatic, I am talking of what I consider would be for the public interest if you could do it; that is to say, if there is a man who is weakminded, and his weakmindedness takes the form of being an incorrigible criminal, I should be inclined to put him under control.

10,775. (*Chairman.*) You would agree as a general principle that provided the sentence was long enough to enable it to be done it would be desirable to concentrate those cases under a specialist?—Yes, I think it would.

10,776. (*Sir J. E. Dorington.*) Do you understand that the number of your warders bears a certain percentage to the number of prisoners?—That is the basis on which it is done.

10,777. But you are not strictly restricted to that?—If we found for any reason, such, for instance, as the construction of a prison or anything else, that that does not provide a sufficient number, we should have to add to it.

10,778. At Holloway Prison, what is the standard?—That is a special prison. There are always so many men there who are going to the sessions, and that sort of thing, that I think it requires special consideration.

10,779. You think it ought to have a larger staff?—Yes.

10,780. Do you know whether it is more largely provided than other prisons are at the present time?)—I think it is. I cannot speak without refreshing my memory, but I believe that it has more in proportion for that reason; it used to have certainly.

10,781. What would you say with regard to the general disciplinary staff would also apply to the medical officers?—There is a question up about the medical officer at the present time, and we have applied to the Treasury for a certain addition. The Treasury very naturally and properly put some searching questions to know whether it is necessary or not, and those questions have not yet been answered. I understand that when the necessity of it is proved the Treasury will concede it.

10,782. Are you so tied to the Treasury that you cannot add officers without their permission?—Yes, certainly; I am bound by the estimates.

10,783. Does not your estimate provide for more officers than you actually have?—Not of that sort, we have got, perhaps, a few more subordinate officers on the estimates than we actually have. Sometimes we make a reduction in one prison and transfer it to another; but as regards the superior officers we have not got one more than we want; we have no margin of any sort.

10,784. (*Chairman.*) What do you consider to be the best size for a prison in point of numbers?—Do you mean large or small, or do you mean the maximum?

10,785. The best size with regard to capacity?—I should not hesitate to make it 1,000 or 1,200. I daresay it might be better to make them smaller if one had full choice, but I would not say that 1,200 is too much if you have the assistance of a deputy governor.

10,786. But from the point of view of reformatory influence is it not the fact that the larger the number of prisoners a governor may have under his control the more difficult it would be for him to bring his personal influence to bear with them?—Well, I think that may be so if a governor is to be supposed to know every prisoner, and to exercise a personal influence over him, but it is not so much the number of prisoners in the average population as the number who pass through his hands, and I should imagine it was almost impossible for him to attempt to know personally and exercise a personal influence on a great many. If he is to do that I should take the test rather from the reformatory schools, or Feltham, and places like that, in which the governor is supposed to do all those things. I do not think we look upon our governors as taking that intimate personal part in the management of individual prisoners as is done in a case like that.

10,787. Then, with regard to the deputy-governors, the rule, I understand, now is that where there are more than 700 prisoners a deputy-governor is appointed, that is, 700 male prisoners?—Yes.

10,788. But taking, for instance, the cases of Liverpool and Strangeways, where you have over 1,000 total population, is not that too heavy a strain upon the Governor?—At Strangeways we had a deputy-governor once, and I believe they are entitled to it by the population, but when the last deputy-governor went, the Commissioners at that time thought he need not be replaced, and he never has been replaced. I am inclined to think we ought to have one there, and I believe 700 is a good standard.

10,789. Take Liverpool, then?—Well, Liverpool just does not come up to the standard. I do not think there is any particular magic in the number 700 but one must fix some number, and that is what has been fixed. We founded all we did on those things to some extent on what we found when we came into possession. We found there were a good many large prisons in which there was no deputy-governor, such as prisons of 1,000 or more; we found there were a good many prisons where the officers were called deputy-governors, but who were not of the grade we now give that office to; they were a different class of person altogether; and therefore when we formed our class we graded them by titles in that way, and we gave the title of deputy-governor only to a certain class of officer who was in the largest class of prison.

10,790. Then does not a charge of 300 women add seriously to the responsibility of the governor?—I look upon the chief matron in the light of a deputy-governor, and say she takes off the governor's hands a great deal of the charge.

10,791. (*Sir J. E. Dorington.*) All the personal charge?—Yes, and more, perhaps, than a deputy-governor takes off on the male side. Therefore I say that if a prison has got a mixed population, and there are seven or eight hundred males to two or three hundred females, that governor has got two deputy-governors practically.

10,792. (*Chairman.*) But still the governor would have to look into questions of punishment?—Yes, he has something to do, but nothing to compare with what he has on the male side.

10,793. (*Sir J. E. Dorington.*) Where there is a male deputy-governor does he take a special branch of the prison, or is he a sort of second in command to the governor?—We let the governors arrange those things as they like. We issue no orders, but the idea is that he has to take off the hands of the governor so much work as he, the governor, cannot do, and also to supply his place when he is absent; and that I take it is the standard on which you fix how many prisoners ought to entitle a prison to a deputy-governor. If the governor cannot do his work without assistance then he wants a deputy of that class—the same class as himself.

10,794. It is not necessary to state how the governor should employ the deputy-governor?—We do not lay it down. We try to make the governors as free as we can make them.

10,795. I suppose you think a deputy-governor is a very useful functionary as training governors for you?—Yes.

10,796. That is a very important point?—Certainly.

10,797. (*Chairman.*) On that question of training, do you think that it would be advisable to set aside, say, two prisons which should be used as training depôts for warders, and possibly for deputy-governors?—I have often thought that it would be a good thing, but there is a difficulty in the way. Supposing a man down in Yorkshire applies for an appointment, or down in the country, and it is thought proper to give him one, what are you to do? First of all, you have to bring him up to London, or to some large prison, and he and his family have to settle down there. Then, directly there is a vacancy (before he knows what he is about), he is sent off to some other place. I think they would find that a very great grievance. There would be an inevitable expense to the warder, and it would cost these people for moving about in that sort of way more than they would get reimbursed.

10,798. (*Sir J. E. Dorington.*) Are warders, on their appointment, mostly married men?—Almost always, and some of them have very large families.

10,799. (*Chairman.*) On the other hand, you might select them from younger men, who would be either unmarried, or who would not have large families, and train them, and make up for their comparative youngness by the thoroughness of the training they would get?—Do I understand you mean to take up some young men to be treated in that way?

10,800. Yes, but of course you would provide that the particular prisons would be in the charge of experienced officials, governors, chief warders, and so forth?—You would have the advantage, in that case, of training certain particular young men, but you would not train a very large proportion of your staff unless you have all young men. That is a difficulty that has always come across me when I have thought of that subject, and I have often thought of it. In large prisons, like convict prisons, putting them to learn their work in the prison they are to serve in sufficiently teaches them, but in local prisons, that are scattered all over the place, some of them being very small prisons, they certainly would be better for a certain amount of training in a large prison.

10,801. (*Sir J. E. Dorington.*) The small local prison does not afford field enough to train a warder in?—No. Furthermore, all the governors are not up to the level we should like them to be; they will come up to it in time.

10,802. Or a governor?—The governor would have received previous training as a deputy governor or chief warder in a large prison.

10,803. (*Chairman.*) With regard to the appointment of chief warders to be chief warders in charge, do you think the present practice works well?—I do. I cannot think that there is any reason to reduce the number of prisoners, which shall constitute the change of an officer promoted from being chief warder under a governor. It is possible, of course, that some of those promoted may not altogether fulfil the anticipation of those whose opinions were taken on their complete fitness, but this might have happened from whatever source they had been drawn. The charge of 100 prisoners is not greater than that of many workhouses of which the masters are about on a level with chief warders. I look to another method for effecting an improvement in the organisation of these small prisons, which will include a provision for ensuring more effectually the complete efficiency of officers appointed to this post. Every prison, large and small, now has on its staff a clerk who is in charge of the stores, who acts under and is responsible to the governor or other officer in charge. It seems to me that, in a small prison, the head of it ought to be able to take charge of the stores and to do all the ordinary clerical work himself. If, therefore, it should be made a condition of appointment that he should prove his capability for this duty, and should only hold it on satisfactorily fulfilling the duty, it would afford a good educational test, and so improve the standard of officers appointed to the post. The disproportionate cost of keeping the store accounts at the present time will be seen by observing that the pay of the clerk in charge is from 170*l.* to 215*l.*, while the total cost of a small prison may be put at from 2,000*l.* to 3,000*l.* per annum, of which only a small part, say, from one-third to one-fourth, represents the value of the stores which have to be accounted for. With proper provision to preserve the reasonable claims of persons interested, it seems to me that future appointments, at all events, might be made on this basis. Chief warders who show themselves capable might, as now, be appointed to charge of these prisons, and also any clerks, who, besides clerical efficiency, have the particular qualifications necessary to take charge of the discipline

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duties. The designation of chief warder in charge for the governor of a small prison containing 100 prisoners or under was not new in the Government service. It has the advantage of marking these prisons as being reserved for chief warders who have proved their fitness when holding that office in large prisons under a governor. As these chief warders are men who have entered the service at the bottom, the appointment to charge of a prison is seen to be a prize which all may look forward to as the result of efficient service. The title also implied a closer connexion with the details of working the prison than that of mere supervision, combined with the duties appertaining ordinarily to the governor which by themselves would not afford full occupation to the head of the prison. That thoroughly efficient officers for the position are to be found among the warder class is exemplified by some of the witnesses who have been before the Committee, among whom were two who are now governors of our largest prisons, who commenced their career as privates in the Army. So also did several of the most efficient governors of prisons, who were transferred to us with their prisons in 1878, men who had risen from the ranks of the Army, and, on retiring, had entered the prison service. The practice of the local authorities in regard to the class of persons who were put in charge of prisons will be seen by the following analysis of the antecedents and status of the governors of 110 prisons which were transferred to Government in 1878:—40 had been in the Army, Navy, or Marines; of these, 31 had been commissioned officers, and of these 5 had risen from the ranks, so that 14 began their career as private soldiers; 14 had been civilians of a class corresponding to commissioned officers. The rest were civilians, more or less of the warder class.

10,804. Then, I understand, that you would still keep the head of a small prison as a uniformed officer?—I think, in some respects, he had better wear uniform, but I do not attach much importance to it. I am told, and I think it is natural, that sometimes the chaplain and the medical officer do not get on very well with a chief warder in charge. They do not like a man like that being at the head of the prison. So far as uniform has to do with this, anything that would make them happy I should be very glad to concede; but I think, perhaps, chief warders are not always likely to dress so smartly in plain clothes as one would like officers to dress, and in such respects they are better in uniform; but I do not think it is of much importance.

10,805. Should you object to calling them assistant governors?—I have no objection to calling them "governors," but the reason they were not made governors is, that we found there were chief warders in charge in the military prisons, and that was continued as part of the scheme. Then also, I think, that if they were called chief warders in charge, they would understand that they were not to be mere supervisors, like a governor, but that they were to do, in their higher position, some of the duties of a chief warder under a governor, more detailed duties in point of fact. I do not know whether it much signifies, but I should be perfectly content to call them governors, provided it was understood that the appointments to those prisons were reserved for promotion from the staff.

10,806. (*Sir J. E. Dorington.*) You think it is rather essential to have that sort of opening for your staff?—I do; I think it is of very great importance. I want to introduce something here as to what Mr. Morrison said in his evidence.

10,807. Is it on this particular point?—Yes.

10,808. Then tell us what it is?—Mr. Morrison has made it a charge against the administration of the Prison Department that in making appointments to the office of chief warder in charge of a local prison, the local prison officers have been deprived of a promotion which they have a right to expect, by the appointment of convict prison officers to fill these posts. The same charge has been made anonymously in the newspapers. There is no *primâ facie* reason why the convict prisons and the local prisons should always be worked as distinct departments. It is only by what may be called the accident that the former were under the Government, while the latter were under local authorities that they were ever treated so distinctly, but now that they are both under the same authority they naturally should be welded together, so far as circumstances permit, and this process of welding the departments into one commenced as soon as the Prison Act, 1877, came into operation, and has been gradually extending ever since. There is, therefore, nothing contrary to principle in making such appointments as are referred to, and in other grades this inter-change has been carried out over and over again. But the point of the charge is that unfair preference has been given to convict officers, and Mr. Morrison not only distinctly asserts the fact, but accounts for it by saying that convict prison officers come personally more under notice of the Commissioners than the local prison officers. There is not, however, a shadow of a grain of foundation for the charge, which indeed is opposed to all the facts of the case, and to the whole tenor of the administration of the Commissioners who have earnestly endeavoured to act with strict fairness to the officers in all promotions or appointments. Since the Prison Act, 1877, came into operation, 25 persons have been appointed to the office of chief warder in charge. There were only two of this number who were not, at the time of promotion, chief warders in a local prison. The first who was appointed from a convict prison was not until the local prisons had been 15 years under Government. For the appointment of the two who did come from the convict service there were special reasons, though, as I have pointed out before, no special reasons are necessary to justify it. One of those appointed was a man who had been lent to a colony to reform its prison system and administration, and had acquitted himself of this peculiar duty with great credit. He is a very superior person, and it was quite natural and right, and to the public interest to make use of him by putting him in charge of a local prison. The other was the chief warder of one of our largest convict prisons, a position requiring very considerable qualities to fulfil it creditably. It happened that this prison was discontinued, and the staff had to be provided for or else to be pensioned. It was a fortunate chance that a vacancy for charge of a small local prison then occurred, and it was, in all points of view, to the public interest that advantage should be taken of it to post this excellent officer where his capabilities could be made good use of. There is not, therefore, the smallest ground for saying that the interests and claims of the local prison officers have been sacrificed.

10,809. Do you see any reason why the convict service and the local prison service should not be amalgamated?—That is our great object all through; I think that is a great object, and we have done so continually.

10,810. (*Chairman.*) Do you see your way at all clearly towards that amalgamation?—It is gradually being done. If you were to compare our condition now with what it was 10 or 15 years ago, you would see that the welding process is gradually going on.

10,811. That leads to the next point in my mind, which is about keeping convicts for nine months in local prisons?—That is not a new thing at all. That was always done, since Pentonville Prison was established as a model prison. I think you will find it in the old reports of that date, that they always anticipated that there would be local prisons built after the model of Pentonville, in which they would be able to keep their convicts before transferring them, and, as a matter of fact, when I first joined the service, 30 or 40 years ago, there were certainly 400 convicts at Wakefield; and either then, or just before then, there had been convicts at Leicester, Northampton, and five or six other prisons. So that it is quite the old system, and there is no reason against it. I think it is very desirable that it should be understood that convicts have to go through, in that early stage, much the same discipline as the local prisoners, and that they do not go off into a milder atmosphere by going at once to the convict prisons, but they go through the same course.

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10,812. (*Sir J. E. Dorington.*) You think that the nine months' solitary imprisonment is more punitive than being placed immediately upon works?—Certainly.

10,813. You are aware that in a recent magazine article the contrary opinion has been expressed?—Do you mean in the "Fortnightly"?

10,814. No, in the "Nineteenth Century"?—Mr. Davitt's article. Mr. Davitt knows something about it; but I do not agree with him if he says that. I do not know that he has said it. I have read the article, but I do not recollect his saying that.

10,815. (*Chairman.*) I suppose one of the main objects of this is to save the expense of sending down individual convicts?—Well, we began by what we called collecting them in certain central prisons so as to save the expense of sending individual convicts to the distant convict prisons, but after a little while we thought there was no reason why we should send them at all down to the convict close prisons, and we did away with the close prisons there used to be at Pentonville and Wormwood Scrubs and converted them into local prisons. We had a great deal of spare room in the local prisons, and so we have picked out 10 or a dozen, in which we keep all our nine months' men now.

10,816. (*Sir J. E. Dorington.*) The prisons on the local system, being properly constructed for cellular confinement, are more advantageous for containing convicts in their first nine months than are the existing convict prisons?—Well, they are properly constructed, and as we now have only public works for the prisoners, I say they are better.

10,817. I used the words, "existing convict prisons"?—Yes, remaining—existing—because those "public works prisons" were built for public works purposes.

10,818. The existing "public works prisons" are not suited for the cellular confinement which is the first nine months of a convict's period?—No.

10,819. (*Chairman.*) On the other hand, it has been represented by some witnesses to us that the convicts in local prisons are the most difficult to manage, and are rather an undesirable element in a local prison?—I quite understand that, but we have got to train our governors of local prisons to manage them. They will learn in course of time how to do it. It is almost ludicrous to see the fear some of them used to have, and that some of the visiting committees used to have, of the convicts; but it is one of those things that one can educate people to understand how to do, I think.

10,820. (*Sir J. E. Dorington.*) Given an efficient governor, there is no difficulty in managing convicts in the local prisons?—Not a bit more than in a convict prison. It has the same facilities in every way.

10,821. With the exception that there is greater difficulty in finding employment?—There is no more difficulty in the local prisons than in the convict prisons, I think.

10,822. Well, in convict prisons you have quarries and reclamation works, and works on fortifications, and so on?—That is the public works stage; but I am talking now of the first nine months' cellular. Now, you have just as much opportunity for working in the local prisons as in the convict prisons, as long as they are in cells in both cases.

10,823. You approve of the convict system being arranged in two stages: one of separate confinement, and the other of employment on public works?—I think that is what has been arrived at as being best. I do not know how I should propose to alter it.

10,824. On the ground of experience, that has been found the most effective way of arranging the convict system?—Yes.

10,825. (*Chairman.*) Supposing that other hard labour could be provided, should you be disposed to say that it would be good to get rid of the crank and the tread-wheel and the mills?—I dislike all those things very much; but I think they are a sad necessity.

10,826. From the point of view of hard labour or of prison discipline?—The penal effect. I think, if you want to hold out to a man the prospect of improving his condition in the prison, you must begin by severe treatment, and let him work his way up from that. Our present regime in that matter is far less severe than it was 16 years ago.

10,827. But is not it the fact that the punishment crank and tread-wheel give absolutely no occupation to a man's mind?—Certainly, that is so.

10,828. Then, is not it true that he would be more disposed to think unwholesome thoughts, and to produce an unhealthiness in his mental condition?—Yes, I daresay it is excessively disagreeable to him.

10,829. But does not it make him a worse man?—No, not if carried on only for a short time. All punishment is unnatural. Locking a man up is unnatural.

10,830. But if you give to a prisoner punishment which it would be natural for a man to do outside, of his own free will, then it does not debase a man, *per se*, in prison?—As I told you, I dislike all those things, but I think they are a necessity. I think that if you are going to punish, you must find something that does punish, and that is disagreeable.

10,831. Would not it be better, if it were possible, to find some form of punishment which should not be less a punishment, but which, at the same time, should occupy a man's mind, and, possibly, train him in good habits?—I agree, but let somebody invent that.

10,832. Then you are only in favour of these various machines because nothing better has, as yet, been found?—Yes; the law is that the first-class hard labour is to be crank, tread-wheel, capstan, stone-breaking, or other like kind of industry. Well, there is stone-breaking, and, to an extent, that is employed; but it shows that there is nothing in the law against the first-class hard labour being of an industrial kind; if only anybody could hit upon something else, which would be useful.

10,833. For instance, reclamation work such as you have at Dartmoor?—But, then, you cannot do that in the cell; it must be cellular.

10,834. That, of course, raises the question of cellular occupation as against association. Are you very strongly in favour of the cellular treatment?—Yes, for the commencement of the sentence.

10,835. But for how long?—I may say that all the experience of every country has led up to that, and has been the means of that system being established.

10,836. But is not that rather a reaction from the fearful abuses which grew out of a system of association without any sort of control or discipline?—I would not undertake to say that there was no control or discipline in the days before cellular imprisonment.

10,837. Take the case of Wandsworth. Now, surely there can be nothing but good from those admirable shops which have been erected there?—I think it would be going back if you put them all into shops at once, and I should be very sorry to see that done.

10,838. It would be more expensive?—It would cost money to build shops, but I think all countries have agreed that cellular imprisonment, so far as it can be properly carried out, is the best form of imprisonment and the best form of punishment. I think all countries have agreed on that point; and many have only not carried it out fully for want of money.

10,839. But do not two questions arise, first, the question of punishment, and secondly, the question of reform; and from the point of view of reformation and treating a man as a natural being, is not it rather obviously the best plan to give him as many opportunities in prison as possible, such as he would have outside, for the purpose of improving his mind?—I do

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not know that mixing him up with other criminals would lead to reform.

10,840. But still that is done in all convict prisons?—Because you cannot help it. You cannot keep him for ever in cells, and therefore you are obliged, at some time, to take him out; but there is a very great distinction between the convicts being employed in that way and any proposal for employing local prisoners. You must recollect that when the convicts are discharged they come out in driblets, and they are discharged all over the country. Your local prisoner is discharged into his own town, perhaps, by the hundred; therefore they would all come out together, men who have been mixed up in workshops, all knowing each other, having made their little plans together, all being acquaintances; so that the evils with regard to the convicts are much less than they would be if you were to introduce the same system into the local prisons, in my opinion.

10,841. (*Sir J. E. Dorington.*) Is not it also the fact that a very small percentage of those who go to prison for the first time return again?—I do not think anybody knows that accurately, but my impression is that about two-thirds do not come back again.

10,842. So far as statistics, which, apparently, you think are not wholly reliable, go, it is a much less proportion than that?—I think it is about two-thirds.

10,843. I suppose you also consider that associated labour could only be carried out for those who have got sentences of considerable length?—Yes.

10,844. That the masses of people brought in to you for a week, a fortnight, or from 10 days to 3 weeks, never could be associated together?—They could not not do any useful work. In regard to that I may say that in many foreign countries their system of employment is that they let the labour of the prisoners to a contractor, and the contractor runs the machine. He has the labour of the prisoners to devote to any purpose he likes, and he supplies all the food, and so on. I frequently asked, in those places, "What employment do you find for your short sentence prisoners?" And they said, "Oh! we cannot find any employment for them at all," so that, practically, they do nothing but idle about.

10,845. Have they anything akin to the treadwheel or the crank in France?—No.

10,846. Or Belgium?—I have not seen anything of that sort.

10,847. (*Chairman.*) Do you approve of No. 1 diet as a punishment?—If you are to have a punishment diet I do not think you can have anything better.

10,848. It has a lowering effect on the constitution?—No doubt, but it is only employed for a short time.

10,849. Does not it work unequally; is not it bad for some people, while it may not hurt others? Take the case, for instance, of women who are habitual drunkards?—I should look to the medical officer to remedy that. On all questions of diet we always hold that it is entirely a medical question. We wait for the medical inspector and the medical officers of the prisons to say anything they have got to say as to it, and we put the whole thing in their charge.

10,850. Are you satisfied that the convict diet for hard labour men is sufficient?—I believe it to be. The health of the prisoners is always thought to be very good.

10,851. We have had a certain amount of evidence to the effect that men are so ravenous that they are ready to eat candles. That is an old story, I think, which came up before the other Commission?—This question of the diet has been frequently investigated, certainly by two Royal Commissions, and on both occasions there were doctors on the Commissions, but they never recommended any change.

10,852. (*Sir J. E. Dorington.*) You think your convicts who have been at hard labour are discharged in a sufficiently vigorous condition?—I think so; I have never been told otherwise.

10,853. It has been stated to us that the food is adequate for those who are employed at sedentary occupations, such as the shoemaker and clerks, and and things of that kind, but not adequate for those who are employed on public works?—I can only tell you that all the responsible people are satisfied with it as it is, so far as I know; and those Royal Commissions which have investigated the matter have always been satisfied.

10,854. Do you think it would be desirable to give them a more stimulating diet, say for a week, before discharge? I am speaking of long sentence prisoners?—If it is put on medical grounds, with proper medical support, I should certainly do so.

10,855. You think there are no adequate grounds for the statement?—I have never heard so; the diet has been going on now for 30 years odd.

10,856. (*Chairman.*) With regard to the treatment of unconvicted prisoners, do not you think a certain hardship arises because of the advantage which men with money have as against men who have no money?—I think the moneyed unconvicted prisoner has an advantage from his money, certainly.

10,857. Then the poorer man may be quite innocent of the offence?—So may the rich man.

10,858. Then why should money make the difference in the prison treatment?—It is only the diet. The idea was that a man should not be damaged by being in prison any more than you could possibly help; and therefore the natural inference was that if a man chose to provide his own diet he might.

10,859. Then the Act provides that regard shall be had to safe custody, but that every consideration shall be given to the treatment that is consistent with that safe custody and the discipline of the prison?—Yes.

10,860. Well, that is not done?—As far as I know it is, if I am interpreting you rightly; as far as I know the present diet is not considered a penal diet; it is the diet of a poor man who has to be maintained.

10,861. But he is cut off his beer, he is cut off his tobacco, he is probably cut off his meat and other things which he has been accustomed to have, unless he is a vagrant living from hand to mouth?—Yes, he is cut off his beer and his tobacco.

10,862. (*Sir J. E. Dorington.*) The rich man is not allowed tobacco?—No.

10,863. (*Chairman.*) But he can have wine or beer?—Yes, he may have wine or beer. Of course for unconvicted men the official diet by the rules is what is considered necessary to maintain him without any luxuries.

10,864. But in the eye of the law he is an innocent man, and as a matter of fact a certain proportion of unconvicted prisoners are innocent men?—Yes, certainly.

10,865. And do not you think it is desirable rather to level up the diet of the convicted prisoners?—I should give them what is necessary. If the doctors say that beer is necessary, I should give them beer, but if they do not say it is necessary I should not.

10,866. (*Sir J. E. Dorington.*) As a matter of fact the poor man who can buy beer outside the prison could also buy it inside?—I should have to think about that; I think he may supply a part of his own diet.

10,867. There is no doubt about this, that an unconvicted prisoner may have a pint of beer a day, and a rich prisoner, I think, may have half a pint of wine?—Yes.

10,868. In your opinion the diet of an unconvicted prisoner is adequate food, and it may be modified by the prisoner's own actions?—Certainly, I believe that is the intention.

10,869. And to any reasonable extent?—Yes.

10,870. And you do not see that any other course can be adopted?—I think it is sound.

10,871. (*Chairman.*) In your opinion is it desirable to extend the powers of visiting justices?—The question of the powers and duties of the visiting committee has frequently been considered and discussed from the time the Bill was introduced in 1876,

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and there has always been a desire to meet the wishes of those who wished for an addition to their duties, but anything done in this direction must obviously be consistent with their position under the Act.

The great characteristic of that position is that they are entirely independent. If they were to take part in the administration, they could not criticize and pass judgment with entire impartiality on matters which were wholly or partly their own acts.

The Prison Act, 1877, makes the Secretary of State responsible for the management of the prisons, and gives him power to appoint certain Commissioners and others to aid him in doing so. The visiting committee are not appointed by or removable by him, nor in any way responsible to him or under his orders. The nature of their position, therefore, is inconsistent, with their taking part in the management of the prisons, for which the Secretary of State, of whom they are thus independent, is responsible. Still more impracticable would be the position if there were two independent bodies, the Commissioners and the visiting committee, sharing the control of the prison and issuing, perhaps, conflicting orders.

The duties which the visiting committee have, though not those of direct management, are nevertheless exceedingly important. They act with regard to offences within the prison in a similar way to that which they do magisterially in regard to offences outside the prison. They are independent judges to whom any prisoner may complain, and the whole life of the prison is open to their criticism, the food, the clothing, the punishments, the rewards, and the daily treatment of the prisoners.

Their usefulness is much more in the great influence they may exert than in any specific thing they may be given to do, in the knowledge that they are looking on, and that any abuse is liable to be brought to their notice, in the perhaps casual remarks or criticisms they may make in going round the prison with the governor, in their intercourse with the chaplain and doctor.

10,872. (*Sir J. E. Dorington.*) As a matter of fact the visiting committees are not as active as they were under the old regime, and in some prisons they have nearly ceased?—I am not sure that they cannot do nearly as much as they did. There are certain things they cannot do: they have nothing to do with making contracts, they have nothing to do with appointing officers, but I think the principal duty of the visiting committee under the old regime was to go round the prison and hear the complaints and charges made by the governor and so on. I think that was the principal part of what they used to do.

10,873. Are the contracts for the local prisons made locally?—No; some of the contractors are of course local people, but we make them all here.

10,874. The governor has nothing to do with them?—No, unless it is to report whether a contractor carries out his contract efficiently.

10,875. (*Chairman.*) With regard to the Prisoners' Aid Societies, is there any objection to providing that a list of all bonâ fide Prisoners' Aid Societies should be shown to prisoners before discharge, and that leave should be given to them to select the society which they would like to ask for help, and upon which they should be able to see the agent of that society in the prison?—I think that certainly any prisoner who asked to go to any particular society should be allowed to see the agent of that society.

10,876. (*Sir J. E. Dorington.*) In the prison?—In the prison before he goes out; but whether I should offer him a list, like a list of hotels, to choose where he would like to go to, I think is very doubtful. I would rather that somebody who was interested in the matter picked out the places that he should go to or that the chaplain should bring to his notice the agencies which exist.

10,877. (*Chairman.*) It has been represented to me privately, I am not sure whether it has been stated in the evidence, that the chaplain (being invariably a member of the Church of England or a Roman Catholic priest, may be very ill disposed towards such an organisation as the Salvation Army?—I think it quite possible.

10,878. And that therefore the Salvation Army, who have taken up a very practical work, have no opportunity of getting at the prisoners?—I think if the Aid Societies cannot dispose of their prisoners, they would be very wrong not to use the Salvation Army; but if they can, I do not see what place there is for the Salvation Army.

10,879. The Salvation Army, as far as I know, is the only agency that has established an actual home for male prisoners of all kinds, and I think they have now something like 200 of those men at work in those homes, whilst the results of the working are not at all unsatisfactory. That is a solid bit of useful work which is distinctly in their favour?—I certainly think the Salvation Army does good, and that some means of making use of them ought to be available, but I do not know that it is the business of the Prisons Department to do that. I think that our position is to stand outside of these agencies and to say, "You "take the business in hand, it is outside work, it is "not our work."

10,880. But then the question is this as it seems to me: A man coming out of prison, let us say, who is not a confirmed criminal, but a man who has been committed several times, who has no friends amongst respectable people, when he comes out of the prison is sure to go back to his old haunts and his own companions. Is not it desirable if possible to get hold of that man before he comes out?—I think it is the business of the Aid Society.

10,881. But then they must have access to the prison?—Well, the Aid Society has access to the prison by its agent.

10,882. (*Sir J. E. Dorington.*) Would you suggest that the agent should take a sufficiently wide view of his duties as to communicate with any agency that exists, even the Salvation Army?—Certainly, that is precisely the position.

10,883. And that unless they do that they rather fail in their duty?—I rather think so, if for want of it they fail to aid a prisoner.

10,884. (*Chairman.*) Then do not they fail in their duty, because, so far as I can see, the Salvation Army has picked up those prisoners outside in a very haphazard way, without any facilities being given to them; but it seems that if facilities had been given to them they could very largely have extended their work. Not only that, but they seem to have organised a work which leads to very good practical results, and therefore they have some claim to be specially considered. I am not only speaking of the Salvation Army, but of any organisation which does that kind of work?—Well, there is the "Church Army." These are two, but of course our position has been this: There is the Aid Society attached to the prison, who are the people we hand over the gratuities to, and all that sort of thing, and we cannot properly recognise more than one, because then you get that horrible thing which is called competition for the patronage of the prisoners. How to get over that I do not know, but I think it is a matter which it will be necessary to examine the Aid Society people about themselves, and to say to them, "Why do not you use the Salvation Army."

10,885. But you would agree that any influence which may possibly get hold of a prisoner before discharge and save him from relapsing to bad companions and to his old habits would be distinctly advantageous?—Yes, certainly. All that I mean by that is that you should have one authority for each prison, not competition.

10,886. (*Sir J. E. Dorington.*) You consider that it would be detrimental to the discipline of prisons if more than one agency was admitted inside the prison to manage its affairs?—I say if the Aid Society were to choose to say, "This man shall go to the Salvation Army," I think I should send to the agent of the Salvation Army, and let them send for him. As an

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example of that, Mr. Merrick, whom you have had before you, is a very active chaplain indeed; he did not send all prisoners to one society, but he sent the women wherever he thought they could be best disposed of. I will not undertake to say whether he ever sent any to the Salvation Army, but as these things grew up he stood at that time in the place of the Aid Society. I say let an agent of the Aid Society, who I had much rather was not the chaplain, do this. I have always been against it, but I was overruled: I want the Aid Society to be people who are entirely independent of the prison. I say it is their business to be outside the prison.

10,887. Then, in order to work effectively, the agent of the Aid Society must have free access to the prison?—Certainly.

10,888. Would you allow him as free access as a chaplain has?—I should allow the chaplain and the governor to recommend any prisoner they liked to the Aid Society, then the Aid Society could say, "very well, let my agent go and see that man," and he should be allowed to see him.

10,889. An order has been recently issued abrogating the privileges of the "St. Giles Christian Mission," I believe?—Yes.

10,890. And all societies?—A certain particular privilege. It was not a privilege of entry: it was a privilege of standing under an archway; it was quite a small thing. There was a certain issue of breakfast tickets, which Mr. Wheatley started a good many years ago. His agent was allowed to stand at a certain place under shelter; then the Salvation Army said, "Let us stand under shelter too," but we said, we cannot have two men here touting under shelter and offering tickets, and then the Salvation Army complained that they wanted to be put on a perfect equality with Mr. Wheatley, and therefore it was taken away from Mr. Wheatley.

10,891. You very rightly point, as it seems to me, to a danger of competition, but you just now used the expression "touting for the prisoners." I quite agree with that; but is not there much more danger of competition and touting from allowing different aid societies to scramble for the prisoner when he gets outside the gates than from showing the prisoner a list of those philanthropic societies, and saying, "Now, if you are interested in any of these gentle-"men, they will be willing to help you, and you can "choose, if you like, which it is to be?"—I do not think there should be any scramble outside at all; the business ought to be all done before the prisoner comes out. What you are referring to, I think, refers to the breakfast tickets. I do not believe in the breakfast at all.

10,892. Taking the London prisons, there is the Prisoners' Aid Society's representative, who has access to the prison; there is Mr. Wheatley; and there is the Salvation Army?—In some places Mr. Wheatley is the agent of the Aid Society.

10,893. But take some prison where he issues the breakfast tickets. His agent is outside with the breakfast tickets, and the Salvation Army are looking out, and there may be two or three others doing so also?—I do not believe in the breakfast tickets at all. I do not believe in the work of the breakfast system.

10,894. But my point is this: Is not it better, before a man comes out of prison, that he should be allowed to select the society which he thinks would be most calculated to help him, and to which he is most inclined to go, and that then the agent of that society should be able to have access to him before discharge, so as to bring any influence possible to bear upon him to prevent that man from relapsing into crime?—If any prisoner asked to go to the Salvation Army, the Salvation Army would be told of it.

10,895. Then, again, take the case of an aid society in the country, at the provincial prisons. That society is sometimes chiefly composed of the governor—at least, it is in some cases?—No, it is composed of the visiting committee. The governor is never the aid society. He is on the committee very often, but it is the visiting committee who are the aid society.

10,896. I think it was the governor of York who said that he was practically the aid society, and that they left it all in his hands. Anyhow, however it may be, that aid society is a limited thing. It is limited to a particular locality, and its aid, therefore, to a prisoner must be of an extremely limited kind. When you get to a large society, like the Discharged Prisoners' Aid Society in London, or take again, the Salvation Army, those societies have agents in all parts of the country, and they can follow up prisoners and watch them; they can get them work, and send their friends and agents about, and say, "See to this man, watch him, and help him." Surely societies which are able to do that ought to have the greatest possible opportunity of getting hold of those prisoners before discharge?—I think I would rather you asked the aid society on matters of that sort, and hear what they have got to say on that subject.

The proceedings were adjourned until Monday, 17th of December, at 3 o'clock.

TWENTIETH DAY.

Home Office, Whitehall.

Monday, 17th December 1894.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN); and
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
JAMES GRANVILLE LEGGE, Esq., Secretary.

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Sir EDMUND F. DU CANE, K.C.B., R.E., recalled and further examined.

10,897. (*Chairman.*) Do you think it would be advisable to make any extension of privileges to well-conducted prisoners?—I see no objection to extending those privileges to allowing more frequent letters and visits after the first three months. Perhaps it might be advisable to do so. I am not quite sure whether a great number would take advantage of it, but certainly not of visits, I think. They might write more letters than they do now perhaps.

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10,898. Would you be disposed to give greater discretionary powers either to the governor or the visiting justices in the matters of visits and letters?—Well, all those privileges, according to our system, are gained by marks; that is to say, a prisoner earns them; they are the reward of his industry and good conduct, and do not depend on the goodwill of the governor or the opinion of the justices or anyone else. As far as what we call special letters and visits, that is to say, letters which are beyond what he can earn, but which are only granted for some particular personal reason, that, I think, might properly be given either to the governor or the visiting justices.

10,899. Sometimes there are exceptional cases of prisoners who for some reason or other have some wish to write letters?—There is some reason for setting aside the rules in their personal cases. These are the things that we call "special letters." That I should have no objection to if necessary, but, of course, we must understand that they exercise that power in accordance with the system, and not so as to upset the marks system—the stage system.

10,900. (*Dr. Bridges.*) I merely want to put one point to you about the letters. There is not, I suppose, the same objection in relaxing the rule about the letters as there would be with regard to relaxing the rule as to visits; or would that be so?—Well, I think it is the same thing. Our aim in framing the system is that the prisoners shall be rather kept in good conduct and industry by the hope of reward than by the fear of punishments. There are very few rewards we can give in a prison, because, by the nature of things, a prisoner has got to be deprived of everything in the nature of comfort and luxury. There are, therefore, very few things to be given; but there are the letters and visits, and the same reason would apply to both.

10,901. I rather thought that visiting from the reformatory point of view might be injurious, whereas the letter could not have an injurious effect?—I do not think so; I do not think I should draw very much distinction in that way. It depends entirely on who the friends are, and who the prisoner is, whether the letter or visit would be reformatory or otherwise. I think, generally, a prisoner being visited by his family can hardly have a bad effect.

10,902. (*Chairman.*) Do you think it might be advantageous to mark Sunday by some small extension of food, and an increase of the food?—I am rather against any food privileges. I have been brought up in that system. It used to exist, and it was put an end to as being rather a low form of reward, and also because the diet was of a certain sort of importance in the eyes of people outside, who are affected by the fear of punishment; and they are apt to say, if they hear of plum puddings on Sundays, "Oh! this is a jolly place; you get a plum pudding on Sunday;" and they think more of the plum puddings on Sundays than of the six days they go without it.

10,903. Would there be the same objection to enabling them to earn it by good conduct?—It is the same thing; the doctrine on which we have always gone since that time has been that the diet should be sufficient, and not more than sufficient, and should not be made a reward at all; that you ought to give them enough, and that you ought not to give them anything more by way of reward.

10,904. Is not Sunday rather a terrible day for prisoners as it is now. There is no difference in the treatment except that they are cut off their exercise?—I think prisoners would give you very different accounts of that. Some say they do not care about going out to exercise; some dislike it, of course, but as long as they have got books, I do not think there is anything very terrible about having to stop in on Sunday.

10,905. Still, for their health it would be better that they should go out?—Yes; but our medical officers have agreed that stopping in on Sundays will do them no harm, and I think one's own experience will say that in not going out once a week there is no great injury to one's health.

10,906. I suppose the practical objection now is that the staff would not be sufficiently strong to exercise them?—The reason we stopped the Sunday exercise, was in order to let the officers have the Sunday off.

10,907. Therefore, if Sunday exercise was allowed, there would be some increase of the staff necessary?—Certainly.

10,908. (*Dr. Bridges.*) About the Sunday exercise, in what way was the opinion of the medical staff taken?—It is their order. The present law is that the prisoners have as much exercise as the medical officer shall think necessary. It does not specify any time at all.

10,909. That is as each medical officer shall think necessary?—Yes. I cannot quite recollect whether we first of all consulted them. I think we did,* but, at all events, we consulted our medical inspector, and I think a few at first rather disliked the change, but the great majority were quite ready to fall in with it.

10,910. When you say that the prisoners have just so much exercise as the medical officer thinks necessary, would that mean that in the case of the medical officer saying, "I have changed my mind after experience, "I have seen the results of the deprivation of the "Sunday exercise, and I do not think it advantageous "to the men," that he can order it?—I think we should be bound to give effect to his opinion. It is the law according to the Act of Parliament. "Health of "prisoners. Criminal prisoners, if employed at work "in their own cells, shall be permitted to take such "exercise in the open air as the surgeon may deem "necessary for their health."

10,911. Do you think the medical officers of prisons are at all aware that the responsibility for the loss of this hour's exercise on Sundays falls on them personally? Are not they of opinion that it was the wish of the Department that it should be cut off?—I have no doubt that it was the wish of the Department, and that they assented to it. I do not say they directed it, but they knew it was at the wish of the Department, and they assented to it as being unobjectionable.

10,912. But it would be open to any one of them to modify that at any time that he chose?—I suppose so, but I hope they will not. To think that one man should be able to regulate one prison in a different way from all the rest is rather a flaw. I think it ought to rest on some higher authority; but there it is.

10,913. And from the information that has been given to you you feel satisfied that no harm comes from that?—I think so; I have no doubt about it. In these things I take the opinion of the medical inspector, who is the responsible person, and who has no doubt about it at all.

10,914. (*Chairman.*) Was the Parkhurst Reformatory existing during your time of office?—It was just being put an end to when I came into the Department in 1863.

10,915. What was the nature of the reformatory?—It was intended for young people who were sentenced to transportation and long sentences of imprisonment. It was a farm. They each of them lived in a little cell opening straight into the open air, and they did farm work, and certain other work, such as shoemaking, tailoring, and so on. Then when the Reformatory Acts began to come into operation about 1863, it was found that it would be better to send them to private reformatories than to Parkhurst, which was a Government reformatory, so that it gradually died out, and Parkhurst was turned into a prison for women.

* Sir E. Du Cane states, in a letter to the Secretary, that he did not remember, on the spur of the moment, exactly what had been done to elicit the opinion of the medical officers, but it should be made clear that they were formally asked their opinion.

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10,916. Were there any complaints as to difficulty of management or difficulty of controlling the inmates?—Not at all; it was solely that private reformatories were set up all over the country, and it was thought there was no necessity for a Government reformatory.

10,917. You never heard it was a failure?—No, I do not think it was; I think I said all I knew about it in a book I wrote. You know it gradually fell off in numbers because of the other reformatories taking its place. I was out in Western Australia before all that, and they had a batch of Parkhurst boys sent out there, but they did not talk of them with any reverence. Perhaps they did not think they had been reformed.

10,918. Was there any special arrangement for reforming the boys, such as special attention from chaplains or visitors?—I think so, but it was such a very short time that I had to do with it, that I cannot speak very much about it, but I have no doubt about that at all. I think they took great pains with them.

10,919. Do you think that the reformatory schools can be better managed by voluntary agencies than by Government?—I do not know why Government should not manage just as well; but I would rather the reformatories were managed as they are. I would have them as they are.

10,920. But on the general question you see no reason to believe that a Government institution would not be a successful one?—No.

10,921. In the local prisons there is not under the present system much provision for classification, except with regard to the juvenile prisoners?—There are the debtors, the first class misdemeanants, those awaiting trial, and the rest of the criminal prisoners, from whom the juveniles are separated as much as possible.

10,922. But, taking the convicted prisoners, they are kept pretty well together, except that the juveniles are kept apart?—Yes.

10,923. Do you think it would be advisable to have any fuller classification and separation?—I think it would be a very good thing to take away the mentally weak and put them by themselves, and put them into a separate place.

10,924. Do you think it would be advisable to separate the drunkards?—I see no reason for doing that at all.

10,925. You have read the Report of the Committee last year?—On the drunkards?

10,926. Yes, the Inebriates' Committee?—I think I read it, but I forget it.

10,927. It recommends that in the case of habitual drunkards power should be taken to compulsorily detain them for a lengthened period?—Yes; they proposed to lock them up perpetually, did not they, or something of that sort?

10,928. Well, for a long period, and to treat them medically. Should you be generally in favour of that?—Not in prisons; I should say that to lock them up as drunkards and keep them away from drink might and probably would be a very good thing, but I certainly should not be for keeping them in prison. I should keep them in an institution more corresponding to an asylum.

10,929. However it might be done, should not you be disposed to say that drunkards being essentially different, as a rule, from criminals, it is desirable to treat them somewhat distinctly from criminals?—I think if they were kept for a long while, and a specially long while, I should not be inclined to treat them as I should a criminal who was under a penal sentence. I should like to keep them under restraint for their good, and for the good of the community, but not for punishment, and on that ground I should say treat them differently.

10,930. If an Act was passed providing that men and women under the definition provided might be convicted of being found to be habitual drunkards, and this class was practically removed to a place of separate confinement, it would relieve the prisons of a very large portion of their inmates?—I think it would of a large proportion, and of a troublesome portion, I should think; such as those who are continually coming in and out.

10,931. It would save a great deal of expense and worry, I suppose, in that way?—I am not sure about the expense. One would have to think over that; but it would save a great number of frequent commitments, and all that trouble which comes from receiving a large number of prisoners over and over again, and turning them out to come back again. If they are received and many times locked up, they might, some of them, be almost as well locked up altogether.

10,932. The idea, I suppose, is, that that class should be treated medically?—Yes; my impression is that by treating them medically for some time they might be cured. That is my opinion.

10,933. If such an Act was passed, of course provision would have to be made for detaining them, and probably the best plan would be to take one of the existing prisons and to devote that entirely to the habitual drunkards?—Well, it would be very difficult to say that you could do that. It would be taking a few people out of each existing prison, and turning out those that are in the prison you select into some other prison.

10,934. But taking London, for example, there would not be very much difficulty about it?—I do not know that we should get so many as would fill any one prison in London. That is a question one would have to consider. It would be largely women who would be the inmates of such a prison. It would be women far more than men. I think we have got something about that in our last report.

10,935. However, generally speaking, you would approve of the plan of treating the drunkards in that way?—Yes, I think so.

10,936. Well then, coming to the younger offenders, should you be prepared to approve of the age for admission into reformatories being raised from 16 to 18 on the understanding that a special system of classification was adopted by the reformatories so as to prevent the intermingling of the younger boys and older boys, and the very vicious ones from the less vicious ones?—I think that the test of age is a very rough and uncertain one. It is the best there can be, perhaps, but I think what you want to get is the uncontaminated who may be 16, 17, or 18. You do not know much about their age, except what they tell you, and if any change in that were made, I think it would, perhaps, be right to make it permissive to send prisoners who are older than 16 to a reformatory; but I think it should be only in cases in which they were fit for it, it might be settled by some authority, say the visiting committee, that they were proper subjects for that treatment.

10,937. It was in my mind that discretionary power should be given in the first instance to the court to send these lads to a reformatory up to the age of 18?—Yes; but how the court is to ascertain whether the subject is a fit one I do not know. One boy may be a very proper person to send, although he is 17, and another may be a very bad one.

10,938. I can see that that is a difficulty. Would not it be possible to meet that difficulty by rather going back to the Parkhurst idea, and providing a Government penal reformatory which should be half prison half reformatory, and should be out in the country, with plenty of opportunities for hard agricultural labour, or reclamation of land, to which these lads could be sent, either directly by the court, or after they had been to a reformatory and proved too vicious and too criminal for such an institution?—A reformatory for the older and the bad lads, I think, is a good idea.

10,939. It is true, I suppose, to say that the class of habitual criminals is formed, as a rule, before the subjects reach the age of 20; and probably, before they reach the age of 18?—Yes, it is so. I have got some figures in connexion with that question of the ages, which I had got out to show what number there were in different prisons

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under these different ages over 16. I took seven of the largest prisons, and they contained among them 1,175 prisoners who were under 21, and I found that between 16 and 17 there were 97; between 17 and 18 there were 195. Now you come to a great step, and between 18 and 19 there were 291; between 19 and 20 there were 297; and between 20 and 21 there were 295. That total number 1,175 is something like half of the whole of those that were in the local prisons of those ages. Therefore, you may assume, I suppose, that the numbers of each age in those prisons represent half the total of all prisons.

10,940. Perhaps you will kindly hand that in to the Committee?—Yes, I will. (*The document was handed in. See Appendix III.*) That shows if you select a certain particular age what number of prisoners you would have, supposing the population is what it is now; but of course if they were in for longer times, they would accumulate, and you must vary those numbers in proportion.

10,941. Presumably a good many of these young criminals go in for a life of crime, because they find that after all prison now and again, say once every two years, is not such a bad place?—Yes, I am afraid they get familiar with it; they used to call Cold Bath Fields "Bates's farmyard"; and chaff about it.

10,942. If they found that instead of just being put in for three or six months they were laid hold of and sent to a penal reformatory (whatever you might call the institution) for detention for three years, that might have a more deterrent effect than the present system?—I think it is quite likely.

10,943. Do you think it might be provided that in the event of boys,—that is to say, the older boys,—being admitted on the increased age under this proposal to reformatories, that they might be transferred in some way to the penal reformatories if the voluntary reformatory found itself unable to do with them?—That there should be penal establishments for voluntary reformatories to send bad boys to; I do not see why they should not, because the sentence of the visitors is a magisterial sort of sentence.

10,944. You might provide that such cases should be brought before a magistrate?—Certainly.

10,945. And obtain a magistrate's order for removing them to a penal reformatory?—Certainly.

10,946. Then, with regard to the general class of habitual criminals, does your experience lead you to favour cumulative sentences?—I am in favour of their having longer sentences than those who have only committed themselves once or twice. Cumulative sentences have got a particular meaning in the way these things are talked of, which has been taken to mean that you add a certain portion on every time a person is convicted. I think that is rather too ingenious. I would say generally give a longer sentence to the person who has been frequently convicted, but I should not add any particular amount. I should not do it by rule, I should do it with some discretion, but it ought to be remembered, with regard to this, that something of that kind was tried by the Penal Servitude Act of 1864, which enacted that a ticket-of-leave man or a person who had been convicted before and had a ticket-of-leave, if he was convicted again, should not have a less sentence than seven years, that is to say, two years more than the least sentence which could be inflicted on a first conviction. Well, it was found that the judges and the justices would not act upon that; they would rather send them to imprisonment, and would not send them to penal servitude at all. The result of that was that that clause was repealed in 1880, and then they began sentencing them as before to the shorter sentences.

10,947. Should you be in favour of having indeterminate sentences?—No, I am not at all in favour of that. I do not believe in that at all.

10,948. For what reason?—Because the idea of an indeterminate sentence is that somebody has got some power of telling when a man is reformed, and that he is to let him out then and not before. Now, I do not believe in that man. I never knew such a man as that. I think you cannot trust anybody's judgment to that extent.

10,949. You would sooner have an automatic system of cumulative sentences of some kind?—I would rather have a system depending upon the judge. I think I should bring great pressure upon them to make use of their powers. I think the present system by which a man on being convicted half a dozen times for serious offences gets off as if he were a first offender, is contrary to policy and reason; but I should not like to have a mechanical system of cumulation; I should rather bring it about in some other way, but I think they ought to have longer frequent offenders' sentences. There is no doubt about that in my mind.

10,950. Then there is another alternative, which is that you might sentence an habitual prisoner after he has been convicted several times to a certain period of imprisonment followed by a period of detention in an establishment such as they have in Belgium; it is a sort of prison farm?—Yes, but I have had no experience of those things; I think a prison must be a prison. You must lock them up for the same reason that you lock prisoners up, in separate cells in a prison, you would have to lock them up in separate cells in this farm; you must treat them all as if they were in prison. I think the only thing like that is our ticket-of-leave system.

10,951. From what you have said, I think you would be in favour of treating the mentally weak in a separate prison?—Yes. I should either gather them all together in one prison or have a separate place for them. I should like to send them to be treated as weak people. I think if they are mentally weak they are just as much subjects for being taken care of as if they were mad; I see no difference in that respect. But a great deal depends on the length of their sentences. If a man is in for a week you cannot shift him off to a different prison.

10,952. Then supposing that this classification, such as we have been discussing, was carried out, it might help very materially the question of prison labour by concentrating certain classes under long periods of detention together?—You mean the penal boys?

10,953. There would be that class, then there would be the drunkards?—Who would be in a sort of farm prison.

10,954. Who might be in a sort of special prison for themselves, and then, if there were a system of cumulative punishment—we will call it by that name—there again the habitual offender, who very often now keeps coming in for a few months, would be kept in for a long period, and he could be taken in hand and set to some profitable work?—Taught trades?

10,955. Yes, taught a trade?—Yes. I do not know that it would settle the prison labour question, because the prison labour question is more a question of finding employers. It is not sufficiently looked at in that point of view. The difficulty is not to find employment, but to find employers or customers.

10,956. It is also the question of actual work to be done in the prison, for instance, in my own Department of the Office of Works, I have asked questions about that, and they say that the work done in prisons is too rough; there is not enough finish about it?—I think that is very likely. I do not quite know to what work you refer, but that would probably be the characteristic of working people who were only learning a trade.

10,957. I am referring to the furniture of public buildings of all kinds?—You could not expect to make any good furniture except by long apprenticeship; furniture is too refined and difficult a thing.

10,958. They also speak of baskets and mats as not being quite perfect?—Yes, we make baskets and mats, largely.

10,959. I notice that the Office of Works at present gives very few orders indeed to the prisons?—Well, we always bombard the public offices, and sometimes

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we succeed, sometimes we do not; but I have no doubt that if there are such things as baskets wanted, we could do it. We make them very largely for the Admiralty and the War Department.

10,960. Under the present system in the Department the supervision of labour rests generally with the Commissioners?—Yes, in the way we supervise everything. We expect the governors to find employment; that is one of their primary duties; but I am afraid it would be found that the greater part of the employment is found by us by getting it from the public offices, by making our own things, and by getting the public departments to employ us, and so on. I cannot say that we want to do more in this department of our supervision than in others, but we want the governors to find employment.

10,961. Do you think it would be desirable to give that particular class of work to a single official in the "Prisons Department"?—Well, we have got a Store Accountant's Department, and we have got Mr. Whiteley, whose special business it was when the Department was formed to look after the manufacturing business.

10,962. Is Mr. Whiteley now in the Office?—Yes.

10,963. What is his exact post?—He is called a clerk. He was manufacturer, or something of that sort, at Wakefield. When the present Department was formed we brought him up here to do the same sort of work for us. He works under the store accountant.

10,964. That is Mr. Duncan?—Yes.

10,965. Then does Mr. Whiteley go about the different prisons to look after their work?—Yes, he does everything he can do by the way of starting afresh, giving hints to governors. Anything he can do in the way of promoting work it is his business to do.

10,966. Do you think the best arrangement is now made as between the convict and the local prisons with regard to the work they are doing?—I think so. They send to the convict prisons that which requires the longest training, such as tailoring, shoemaking, and so on.

10,967. Of course, the great practical difficulty arises partly from the difficulty of finding work and partly from the short sentences?—The short sentences are an almost insuperable difficulty, but, apart from that, the difficulty is to find somebody who will consume our work.

10,968. (*Dr. Bridges.*) With reference to the question of the weak-minded prisoners, whom we have been speaking about, I think the question of insanity in prisons is one that has given you a great deal of trouble and anxiety?—Well, we have had a great deal of attack about it; but I do not know that it has troubled me very much.

10,969. We have had a great many exaggerated statements in the papers with regard to that, but, it would appear from your last report that, leaving out from the cases of insanity there reported the great mass of the cases which were remanded there simply for observation, and where many of them were in a state of insanity when they were admitted into prison, leaving all those cases out, there would appear to be about 50 cases out of 350 in which insanity broke out after removal to prison, and about a month, or more than a month after imprisonment. Now the first question I would ask you is this, is not that a very much larger proportion than occurs amongst 10,000 of the adult population of almost any class in the country?—I am afraid I am not very well up in those figures.

10,970. If you look at the last report of the Lunacy Commissioners I think you will find that among 10,000 adults of various classes, you may expect a number varying from about 5 to 15 cases of insanity to break out, which contrast rather with the 50 that you have here?—Well, I am not prepared to say anything about that, but I should say that they ought to be compared with the same class of people from whom criminals are drawn. Are the people who supply the criminal population of the prisons up to the level of all the rest of the population generally? I think perhaps they are criminals, because they are not up to the level, morally, mentally, or physically.

10,971. Your impression would be that the class from which criminals are drawn is a class mentally below the average of the population?—Certainly; mentally, physically, and morally.

10,972. And, therefore, you would expect reasonably a larger number of cases of insanity to arise from 10,000 of them than from 10,000 of any other class?—Certainly.

10,973. That would be most natural to expect, of course. Assuming that to be the case, assuming that the prison population, which we will take as 10,000, contains a very large proportion indeed of people below the average of mental health, would it not follow that the prison system should be rather directed with a view, at any rate, not to intensify that morbid predisposition?—Yes.

10,974. I was going to ask you further how far you considered that certain features of prison life may possibly develop the seeds of insanity previously existing, and principally the separate system. I do not mean the system of isolation, because I am aware your system is not "isolation," but, I mean your separate confinement as it is carried out?—I think if separate confinement is combined with occupation and with some sort of variety from the visits of officers, and so on, it ought not to have any effect in the way of developing insanity.

10,975. In the case of local prisons, where you have prisoners suffering the ordinary sentence of ordinary prisoners, it is not, I believe, the rule that a man should be under separate confinement for more than about a month?—He has separate confinement during the whole of his sentence of imprisonment, but, practically, they, most of them, come out, if their sentences are long, after a time to do work about the prison.

10,976. I mean to say that in such a prison, for instance, as Wandsworth, we saw a great number of the prisoners employed at associated labour under careful supervision?—Yes, a certain number.

10,977. There were workshops which were carefully supervised at which the people were in association, and so far, of course, you can hardly say that they were placed in separate confinement except during the night; but I was rather asking with regard to the prisoners kept for their first nine months?—That is convicts.

10,978. Yes. Relaxations of that kind, of course, are not permitted with regard to that class. The convicts during their first nine months do not work in association?—No, they are all in separation entirely.

10,979. They are entirely in separation?—Yes.

10,980. Therefore, in their case the nine months is passed as a degree of separate confinement very much more rigid than anything that exists in the local prisons?—I think it is very likely that a number of the local prisoners are brought out from their absolute separation sooner than nine months, but it is not necessary that they should be. It is not part of their regular defined order or system, but it is because they are selected to go to the kitchen, or they are selected to go to building work, or something like that. But with the convicts it is a rigid nine months, and during that nine months the separation is equal in both cases. I mean to say that the separation in the convict prison case is no greater than the separation in the local prison case so far as it lasts.

10,981. Except that association is never permitted in the case of convicts, whereas it is permitted in the case of local prisoners?—Yes, with reference to the first nine months.

10,982. Has the Department taken the opinion of what I may call mental experts with regard to the possible injurious effects of separate confinement?—There has been a great deal of discussion and correspondence on it 40 or 50 years ago. There was an immense deal of discussion at that time, and in the year

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1888 Dr. Gover analysed all the reports that were made, in order to test by subsequent examination what there was in them. It was at that time that they came to the conclusion that no more than nine months ought to be enforced. Subsequently to that the local prisons were established on the separate confinement system, and, theoretically at all events, prisoners have passed two years in separation, and nobody has ever found any harm to come of it. In fact, I think Dr. Gover's figures tend to show that the insanity rate decreases the longer they stop in the prison; that is to say that they are more liable to become insane, taking the figures, during the earlier months, showing that the length of imprisonment has nothing to do in inducing insanity.

10,983. In the case of a prisoner with regard to whom there is any suspicion that he is mentally unsound, the doctor, I understand, has the power, and also the duty, of modifying the system, has he not?—I mean he places him under special observation?—Yes, and when he has come to any conclusion he calls in the justices, and they certify him if he is insane.

10,984. Insanity, of course, is a very well-marked thing, and even mental imbecility, you may say, is a very well marked thing; but I should suppose there are a great number of cases in which the degree of mental unsoundness may be so slight as to take a great deal of skill to find it out?—Yes, it must be so.

10,985. What would you say to a proposal that has been suggested to us several times, that the prison medical officer should have had some amount of special training in lunacy, and that it should be a condition for his appointment that he had spent something like six months in an asylum, with a view of familiarising himself with insanity?—Well, I do not know what effect that would have in our getting candidates to come forward. It might possibly be done in cases where we have got a medical officer solely in our own employ. That, I think, would be possible, but in all the other prisons, where we have got a local practitioner, we could not expect him to do so.

10,986. But at any rate such a proposal might apply to the larger prisons?—Certainly, it might apply to the large prisons.

10,987. You would not see any objection to it?—That requires consideration. The difficulty about it is this: You will first of all have to take a man into your service as being a fit man. Then you must send him to this lunatic asylum and pay him as medical officer to be there whilst he is being educated. You could not make it a condition that nobody should be appointed who had not been in a lunatic asylum, because that would limit the area of selection so much.

10,988. Are medical officers appointed in the way in which other people are appointed to the public service; that is to say, do they apply and put down their names?—They apply and put down their names, and we send them forms to fill up to show their career. Then we do our best to select the best men, and the Secretary of State appoints whom he likes.

10,989. Is there generally a pretty fair competition for the appointment of medical officer to the large prisons?—Medical officers of large prisons are appointed by promoting assistant medical officers who are already in the service. There is a large competition sometimes among the local doctors for appointment to other prisons, sometimes for ridiculously small amounts. We have sometimes 17 or 18 people applying for an appointment of 200*l.* a year.

10,990. I was rather going to ask you a question on that, which is, whether you think that the principal medical officer is sufficiently well remunerated?—These questions have been under consideration very often. Of the medical officers in the convict prisons, the largest one gets 450*l.*, rising to 550*l.*, and a house. The smaller, or third class man, gets 300*l.* a year, rising to 390*l.*, and a house.

10,991. And in the local prisons?—In the local prisons they vary; in the largest ones we will say, one has 400*l.*, rising to 500*l.*, and in the others 300*l.*, rising to 390*l.* There is another who has 250*l.* Altogether, there are six more who have 250*l.*, and five more who have 200*l.* I do not think it is very much.

10,992. Would not it be the fact that in a prison, like Holloway, where such a very large number of people are sent for observation as to their state of mind, the position of a medical officer somewhat resembles that of a superintendent of a lunatic asylum?—We lately got the Secretary of State to give us a higher class officer at that prison for that reason; we got what we call "a first-class medical officer." The medical officer there is paid 400*l.* a year, rising to 500*l.* There are six of that class who receive 400*l.*, rising to 500*l.*, and a house.

10,993. Coming for a moment back to the question of the convict prisons, and the health of the prisoners there, I observe that in the last report the average number of sick throughout the year was 176, taking the whole of them?—Yes.

10,994. And that there were 2,000 infirmary cases. Is not that, perhaps, rather a large proportion out of the 3,400. I will not say the "infirmary" cases, because I do not know what that means?—That means that so many people applied on one day or another.

10,995. Yes, for infirmary treatment?—I do not know whether it is large. I have always understood that the health of our prisoners is very creditable.

10,996. The report from Parkhurst says, that of the 430 prisoners received nearly all were invalids?—Yes, it is an invalid prison.

10,997. The system is to take the convicts that come from the local prisons, who are invalids?—Not the local prisons—the convicts. All the convict invalids are concentrated now at Parkhurst.

10,998. But at Dartmoor also?—A certain number at Dartmoor also. There are certain classes at Dartmoor, but Parkhurst is the principal invalid prison now.

10,999. I was not quite sure whether that meant that people had come down from the nine months in the local prison at Parkhurst?—Well, if they were invalids when they were received, or when they were in the local prisons, they would go to Parkhurst at once; but they might develop some malady or some constitutional ailment during the course of their sentence in the other prison, and they would be sent to Parkhurst. Parkhurst is, in fact, the invalid prison. It used to be at Woking, but Woking, which held 700, was given up, and we established Parkhurst in its place.

11,000. I suppose I may take it that you would hardly see your way to encouraging any modification of the separate system in the case of convicts throughout their first nine months, even though the doctor may be of opinion that some modification of it would be advisable?—If he thought they ought to be in association, I think he would put them in association. There is no doubt about it, but the rule, I hope, will not be altered (and I think that it is a very successful rule), to give them nine months first of all in separation.

11,001. (*Chairman.*) A case was brought to the notice of the Committee at Wormwood Scrubs in which the visiting justices had inflicted an illegal punishment. As a matter of fact that was actually never carried out; but have you ever known in your experience of a punishment being carried out which the visiting justices had no power to inflict, other than the dietary punishment, which stands on rather a different footing?—I do not recollect anything about such a thing.

11,002. Except in the Wormwood Scrubs' case?—I do not know that I recollect that.

11,003. It was a case in which a man named "H. E." was sentenced to 42 days in a punishment cell?—I have heard of H. E.'s case, but I forget the details of it.

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11,004. He was removed to Wandsworth, and the governor then drew attention to the fact that it was an illegal punishment; and I think an instruction was given to the governor that he was to observe the law. With that exception you do not know of any cases that have arisen?—Yes, I think there was something else; because there was something about ironing prisoners, and we had to do something to prevent it. There were irons put on to two prisoners for some other reason than to restrain them, in fact, for punishment. We heard of that, and we asked the Secretary of State to make a rule upon it.

11,005. That was done two years ago, I think?—Yes.

11,006. With regard to the authority of the prison commissioners, a regular board meeting is not often held?—Not very often. It is held just when it happens to be wanted; not so often as it used to be, because it is less often wanted now than it used to be.

11,007. The system works automatically?—Yes, each Commissioner has his own district, and disposes of what he can; and what he cannot he sends on to me, or consults with the other commissioners upon; then whenever anything has to be done which requires discussion, we meet and settle it if it is anything of importance.

11,008. That is only when occasion arises?—That is only when the necessity arises, and when anything of importance has to be settled.

11,009. Do you see any disadvantage in arranging for criminals to be preached to by the outside clergy now and again?—It would be a good thing to do, I think, and a very good thing. I heard a sermon preached by an outside clergyman yesterday. I was in a prison chapel, and I heard one from the Dean of the Chapel Royal, St. James' Palace.

11,010. The sub-Dean?—Yes the sub-Dean. It is a very good thing, I think.

11,011. Do you think it would be advisable to have anything in the shape of lectures for prisoners?—I see no harm in it at all; it might do good, perhaps.

11,012. I suppose you would agree generally that anything which would elevate a prisoner's mind ought to be encouraged?—Certainly. Of course one has got to consider all sorts of things in connexion with that. You must have the time for it, and warders do not like to be kept away from their recreations, and so on; but in the abstract I am in favour of it. I should like to teach them singing and music, it would do them no harm. I do not know that I should dare to propose it, but I should like it.

11,013. If they had any aptitude or qualification for it, you would like to teach them music or anything like painting or wood carving?—You cannot teach painting in a class, I think; but you might teach them music if you were to pick out your men. Still I do not put this forward as a practical proposal.

11,014. Still you would if you could?—Yes I would if I could.

11,015. With regard to the schooling, are you satisfied with the general working of the present system—are you satisfied with the results?—Well, I think we do as much as it is necessary to do; we have always found that if you get a lot of prisoners in a class together, they abuse the position. They talk and they traffic, and they do not use it for the purposes of education; therefore, we have always for a great many years in the convict prisons, and the local prisons too, had the education cellular; that is to say, that a man practically teaches himself, except when he is in the very lowest stage of education, with the occasional assistance of the schoolmaster. What we think now is that, as there is compulsory education outside, there is not so much necessity for teaching in the prisons as there was 50 years ago when the question was started. Moreover, we found that prisoners who had been taught in prison, and had made some progress, when they came back under subsequent sentence were just as ignorant as they were when they came to us first of all. So that it is a waste of labour as to a great part of it, because they go on being educated for two, three, or four months, as the case may be, and then they go out and do not keep it up. It is gone, and is no use at all to them.

11,016. And you think it is advisable that schoolmasters should be uniformed officers?—I think so. We copied that from the practice that existed in the local prisons before. The greater part of them were warders, who were paid something extra for teaching and doing the schooling business. We adopted the same principle, only we added very largely to the number, and we made them go through a certain course of examination to show their fitness.

11,017. Are there great advantages in a female prison being governed by a member of the medical profession?—I think so; at our old establishment that we used to have at Woking, there was a lady superintendent at the head of the female prison. We found it very difficult to get a really good woman at the head of a place like that. There are very few women who know how to do it. We found that whilst she was in charge she always used to go and consult the medical officer on the other side, who was the head of the male prison, and therefore, when she retired, we thought it was a good opportunity of putting a governor at the head of both the male and female prison, and for myself, I think it has been a very good move.

11,018. Have you formed an opinion as to how many women a matron can exercise a sufficient moral control over?—Well, there were 700 women at Woking, with a matron at the head, and a chief superintendent under her. There are regular grades for the matron, and so on. I do not know that I have ever heard that there was any difficulty in managing to exercise a crotrol over them.

11,019. Nothing has been bought to your notice in particular in connexion with that?—No; I have no doubt at all that the larger the number the more difficult it is to get a woman to do it properly.

11,020. Are you in favour of appointing lady visitors?—"Lady visitors" has two meanings. We have got lady visitors to all our prisons now, who come in and look after the prisoners with a view to when they go out; but if you mean by "lady visitors," ladies who do what the magistrates do, that is another thing.

11,021. No; I rather mean ladies to see the women prisoners with a view to exercising some moral influence over them?—I think in the local prisons we have adopted that plan, and it is very good. We did not find it very successful when we had lady visitors in the convict prisons. They never seemed to get on with the staff, and they were not thought very much of. People talked to me of them who were independent of the matter entirely, and they did not seem to think they did any good, or very little good, at all events.

11,021*a*. There has been some evidence to show that there has been a considerable amount of crowding of women on their first reception, where the reception cells are insufficient in number?—At what particular place?

11,022. I think Strangeways was mentioned in connexion with women?—I know there has been some difficulty at Strangeways; but if there is any difficulty we must get over it somehow.

11,023. You agree that it is not desirable they should be together on reception?—No. That is a matter on which a great deal depends on the organizing power of the governor. Sometimes they will put them in there, and not examine them, and let them wait and not pass them into the ordinary cells until they become crowded. Another governor will keep the place clear continually. Then they cry out that there are no more cells, and they are starved for room, when it is their own want of organization.

11,024. At present it is rather difficult to draft prisoners off at short notice. Governors have no discretionary power of their own to draft them off?—Well, we cannot send a prisoner from one prison to another without the Secretary of State's warrant.

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11,025. Does not that make it rather a long business?—We act on the faith of the Secretary of State's warrant coming to us quickly. But if we had the power to act directly ourselves it would be a very reasonable and proper power to give. I see no reason against it, and it would save the Secretary of State an immense deal of trouble in signing warrants.

11,026. A governor would then telegraph up to you, supposing there was an emergency, and he expected a large accession of prisoners, and you would telegraph down?—What we expect the governor to do is, when they are at all getting into high water, to send us up a list of prisoners for removal, and then we send down to him to remove those prisoners if he finds it necessary, but not to remove them unless he does. He has got that list in his possession, but he must have a personal warrant for the removal. We could not telegraph to remove 15 prisoners, but we must give him a warrant to remove individuals. There must be a warrant or authority for the removal of particular individuals, but there is no difficulty at all about doing that with proper foresight.

11,027. If it was possible to establish a home for discharged prisoners, and if it were shown that this home worked satisfactorily; that trades were taught which enabled the men to get places; and also that it was a sort of break between prison life and a free and honest life, I suppose you would approve of such homes being started?—I am not favourable to the homes at all. I would like to see these people come from the prison to an employment, and they ought not to be collected together any more. I think it is a disadvantage to bring them together again. We have been taking an immense deal of pains all the time we have had them in prison to keep them apart, and I think it is a mistake, if it can be avoided, to bring them together again. I think the thing to do is to get employers to take them from the prison almost. What you are speaking of is very like what used to be the intermediate system in Ireland. That had a great deal of vogue at one time, but I did not think much of it myself.

11,028. I quite follow you in saying that you ought to prevent association after coming out of prison, where you can get employment directly for the men, but a large number of men cannot get employment directly, and then they go into the common lodging houses and associate there under very unfavourable conditions with ex-prisoners?—In the choice of two evils you must choose the less, and, I dare say, the regulated home would be the less. I believe there was one like that at Wakefield. Lord Houghton, I think, established something of that sort, and it turned itself at last into a mat making establishment, and finally became a rival to the prisons in mat making; so that those things are liable to occur. Mrs. Meredith's laundry is something of that sort, and people differ in opinion of that laundry.

11,029. The Salvation Army, I believe, have got a home for about 150, now?—I have never seen it. I think it may be the less of two evils, but I think it is a thing to avoid.

The witness withdrew.

The proceedings were adjourned sine die.

TWENTY-FIRST DAY.

House of Commons, No. 14 Committee Room.

Thursday, 7th February 1895.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN); and

SIR JOHN EDWARD DORINGTON, Bart., M.P.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
MISS ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., Secretary.

Mr. J. J. RUDGE and Mr. J. H. WALKER called and examined.

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11,030. (*Chairman.*) I think, Mr. Rudge, you are the general secretary of the National Flint Glass Makers' Trade Union?—(*Mr. Rudge.*) Yes.

11,031. And, Mr. Walker, I think you are the secretary of the Manchester District Flint Glass Makers' Union?—(*Mr. Walker.*) Yes, I am the Manchester district corresponding secretary and president of the executive for the whole trade.

11,032. May we take it that speaking generally on the particular point that you have come to give evidence upon, that you represent the views of the trade unionists?—(*Mr. Rudge.*) Well, in particular on that point I may say that we had a resolution that was passed by the Trades Union Congress relative to foreign prison labour. They passed that resolution. We also have been requested by the Parliamentary Committee to attend here.

11,033. That resolution was passed this year I understand?—Yes.

11,034. At Norwich?—At Norwich.

11,035. A debate took place last year at Belfast?—Yes.

11,036. Do you happen to have the amendment that was moved on that debate?—Yes.

11,037. Could you just give us the terms of it?—The amendment moved was as follows: "And this "Congress further considers it desirable that the "Industrial Act should be amended so as to effectually "check the practice of placing upon the public "market in competition with the products of skilled "craftsmen articles manufactured in reformatories "and industrial schools, and also to prevent the "partial training of youths in skilled trades for the "purpose of sending them out to supplant qualified "adults." That is the amendment. I may say at once distinctly that we do not approve of this amendment. We quite approve of a technical training for juvenile prisoners provided that the products should

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be utilised in the institutions, that is, in the reformatories or industrial schools, so that eventually they should come out into the world and be useful citizens. We do not object to that at all.

11,038. Can you tell me what happened to the amendment—was it carried?—No, the amendment was defeated, and the resolution as originally moved was agreed to.

11,039. Then will you read the resolution?—The resolution was: "That in the opinion of this "Congress it is highly desirable that so much of "the Industrial Act, 1886, as compels magistrates to "commit children to prison prior to being sent to a "reformatory should be repealed; and it be an instruc- "tion to the Parliamentary Committee to take such "steps as should bring this about."

11,040. Then I understand you do not object to the training of juvenile prisoners, and you do not object to the production by prisoners generally of articles which would be consumed by the prisons or by the reformatories?—I am speaking now distinctly with relation to juvenile prisoners. With adult prisoners of course it would be entirely different.

11,041. Then let us limit it to juvenile prisoners. You do not object to their being trained in skilled trades and to their producing what is necessary for the reformatories and prisons?—Providing the products are utilised in the reformatories or in the industrial schools. We think that they should have an industrial training. I believe I can say that as trade unionists we distinctly approve of it.

11,042. Then passing to prisoners generally, what is the objection to them?—To adult labour?

11,043. Yes, to adult labour?—Well, formerly, of course, you know as well as I know they used to manufacture mats and brushes and different kinds of articles in the prisons, but that has been stopped; and since it has been stopped of course it has benefited free labour in various industries. Now if we are to go back and to allow prison labour to produce these articles and to bring them out and place them on the market in competition with free labour, I am quite confident that it will be destruction to many of the minor trades in the country.

11,044. You say that the cessation of mat-making and brush-making in prisons has benefited free labour; but, as a matter of fact, I do not think the wages in those industries have risen. It is rather the contrary during the last few years?—Yes, I should be prepared to go with you on those lines and say what you are saying; but, as a matter of fact, it would find employment for free labour although wages have not gone up.

11,045. Do not you think that the whole question of prison labour so far as the outside markets are concerned, has been very much exaggerated?—Well, I do.

11,046. Do you know the estimated value of the prison labour?—Of English prison labour?

11,047. Yes, of English prison labour?—No.

11,048. I think it is under 120,000*l.*?—Yes, it would not be very great.

11,049. That is very small, do not you think so?—Yes.

11,050. Assuming that I am correct in that, that is an almost infinitesimal proportion of the labour of the country?—Yes, it is.

11,051. Then that being so the main consideration would be the welfare of the prisoners in relation to the community?—Yes.

11,052. The great question and the most important question that we have to consider in regard to the prison system is the prison punishment as a deterrent from crime, and prison discipline as a reformatory influence on the prisoners confined?—Just so.

11,053. Then if it can be shown that certain branches of labour are essentially desirable and almost necessary for the proper industrial training of the prisoners, how far is it right to interfere with that consideration on account of the very small proportion which prison labour bears to outside labour?—Well, it is a very important point that you have raised, sir. I may admit at once that morally and physically labour is beneficial to the prisoners; but at the same time that I assert that, I assert that the same thing applies to free labour.

11,054. Certainly?—Well, it is a very delicate point to decide. If all the consideration is to be granted to prison labour and none at all to free labour, then I think it is a very serious matter indeed; because as workmen we have to consider this: in the first place we have to maintain these prisoners. They are maintained out of the taxes of the country. Well, if we are going to maintain them and at the same time deprive ourselves of the opportunity of a livelihood it would be a very serious matter indeed for free labour. But I do assert that there ought to be some means of labour provided for prisoners, believing that it is both morally and physically beneficial; but if their products (which is entirely a different thing altogether) are going to be placed on the market and deprive free labour of the opportunity of a livelihood, then from my idea and my opinion respecting prisoners at the present time, the sooner all free labourers become prisoners the better it will be for themselves.

11,055. I do not think they would find it so when they got into the prison?—Well, I look at it in this way, there is a great consideration for the prisoners; there is greater consideration to-day possibly than ever there has been for prisoners. They are sure of a maintenance; they are always sure of a bed and lodging. They are sure of medical attendance; they are always secure from the elements we have to face. They are pretty well secure even against the present severe weather. They are always certain of their breakfast. Now it is not so with free labour.

11,056. Do not take me as saying that I consider that prisoners should be put into direct competition with free labour. What we have to do is to find suitable labour for the training and occupation of prisoners with the least possible interference with free labour outside. That is our object. But take for example this question of mat-making. All expert witnesses agree that that is an industry which is pre-eminently suitable for prisons. There are various questions which we need not go into now in connexion with prison discipline which make associated prison labour difficult, and which preclude altogether various industries; but mat-making is, from a prison point of view, a pre-eminently desirable occupation for prisoners. Well, the question is, whether that being so on account of its coming into competition with outside labour, that that very desirable occupation is to be taken away altogether from prisoners?—Well, I must admit that it is a very awkward thing to decide, because at the same time as I admit that labour is beneficial both for prisoner and outside, what means you would adopt to bring about the least possible harm that could possibly occur so far as outside labour is concerned, I cannot say. I really do not know any means at all.

11,057. I think it was the fact that the mat-making was developed as a prison industry when it hardly existed in the country, and that the mat-making industry outside grew up under, and in spite of, the competition of the prison labour?—It is suffering to-day seriously from the effect of the prison labour; I do not say English but foreign.

11,058. But is not it the fact that the industry so far as it is suffering from competition is suffering much more from foreign competition than from prison competition?—Yes.

11,059. Or to put it more exactly, it is suffering more seriously from competition than it had to face a few years ago?—Yes.

11,060. I rather understood from your letter that you were not prepared to go quite so far as to say that it is not desirable that any prison products should be put upon the outside market. I was under the impression that your view was that no products of prison labour should be put upon the outside market except at the fair market price?—Well, that is a means of controlling it. If it has to be so, then of course if you could rigidly draw up some regulations so that this labour shall be put into the market at a market price, and at a trade union rate, then I do not think the trade unions would fall out with you.

11,061. Of course it would be possible to carry on the manufacture in prisons with a minimum disturbance of outside labour; for instance, outside mat-making of course is carried on in certain centres. If two or three prisons were selected at the furthest points from those centres, the output, I suppose, would not do any harm?—No, but it would not be just to allow the products to come into the market and compete; that is by competing at a less price.

11,062. But I am assuming that they were put into the market at a standard price?—At a standard rate, a trade union rate, I do not think we could very well fall out with that.

11,063. (*Sir J. E. Dorington.*) Providing in fact they do not work on the cutting system, you do not object?—It is reasonable, taking into consideration the moral and physical welfare of the prisoner; but at the same time that I admit that, you know it is very dangerous indeed unless we have rigid regulations to the effect that they should be put upon the market strictly at the market rate, and as if the work had been done at the trade union rate of wages, and all things of that kind in connexion with the trade. There should be no underselling in any way.

11,064. (*Chairman.*) We could not give the trade union rate of wages to the prisoners?—No, but you should sell as if you had.

11,065. You have no objection from the trade union point of view to the practice of supplying the Government Departments with the articles produced by prison labour?—Now that is another very important question, because if you do that in the same way it is free labour that is going to suffer. If these prisons supply the Government, then it must take the work away from free labour.

11,066. But then the case stands rather on a different ground, does it not? In the case of supplying Government Departments the articles supplied are probably of a special character, and the demand for those would constitute a special class of work, which would have to be set up in consequence of that demand; and if the Government, instead of putting that demand upon an outside manufacturer, confined it to the prisons or to its own Government Departments, you would not have outside manufacturers set up at all. They would not be in existence?—No.

11,067. Therefore the prison labour would not come into competition in the sense that it might come into competition with an industry such as mat-making, which would be established outside and for the general public. There is that difference?—Yes.

11,068. You are aware of course that, for instance, taking the Post Office, a great deal of work is done in prisons for the Post Office, such as the pouches, belts, and bags?—Yes, but as a matter of common justice again, if the prisoners have to manufacture these things, the Government get the benefit of the products of the prisoners. We think also that we ought to have a share by way of reduction in taxation with respect to their maintenance.

11,069. Of course you do get a certain reduction in the cost of maintenance by the value of their labour?—Certainly, when it is purely and simply for the Government, but if you put it out in the open market you get a profit on their labour.

11,070. But any profit that you get either on that class of labour or on the labour given for Government purposes would really go towards the reduction of taxation?—Would it go to reduce that?

11,071. It would go to reduce the cost of the maintenance of the prison?—Well, if it would do that then we should get the benefit of it.

11,072. In the old days some of the prisons were made perhaps not actually self-supporting, but they paid a very considerable amount towards their cost?—Yes.

11,073. If that was done you would get a very considerable reduction of the present charge. However, I think I quite see the main point of your evidence. You are fully possessed with the importance of giving to the prison population the best possible training?—Yes, juveniles.

11,074. From the point of deterrence and reform, but you want the least possible interference with outside industry?—That is so.

11,075. (*Sir J. E. Dorington.*) With regard to the reduction of taxation, supposing the Navy wanted 1,000 or 100,000 hammocks, and are supplied with them from the prisons, they possibly pay the prisons nothing for those hammocks, but it correspondingly diminishes the cost of the Navy, and so you get a reduction of taxation because not so much money is wanted for the support of the Navy?—Yes.

11,076. Is not that a proper use of the prison population?—Yes, but in the same way you are taking the means of the opportunity away from free labour.

11,077. But then you say it is morally necessary or morally good for the prisoner that he should be employed?—Just so, in the same way as it is for free labour.

11,078. But if he is employed he must be either employed on productive labour or on unproductive labour?—Well, I believe it is possible to find productive labour that will not interfere at all with the free labour that is outside.

11,079. It is very desirable to find that. Will you suggest anything? Supposing they cultivate land they would compete with the agricultural labourer?—I do not know that I possibly can suggest anything; but there is picking oakum for instance.

11,080. Do you call that productive labour?—Well, I suppose it is, because there are the old rope and fibres that become useful.

11,081. In former days, the days of timber ships, it was a valuable product. Now it is a waste article, and is practically done as unproductive labour to give them employment. What is desired is to escape from unproductive employment, which is supposed to be rather deleterious to the moral fibre of the prisoner, and to employ him usefully. Then the difficulty is that the moment he is employed usefully, he undoubtedly competes with free labour?—Yes.

11,082. And the only way out of that which appears to be equitable, is that the prison labour being cheaper in consequence of being supported out of the taxes, the product of it should not be put upon the market at a less price than the trade price at which it is being produced outside?—That would mean destruction to the various trades if you did that.

11,083. Is not it rather a question of degree. Supposing, for instance, the prisons could take all the cotton manufacture of England into their hands, they would destroy the cotton manufacture?—Just so.

11,084. But supposing they took one millionth part of the cotton manufacture, would it be worth talking about?—Well, it would; because if you put that minimum part on to the market, and undersold the other, you would naturally undermine the industry.

11,085. By my previous question, I think I put it that it should not be put on the market at an under rate?—I did not notice that.

11,086. I agree with you that it is a *sine qua non* that the prison product should not be put on the market at a cutting rate, as compared with what it is outside. But supposing it is put on the market at the same price at which the free product is produced and sold, then considering the very small quantity that is really produced by the prisons, and the necessity, I may say, of employing prisoners productively, is there any objection to it?—No. I do not see any serious objection to that.

11,087. The statement which has been made here to-day is that the prison product is about 120,000*l.* a year, a large part of which is produced for prison purposes. Compared with the great trades of the country, is not that insignificant?—Yes, but all adds, when we know that these industries are literally

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wiped out as it were, and are throwing a great number of unemployed men on the streets who cannot get work. It is a very serious consideration.

11,088. But are not you referring to some other cause than English prison labour?—There are many causes which go to make up and bring it into this position. If we can only find them out one by one, and *erase them*, and wipe them out, we shall then be able to get out of the difficulty. We cannot find them altogether.

11,089. Do not we come to this with which we started: that there is a necessity for employing your prisoner productively owing to moral reasons?—Yes.

11,090. Then, if that is so, must not the trades put up with that productive labour considering its necessity, provided that it is put upon the market at a proper price, namely, at a price which is not below that at which it is produced by free labour?—As I have said before, there is nothing unreasonable in it; that is, provided it is put upon the market at a fair rate. There is nothing at all objectionable in that, but still it is as desirable as possible for the benefit of free labour for the Government not to become too extensive manufacturers.

11,091. We do not want too many criminals?—No.

11,092. Do reformatory schools compete seriously. Is there any valuable output product from reformatory schools;—Not that I am aware of.

11,093. I mean that that amendment which was defeated seems to point to reformatory schools seriously competing. I was going to ask you whether there is any foundation for that?—I cannot say there is. It was moved by Mr. Simmonds, of Dublin. The amendment was: "And this Congress further considers it desirable that the Industrial Act should be "amended so as to effectually check the practice of "placing upon the public market, in competition with "the products of skilled craftsmen, articles manufactured in reformatories and industrial schools, and "also to prevent the partial training of youths in "skilled trades for the purpose of sending them out "to supplant qualified adults." Of course we do not approve of that—quite the reverse.

11,094. You say they should not be partially trained, but properly trained?—Yes, believing it is morally beneficial for them and that there is an opportunity for them becoming useful citizens.

11,095. In fact it is the purpose of the reformatory to train them up as useful citizens?—Yes.

11,096. (*Chairman.*) Have you any other points you wish to put before us which you think material?—No, I have not.

11,097. I think we have elicited your general view on the subject?—Yes.

11,098. I may take it, Mr. Walker, that you concur in what has been said by Mr. Rudge?—(*Mr. Walker.*) Yes, I quite concur with Mr. Rudge.

11,099. And you have nothing further you wish to add?—There is just one little remark I should like to mention. Mention was made of the small quantity of goods which were formerly made, such as mats. That was before the stopping of the mat trade, but I will just mention that the mat trade is a very small trade in free labour outside, so that the small amount produced in prisons only affected a small trade, and it almost wiped that trade out.

11,100. You mean that relatively to that trade, at any rate before this industry was practically put an end to in the prisons, the prison mat-making formed a very considerable proportion of the total mat-making trade of the country?—I was referring to when the mat-making was in the prison. Before they ceased making mats in the prison the mat trade was almost gone as free labour, so that when it ceased in the prisons it increased outside.

11,101. I understand you to say that because it was a comparatively small industry in the country and at the same time was a considerable industry in the prisons there was a much greater danger of its being seriously interfered with and put an end to by prison labour?—Yes.

11,102. In addition to the mat-making industry, is there any other industry carried on in the prisons which you think specially interferes with outside labour?—(*Mr. Rudge.*) No, I do not know of any.

The witnesses withdrew.

Mr. J. Collett.

Mr. JOHN COLLETT called and examined.

11,103. (*Chairman.*) I think you are the director of contracts?—Yes, director of contracts for the Admiralty.

11,104. Can you tell the Committee what work was done for your Department by the prisons?—Yes. I have here copies of the agreements with the Prison Departments, showing everything we order from them. The chief items are coal sacks and bags, seamen's bags, hammocks, haversacks, baskets, mats, matting, and making up clothing for the Royal Hospital School at Greenwich. Those are the principal items. Of course there are a great many others of minor importance.

11,105. Do you make those contracts directly with the Commissioners?—Yes.

11,106. Do the Commissioners themselves see you on the subject?—No. The detail is done by some one from the Store Accountant's Department, and one of the gentlemen from my own department. Of course all the arrangements come under my supervision. I have seen Sir Edmund Du Cane upon the matter, but that was some time ago.

11,107. What is the value represented by the work done by the prisons?—I am afraid I have not worked that out, but it is some thousands of pounds a year.

11,108. Has there been a tendency to give more work, or the contrary, of late years?—Well, as far as I am concerned, there has been a tendency to give it when I can, but the tendency on the part of the prisons has been to refuse it.

11,109. What work have they refused?—In 1889 they were doing the tailoring work for Greenwich Hospital School, as I mentioned, and I offered to give them the supplying of the uniforms for the messengers at the Admiralty. They took it for one year, but an immense amount of delay and inconvenience was caused, and they would not undertake it again. Then in May 1891 we gave them a small order for hampers, which was basket work, and they would not take that. They said there was too much prison work for them to do it.

11,110. What was the nature of those hampers?—It was all rough work, such as they could do easily.

11,111. Unskilled work?—Yes; ordinary basket-makers' work of the roughest description. Then again in February 1892 we were taking away from the workshops in the dockyards the making of canvas dresses used by men when working in the inner bottoms of ships, where their own clothes would be spoilt. I offered them to the Prisons Department, and they said they could not take them, they had so much work in hand.

11,112. When you make a contract with the Prisons Department you know nothing, I suppose, about where the work is to be undertaken?—Yes, we do; because every year before we give them the order for the coal sacks, bags, &c., we send them the quantities and ask them where they will be made up, and this information we communicate to the different dockyards, so that they may know from which prison to receive the

consignments. This paper will show exactly what I mean. It gives the quantities for the last year of the haversacks, and so on, and the initial letter against each denotes the prison where the quantities will be made up, as shown at the foot of the page. It also gives the quantities for the previous two years. This document also gives the quantities for the minor articles, such as mats and matting.

11,113. Then I understand the prisons consign direct to the dockyards?—Yes. We supply nearly all the materials from Deptford. Deptford is our receiving yard for most of the materials, and they are sent thence direct to the prisons, where they are made up and sent straight to the different dockyards.

11,114. Have you noticed any difference between the quality of work as between one prison and another?—No. It is very rough work, but I do not think there is anything to find fault with.

11,115. It is good enough?—Yes.

11,116. It is strong?—Yes; especially the coal sacks. It is simply sewing them up strongly, and putting the ropes round them.

11,117. Have you found that there has been much delay in the delivery of these orders?—There has been in this way. The system they want to work upon is totally different from the system we want to work upon. Their object naturally is to have the work distributed over the whole of the year, our orders being given for a year's requirements, whereas we desire to have it sent in as quickly as possible. Of course, the only way to meet relaisons is to keep a larger stock than is necessary, and that is what we have been in the habit of doing.

11,118. Do the prisons keep any of the stocks?—No, none at all, because we have to issue the material, and only do it to the extent of our requirements of the made up article. We have to buy the material year by year for the annual requirements.

11,119. Would it not be possible to make arrangement by which so much material should be issued to enable the prisons to keep a store?—We prefer to keep the store ourselves. It is available then at any moment, and I do not think it would suit them to store the articles at all. It is quite satisfactory as far as it goes, for it enables us to keep a larger store, say a six months' store instead of a three months' store, in order to have plenty of articles in hand, and not to be obliged to urge the prisons to complete the orders more quickly than they are supposed to do.

11,120. Then your keeping the stores makes it unnecessary for the prison to do it?—Yes, and they are enabled to work their labour more evenly throughout the year.

11,121. You are satisfied on the whole with the way the work is done?—Yes, it is done very well indeed, as far as I have heard. I have heard of no complaints.

11,122. You say you are quite prepared to give them more work if they would take it?—Of the nature they could do; but there is much work I think they could not do.

11,123. But you have specified one or two things which have been offered them and refused?—Yes.

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11,124. What proportion of the hammocks used in the Navy are supplied by the prisons?—The whole of them. They do all that work. All the articles you have in that list are supplied entirely by the prisons.

11,125. The hammocks for ships in foreign stations?—Yes, everything.

11,126. Do you find that it is necessary to reject many of the things made?—No, from my observation it very seldom happens.

11,127. Have you any suggestions to make with regard to the further development of the prison labour?—No, I do not know that I have. This work was given to them first more than 20 years ago, and we have added to it from time to time as opportunities occurred which we thought were suitable for their means of production. There are things, such as tinware, which they could do—and we do give them a certain quantity of that; but it is not entirely satisfactory, because it is all made by hand. Nowadays scarcely anything in tinware is made except by machinery. It is all stamped or pressed, and, of course, is much stronger, neater, and cheaper. Really it would not pay the prisons to set up machinery for that, as great expense would be involved, and we might change our pattern; but the little that is still done by handwork is given to them.

11,128. (*Sir J. E. Dorington.*) In your accounts with the prisons, is there any cash entry between you and the prisons?—Yes, there is a cash payment made by the Admiralty to the Prison Department, at the rates stated in the contracts, which are the rates for making up, we supplying the material without charge, or for supplying the material also in some cases, as in the tinware and mats and matting.

11,129. You buy the materials?—Yes.

11,130. Then the making up is also charged to the estimates?—Yes.

11,131. And you actually pay from that account?—Yes.

11,132. (*Chairman.*) There are a certain number of highly skilled prisoners. Would it be possible, do you think, to give any special orders for skilled work to this small class of men?—Of course we do not know what they are skilled in, and we do not know how long their skill will be available, which is a matter of great importance. I think myself that the simpler the articles are that they undertake the better.

11,133. And that it is hardly worth while bothering over a small number?—No. These things are so very important that unless you have very skilled superintendents the chances are you will get them all wrong.

11,134. An instance was given to me that at Portsmouth or Dartmoor the prisoners were engaged in making what was necessary for the Kreigspiel for the War Office, which is work of a highly skilled nature?—I have never seen the game. I had in my mind electrical apparatus.

11,135. (*Sir J. E. Dorington.*) You would not like to trust the making of chronometers for the Navy to Portland?—Certainly not.

The witness withdrew.

Mr. Primrose.

Mr. PRIMROSE called and examined.

11,136. (*Chairman.*) I think you are Secretary in the Office of Works?—I am.

11,137. That department gives at the present time very little work to the prisons?—Well, there are only at the present time two kinds of articles that we get from them. They are tin paper-trays and baskets for the Post Office. Formerly, until comparatively recently we also got mats from them, but in 1892 we gave up getting our cocoanut mats from them, such as door mats and things of that sort, because of the great delay in supplying them. I have here the paper on which we finally decided to give up getting these mats from the Prisons Department. There had been a great many complaints, as I heard from Mr. Bailey, who manages that part of the business, and who I think the Committee might like to ask some questions on details. He has studied this question a good deal. He gave three special instances, and they are very interesting. One was the case of an order for a single mat 4 feet by 3 feet, which was

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given on the 28th of August 1891. The mat was not supplied until the 18th of December, that is, nearly four months. Another order was given on the 10th of August 1891, which was also for a small mat, 2 ft. 9 in. by 1 ft. 5 in., and that was not supplied until the 16th of October. Another order which was given on the 5th of August 1891 was not supplied until the 18th of October. That is, two of the mats took two months, and one took nearly four months. That was after a great number of complaints, so that we decided to give up getting mats from the prisons, but we did not make any formal communication to them. Mr. Bailey, I think, communicated with some officer of the Prisons Department. They raised no objection, and they have never raised any complaint, nor asked us to resume obtaining these supplies from them. There was another service which they used to perform for us for some years. I think it began in the year 1884. That was carpet beating. In the year 1889 it was not very satisfactorily done. At the same time we were prepared to go on with the system, but they said there were so many objections to it, partly I think on the score of the health of the prisoners, and the noise and the dirt, that they gave it up. The matter came before the Home Office, and also before the Treasury, and we regretted very much their giving that up. We thought it might very well be done at Wormwood Scrubs, and that it would save us a considerable sum per annum. However, it was decided, principally in view of the medical officer's opinion, that it should be given up. Now we do that work by contract, which costs us 450*l.* a year, which is less than what we estimated at that time. We thought that they were doing work that would have cost us 600*l.* or 800*l.* a year. However, we have got a very cheap contract, and we do it for 450*l.* now. I do not think that at any time we have got brooms or brushes from them. At the time we gave up carpet beating they asked that, while we should give up sending them our carpets, we should obtain brushes from them. We said we were quite willing to do that for certain brushes, but we did not think they would be able to supply us with the better qualities of brush, an article of manufacture which we think is rather a specialty. We were quite willing to do that, provided the prices were not in excess, but were about the same as we were obtaining from the contractor, and the article was fairly good. At that time we told the Treasury that the total cost of brushes and brooms to us was about 1,600*l.* a year. That was, I think, only for the London supply. I do not think we took it over the whole country. Of these I think that about one half might be supplied by the Prisons Department. That would be about 800*l.* a year for the commoner kinds of brushes. Nothing, however, was done on that. Our reply was communicated to the Home Office, I suppose, but no further communication was made to us.

11,138. Has any special communication been made to you by the Prison Commissioners on the subject of prison labour?—No, I am not aware of any. I know of no general communication, and most of our communications with them have been of rather an informal kind; that is to say, either verbally or by notes. We have had very little direct correspondence with them; and except in this particular instance when they specially asked that we should get our supplies of brushes from them, I do not remember any case in which they have asked us specially to take articles from them. With regard to articles that we do get from them, namely, the tin trays and the baskets for the Post Office there is very considerable delay very often, I think partly owing to the fact that the particular prisons where these things are made are very remote from London; for instance, I believe the tin trays are made at Portland, and the Post Office baskets are made at Dartmoor, so that it is extremely difficult for us to get at them as it were, and to spur them on when there is delay.

11,139. You have no control as to where the things are to be made?—No.

11,140. That rests with the Prison Commissioners?—Yes.

11,141. There has never been anything in the nature of conference on the subject of prison labour between the Prison Commissioners and the Department?—No. Certainly I can speak for over eight years and I do not find any trace of that in the papers. I notice, for instance, that in 1884, which was in the time of my predecessor, Mr. Mitford, that Mr. Bailey begins a memorandum about carpet beating in this way, "In accordance with your "instructions I have communicated with the Convict "Prisons Department with a view to their under-"taking more work for the Board than they now "execute." Therefore presumably there had been some representation, although not an official one, on the subject of our employing the prison's labour to a greater extent.

11,142. Mr. Bailey has been the head of the Furniture Department for some time, I think?—Yes, for 10 years.

11,143. He has had the direct negotiations, I suppose, with the Prisons Department?—Yes.

11,144. Have you formed any general ideas as to whether this is work which could be extended?—I think it could to a certain extent. I think there are certain things.

11,145. Well, you have mentioned brushes to the amount of 800*l.* a year?—Yes, and there are such things as dusters. There is one matter in which by arrangement with other Departments I think a good deal of work might be given to them, and that is the laundry work of the Government. We do not do that for the different Departments now, but each Department makes its own arrangements. In some cases the office keepers merely contract, I suppose, for the washing; in others it is given out; for instance, in the Houses of Parliament the Serjeant-at-Arms has a very large amount. Some five years ago we had an idea of making a suggestion, not that we should take over the laundry work exactly, but that we should make a contract with some large laundry that they should undertake any work sent to them from any Public Department at a certain price, but we also had at the same time some idea of employing the prison labour. We understood that the prison at Manchester would be very willing to undertake all the washing there, and that there would be a considerable amount in the Post Office and so on. Well, if that work could be arranged for, that would represent in London alone something like 3,500*l.* a year, the present cost of washing to the Public Departments? in fact I think it would be really more than that, because when we made these inquiries in 1889 we sent a circular to each Department and asked what their arrangements were and what the charge on their vote was; and while some said there was no charge because it was done by the charwomen as part of their work—no charge at any rate that they could estimate—others gave it out at so much a piece, and the total of these came to about 3,000*l.* For instance, I remember that for the Houses of Parliament the washing is 300*l.* a year, principally towels and things of that sort.

11,146. You say mats were given up in 1892 because of laxity in delivery. Were the mats badly made?—I do not think we had any complaint. Perhaps Mr. Bailey can say about that, but I do not think we had any complaints; it was more the great delays. I think Mr. Bailey will tell you that he very often urged upon the Prisons Department to keep a stock of all those common articles that we were constantly asking for, so that when we sent in a demand it should be complied with immediately.

11,147. But we have just heard from Mr. Collett that with regard to the articles they have made for the prisons they have a store of their own, and therefore the necessity for a store in the prisons is not so necessary. The Office of Works has a number of things in store, I suppose?—Well, quite recently we have started a store for household articles, such as

soap, candles, and small articles; otherwise we have had no store before, except we had something in the nature of a carpet store; but those are both rather innovations. The principle on which the Department has been worked until lately has been to avoid stores so as to avoid the stores accounts.

11,148. The Department which gives the orders to the prisons is not responsible for the raw material, I think?—No.

11,149. That is all found by the Prisons Department?—Yes. I ought to say that the total amount of the mat business is not very large. It is not as large as the Committee might imagine. Taking it out roughly, I find that it seems about 100*l.* a year for London. In these figures I am dealing only with London because it is extremely difficult to say what it is, taking it all over the country. There is one other industry in connexion with the laundry, that is the needlework. For instance, the sewing and hemming of dusters and towels, and things of that sort, which if there was a female prison in convenient range might be done. There is another thing, that is firewood. We might very well get bundle-wood from the prisons, I think. As a matter of fact we do not use a very great deal of that. We use faggots principally, which are a little more expensive, but I think there is a good reason for that, which is that they light the fires so much more easily in a large office where a great number of fires have to be lighted at the same time. You get the fires much more quickly, and better lighted by faggots than by bundle-wood as it is called, or split wood.

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11,150. Bundle-wood is split wood?—Yes; it is what is usually used in private houses, I think; but that requires a little care in laying, and of course in the public offices there is not very efficient service of that kind. You have not very good housemaiding, as I daresay you know.

11,151. (*Miss Orme.*) Would there be any objection to giving that laundry work or needle work to some of the large Rescue Homes, like for instance the East Finchley Home, the Roman Catholic Reception place?—I do not know that there would. The difficulty I foresee in regard to the laundry work is that at present each Department manages its own laundry; and unless it was with the authority of the Government generally, we should have no power to arrange with anybody of that kind. But assuming it was desired to concentrate it in one hand I do not know, provided it was well done, and an economical contract could be made, that there would be any more objection to putting it with a home of that kind than with a big laundry.

11,152. But with regard to the work you yourself have to get out in your own office you see no objection to employing a place of that sort if it is a good contract?—Well, our own is extremely small. It is not a large office.

The witness withdrew.

Mr. ROWLAND BAILEY called and examined.

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11,153. (*Chairman.*) You are the head of the Furniture Department of the Office of Works?—Yes.

11,154. And you have had personally to deal with the Prisons Department in any orders that may have been given?—Yes.

11,155. You have given some consideration to this question for some years past?—Yes, for the last 11 years.

11,156. Perhaps you might state your views generally to us, in the first instance?—Well, I may say that when I went to take charge of the Furniture Department 11 years ago, I was perfectly enthusiastic upon the subject of utilising prison labour for the purposes of our Department. I may say, perhaps, that I held, and I still hold, the view that prison industry should be confined entirely to meeting the wants of Government establishments, and as an experiment when we asked them to do our carpet beating—I do not know whether Mr. Primrose mentioned this——

11,157. Yes, he did?—I found every possible help from the Chairman of the Prisons Commissioners, and from the officials at headquarters who had direction, or supposed direction, of this business. But in a few months difficulties began to occur, and at the very moment when we were most busy we were asked to stop sending carpets, which was obviously impossible; and, although we were helped on that occasion, yet, after three or four years, the Prisons Commissioners decided that they could no longer do the work. I visited many of the prisons, and saw all the industries there. I was for a very long time in communication with the heads of the Prisons Department, and it was arranged that they should make more mats for us than hitherto, if possible; that is, different sorts of mats, and that they should make some of our baskets, as well as one or two other kinds of articles. Several things which I suggested they should make, they declared themselves unable to do.

11,158. Of what kind?—Tinware generally, pails and so on. I do not know why they should not do that, because they make something of the same sort for themselves. However, one article after another had to be given up, simply on account of the heavy delay in supplying the things. For instance, we found out at one time that we had to wait on an average rather more than two months for a single mat, although these were all of precisely the same pattern, and the prisons had been asked to keep a stock of them.

11,159. They did not keep a stock of them, I think?—They were asked to do so, and they arranged to do it, but in fact they did not.

11,160. We have been told they do not keep stocks at the present time?—I can quite understand that from the delay that takes place with our orders.

11,161. Do you think that this inability to supply the articles is due to the inferiority of prison labour or is partly due to want of organization in the Department?—I should say it is chiefly due to want of organization. One can understand that the prison product must be inferior, as it is undoubtedly inferior to the product of free labour; but it was quite clear to me that the prison warders did not like it. I understand that they got nothing extra for superintending the manufacture. It was a nuisance which interfered with the discipline. The Governors could have no object in keeping the manufacture, and so the thing has died out to a very great extent, so far as we are concerned.

11,162. Do you think from your observation that there is an efficient placing of such orders as the Prisons Department might get among the right kind of prisoners or the right kind of prisons?—I think there should be no difficulty whatever in allocating the industries to the proper centres.

11,163. You think that is done?—I think there should be no difficulty about it.

11,164. But do you think it is done?—In my judgment it is not. I cannot understand, for instance, the wisdom of making baskets for the Post Office at Dartmoor, nor of making the tin paper-trays which we want in London at Portland. It seems to me that industries of that kind might very easily be conducted in some London prison. Again, I think that it was not perhaps the best possible thing to do to propose to do the washing for the Public Offices of London at Manchester.

11,165. When you are brought into relation with the Prisons Department what officials do you see?—I first saw Sir Edmund Du Cane, that is some years ago now. I also saw the store accountant, Mr. Duncan, who gave me every possible assistance. There was no

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question as to the desire of the Prisons Commissioners to manufacture for us.

11,166. But there is not any special Department, is there, in connexion with the Commissioners which is responsible for looking after the general question?—No. It seems to me that the present state of things could not exist if the prison industries received the attention or had the weight, for instance, at the Board that other things have. Everything is subservient to discipline. For disciplinary purposes, the parties who were beating carpets were marched back several times in the day during the busiest season, and so it is with other things.

11,167. With regard to that carpet beating, had you any reason to think yourself it was an unhealthy pursuit?—Not at all. There is a certain amount of dust, but not very much, and the beating was carried on in the open air. The prisons authorities did not find it was an unhealthy pursuit for several years.

11,168. I think Mr. Primrose stated that he imagined it was abandoned chiefly on the report of the medical officer?—The report of the medical officer was produced, it is true, but that was produced very late in the day.

11,169. Do you think that the staff rather might have objected to it?—I feel sure it came from the staff. After all the staff is only human; they get nothing for it. The work is unpleasant, and if not properly done it may lead them into trouble What inducement has a warder to get his prisoners to work at an industry of this or any other kind? Then again there are no instructors for the different industries, as far as I can see.

11,170. Have you had much personal talk with warders on the subject?—Yes, from time to time I have seen a good many of them.

11,171. Taking these articles that have been named, there is no reason surely why prisoners should not make ordinary mats?—There is none whatever, but the thing broke down because for some reason or other the stock of mats was allowed to run right out. Under our old system it was necessary the prisons should keep the stock of mats. They made no difficulty about it, and I am quite sure the Prisons Commissioners were anxious it should be done. Afterwards came the period when the average time for supplying a mat was about two months.

11,172. (*Sir J. E. Dorington.*) Originally then there was no difficulty in getting the mats. It was only for the last few years?—I cannot say that, because in 1883, before I knew anything of it personally, I find that our office was writing to the Prisons Commissioners complaining of the delay in supplying the prison mats, and stating they must cease to give orders if they did not get them more quickly. However, a sponge was drawn over all that, and a new start was made.

11,173. I suppose your demand was in excess of their means of production?—No, I do not think it was that at all. I think it was simply that the prisoners were called off to other industries or to no industries at all.

11,174. Were they selling mats outside at that time?—I cannot say that, but they have been making mats for us since 1857, when Sir Joshua Jebb wrote.

11,175. Did you have any mats in those days from the local prisons, before the prisons came under the Government?—No; from convict prisons only.

11,176. You are aware that mats were made in the local prisons?—Yes, I believe that was so.

11,177. (*Dr. Bridges.*) Have you paid any attention to carpet beating?—Yes.

11,178. I suppose you would say there was a great difference in carpet beating, whether it was carried on in a close court yard or in an open place?—When I say an open place, I mean a court-yard, a prison yard, which is fairly extensive.

11,179. A small prison yard, with high walls on each side, might produce an amount of dust which would be very disagreeable?—Yes, it might.

11,180. (*Chairman.*) You would say, I suppose, that it would be desirable to have a highly responsible official in the Prisons Department who should be primarily responsible for the organisation of labour?—Certainly I should regard that as of paramount importance in dealing with the things.

11,181. And with a sufficient authority to control the labour as between one prison and another, and one governor and another?—Quite so.

11,182. Then I also gather that you think it is of great importance for the development of prison industries that first the warders should have some further interest in the work of teaching and supervising the industry?—Certainly.

11,183. And that there should be a better supply of skilled artizan teachers?—Quite so, but whether they would be required temporarily only, or permanently, I should leave to the requirements of the service.

11,184. But you think there would be great advantage in having one official who could take a bird's eye view of the whole of the prisons throughout the country, and could organize the labour according to the local requirements and the individual capacities of prisons to produce certain articles?—Quite so.

The witness withdrew.

Adjourned to Saturday, the 9th instant, at 11.30 a.m., at the Home Office.

TWENTY-SECOND DAY.

Home Office, Whitehall.

Saturday, 9th February 1895.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN).

The Right Hon. Sir ALGERNON EDWARD WEST, K.C.B.
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ARTHUR O'CONNOR, Esq., M.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
Miss ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., Secretary.

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Mr. MICHAEL DAVITT called and examined.

11,185. (*Chairman.*) Mr. Davitt, the Committee, of course, has had the opportunity of reading your evidence given before the Kimberley Commission, also of reading various publications of yours with regard to prison treatment, so that there will be no necessity for us to take you through all the details of the

subjects which you have already given your opinion upon before the Kimberley Commission or otherwise?—Yes, I would wish to practically hand in the evidence I gave before the Kimberley Commission in 1878, in which I dealt with my own treatment and personal experience in penal servitude; and, in addition to that, I also hand in the article which you have been kind enough to say the members of the Committee have read in the "Nineteenth Century." That evidence and that article practically represent what I have got to say, only I wish to make this observation with reference to my article in the "Nineteenth Century." Of course, I say in that article that some 15 or 16 years have elapsed since I was in prison, and possibly since then there may have been some modification of the rules and regulations of which I am not now aware. Subject to those possible modifications of the discipline which I have experienced, I tender the evidence and the article to which you have kindly referred.

11,186. There are some rather material points upon which we should like to examine you to-day, and to ask you some questions more or less in detail upon. First of all, what was the term of your imprisonment, and where was it passed?—My sentence was 15 years' penal servitude. I was tried in London at the Old Bailey, on the charge of treason felony. Previous to conviction, I had experience, as an untried prisoner, of Clerkenwell House of Detention and Newgate. After sentence, I had experience of Millbank as a probationary prison. Then I was sent to Dartmoor, where I was detained for two years. I was then transferred to Portsea convict prison, where I remained only six weeks. I was then sent back to Dartmoor, where I was incarcerated until I was discharged upon ticket-of-leave on the 19th December 1877. Then in 1881, I was re-arrested and sent back to penal servitude by Sir William Harcourt, who was at that time Home Secretary, and I was detained in Portland Convict Prison for 15 months, so that I have had something like eight years and nine months' experience of penal servitude altogether, and about six months' experience of Irish prisons as a first-class misdemeanant.

11,187. Before that sentence, I understand you were detained in Clerkenwell and Newgate?—Yes, and with your permission, I wish to say a few words as to the treatment of untried prisoners, a subject I did not touch upon either in my evidence of 1878, or in my recent article. I think it is very harsh and very unjust to treat untried prisoners as if they had been already convicted for some offence. The theory of the law in England, of course, is that a man is held to be innocent until he is proved to be guilty, but my experience as an untried prisoner leads me to this conclusion, that prisoners before trial are subjected to very unjust treatment. They are put in what are practically punishment cells, they are denied access to newspapers, they are denied visits from friends, except in the presence of prison officials, and almost all other privileges which I think presumably innocent people are entitled to.

11,188. Of course, if unconvicted prisoners like to pay for certain things they can have them?—Yes, if they like to pay for their food it will be sent in to them, but I was not allowed to see any newspapers during the two months that elapsed from the time of my arrest until the time when I was convicted. I was not allowed to see any of my friends except in the presence of a warder, and when my solicitor came to have interviews with me, the warder was practically present. I do not know whether these things have been changed since then; possibly they may have been. Then, again, untried prisoners are roughly handled by the police, and jostled about in a very unwarrantable manner, when being taken from the cells to the magistrate's court.

11,189. When you say you were confined in what was practically a punishment cell, did you mean a cell that was at all dark?—The ordinary cell in which prisoners are undergoing short sentences is a cell into which the untried prisoner is put for a location. I do not say it is the real punishment cell, or, as we in prison called it, "the chokey," but it is the cell men are detained in when undergoing short sentences in these respective prisons.

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11,190. What about the diet?—If untried prisoners do not provide their own food they have the same diet as a prisoner has who is undergoing punishment.

11,191. That is a diet which they call No. 3 B.?—The diets in my prison experience were not numbered in that way, and, therefore, I am ignorant of diet number 1, 2, or 3. We had probationary diet, the ordinary diet, and punishment diet.

11,192. In point of quantity, was it sufficient?—No. I think I expressed myself strongly upon that matter in my evidence in 1878.

11,193. I mean the untried prisoners' diet?—I could not eat it while other food was obtainable. I had my own food brought in. I had it in Newgate for two days, but I could not eat it.

11,194. You underwent the nine months' solitary confinement after sentence?—Yes, in Millbank. Millbank has now ceased to exist as a prison, and it is therefore useless to criticise it.

11,195. Then, excepting your experience in Clerkenwell, Newgate, and Millbank, you have had no experience of imprisonment in local prisons?—No, except in Ireland.

11,196. When you were re-imprisoned in 1881, and served a further period of 15 months, were you put to solitary imprisonment, or did you go straight to labour?—No. I was taken at once to the infirmary on being received in Portland Prison. I was not well at the time, and I was located in the infirmary during the whole of the 15 months. I was not subjected to any harsh treatment or any labour. I was exceptionally treated during the 15 months I spent in Portland Prison, as compared with my experience in Dartmoor. That is, I had practically any diet I cared to ask the doctor for during the time, and I was not allowed to associate with ordinary prisoners.

11,197. I understand from your article in the "Nineteenth Century" that you have a very strong opinion on this nine months' imprisonment?—Yes; I think it is a punishment that ought to be entirely abolished. As I say in my article, I believe that if old offenders were sent at once to public works prisons after sentence, and put immediately to some useful manual labour, it would be better for them, and it would be a more humane treatment. Then, with reference to prisoners who are sent to penal servitude for the first time, I think there is a greater reason for abolishing the nine months' solitary confinement in a probationary prison. It tells doubly harsh upon those who have not been in a convict prison before to be confined in a cell for 23 hours out of every 24 for months.

11,198. Evidence has been given before us to the effect that the old hardened offender is very much afraid of those nine months?—He is very much afraid of anything like hard manual labour.

11,199. The evidence is, that he is very much afraid of the nine months' imprisonment?—That is not at all my experience.

11,200. May I ask you if you can speak of the experience of other people in this matter. Have you had any conversation with different classes of prisoners on the subject?—Certainly; with all classes of criminals you have in your convict prisons, because up to 1875 or 1876, I think, we were privileged to talk at exercise and on a Sunday, and I made it a point, while I was in Dartmoor, to get into conversation, whenever possible, with every kind of criminal that I could get to talk to; and invariably I found that those prisoners who were sent to penal servitude for the first time had a horror of the nine months' silent confinement in the probationary prisons, while the "old lags," as we called them, had nothing like the same fear of it. They used this period for malingering purposes; they resorted to their favourite plans during the nine months in Millbank, in trying to induce the

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doctor to send them to some invalid prison, such as Woking. I do not know whether there was any other invalid prison beside Woking; but it was generally during that period that they resorted to their well-known dodges and plans to get free from those prisons where they would be put to hard manual labour for the main portion of their sentence.

11,201. Then, if I follow you, you can speak from having a wide experience in this matter, and you have no hesitation in saying what you have done?—Not the slightest, in re-affirming what I have said in my article; and I speak now from seven years' almost continuous intercourse with all kinds and classes of criminals. I would suggest that, if there should be an objection to doing away entirely with the nine months in solitary confinement, that it should be reduced to one month or two months in the beginning of the sentence, and one or two months at the end of the sentence, so that at the end of the sentence the prisoner would be amenable to the attentions and services of the chaplain and the schoolmaster, and every such reformatory influence as could be brought to bear upon him just before he comes out into the world again. One other very strong objection to the nine months' solitary punishment in probation is, that I think it produces insanity. I have seen several men in Millbank Prison go insane during my nine months' experience there, and I attribute it to the terrible punishment of being shut up in cold silent cells for 23 hours out of every 24 during that period.

11,202. With regard to the warders generally, did you yourself have any grave reason to complain of their conduct to you?—Yes, as being a political prisoner, that is, a Fenian prisoner, I, of course, was subjected to greater surveillance, and, I may say, to harsher treatment than the ordinary prisoners. This may have arisen from political bias, or something of that kind, in the minds of these warders. Mind, the warders of whom I had most experience in penal servitude were old soldiers or old sailors, and naturally they may have had a prejudice against me in consequence of my having been convicted of some conspiracy against the authority of the country.

11,203. Then did you observe any special harshness towards other prisoners?—Oh yes, frequently. I think I gave evidence in 1878 about prisoners being knocked down in Dartmoor by warders, when in my judgment no such treatment was at all deserved It frequently happened in Dartmoor that prisoners were felled by warders, and in punishment cells, where I was detained for several months in 1875 and 1876, prisoners have been frequently beaten underneath me in punishment cells in the night time by visiting warders. That happened often.

11,204. I suppose in those cases complaints would not always be made by the prisoners?—Well, it is all but useless for a prisoner to make a complaint in a prison against the warder. Of course he is at liberty to do so, and to see the visiting director, but if a prisoner gets the character or reputation of being a complaining prisoner, and reporting warders, then the warders are down upon him. They are troublesome prisoners, and they get run in in consequence.

11,205. We asked the directors for the return on the subject with regard to the total number of complaints against warders for the year 1894 in Dartmoor and Portland, and they only come altogether in Dartmoor to 13, and in Portland to 30?—That is in 1894?

11,206. Yes?—Well, I wish to repeat again that there is a strong disinclination amongst all prisoners to get the character of complaining of warders, because the warder has all power in keeping from the prisoner his remission of sentence. It is the warder who is in charge of a prisoner when at work who has the giving of the number of marks to the prisoner, by the earning of which he shortens his sentence. If a prisoner, therefore, complains of that warder, he fears the warder will refuse his marks and thereby prolong his punishment.

11,207. Having regard to the pay and the duties and the general conditions of service of the warders, do you think that there is any more harshness or more unsatisfactory conduct than you would reasonably be led to expect from your knowledge of human nature?—No; taking into account the training and antecedents of the class of warders you have in your convict prisons; recollecting that they are old soldiers and old sailors who have themselves undergone a very severe discipline, and who find themselves invested with a little authority and power to inflict discipline upon others, I think you explain what I would consider their harsh treatment of the prisoners under their charge. I have found in Dartmoor and in one or two other prisons a difference in the treatment of prisoners between military warders and civil warders. In Dartmoor we had a number of warders who were recruited from the population round about, men who had some agricultural training, and a few who were artisans. I found that they got along better on the whole with the prisoners than the old soldier warders. They appeared to be a little more considerate and more humane.

11,208. You were never brought into contact with the civil guard?—No, because I was not allowed outside Dartmoor Prison during the whole time I was there. Other prisoners were sent out to work on the moor to reclaim land, and others to the quarries to get stones, but I was not allowed outside the walls at all.

11,209. I understand the civil guard are not brought into contact with the prisoners?—No, they are kept at a distance. When prisoners go outside the prison walls to work, the civil guard is about 50 yards away from the ranks with his rifle to fire if a prisoner should attempt to escape. Then there are civil guards who perform the duty of sentinels round the prison walls and in the exercise yards.

11,210. Now taking this question of warders in connexion with the views that you have expressed about trifling offences in prison, do not you think that the best way of avoiding those trifling punishments would be by as far as possible improving the general status and character of the warders?—Decidedly. I would be in favour of increasing the inducements for a better class of men to go into the prison service. I would increase the pay of the warders and lessen their hours of labour, and thereby invite or entice a better class of men, with some special training, than the ex-soldier or the ex-sailor to go into the prison service as warders.

11,211. I have not got the figures of the punishments for 15 years ago, but probably you are aware that at the present time a very large proportion of the convicts go through the whole of their period without any punishment at all?—Oh yes; I think I dealt with that, if not in the article, in the book I wrote, and amongst those you will find a very large per-centage of the old hardened criminal class. They are not the worst offenders, so far as the prison rules are concerned, at all.

11,212. You say in your article, "Good behaviour "offers little if any test of the influences for moral "reform which punitive justice exercises upon "criminal character"?—Some of the most unconscionable scoundrels I met in all my experience of penal servitude were well-conducted prisoners, who defended stealing as simply a natural instinct in man, that was bound to exercise itself unless it was controlled by early moral influences and training. Upon that point which you have raised, that is, with reference to the large per-centage of prisoners who are not reported for any breach of the prison rules, what I complain of is that men who are not hardened criminals and who show exemplary prison conduct should be subjected to the same rigorous prison discipline that is prescribed for the incorrigible prisoner.

11,213. With regard to that particular class of prisoners you were just now speaking of, what you call the "irreclaimable class, who are thieves by conviction," do you see any way of dealing with those from the point of view of the community other than

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by long periods, not so much of imprisonment as of detention?—Well, I am not at all in favour of long periods of imprisonment. My experience, of course, forces me to take the opposite view, but I think that some special treatment is required for the incorrigible thief. I favour them being sent to some prison to be practically a prison for these hopeless cases of criminality alone. I am not prepared to suggest what would be an effective scheme for dealing with that class of criminals. It is a very big question. But I would strongly urge that that class of criminal be kept entirely apart from men less innoculated with crime. Then again, I think that these incorrigible criminals become in process of time men of very weak intellect, and I think it will be found even in the statistics issued by the prison authorities, that the prisoners who become insane are largely those who have been in prison before. Therefore I do not think it is a question of long or severe punishment, but one of detention, and, added to detention, such treatment as experts in mental disease and kindred ailments would suggest.

11,214. There are of course a considerable class of criminals who do not go in for the higher grades of their profession, so to speak, but are content with larcenies, petty thefts, pocket picking, and so on. Would you treat that class as an irreclaimable class?—Yes, if you find them beyond the age of 30. Under that age, at all events, I think, under 25 or 30, it is possible to reclaim young thieves who may have been entirely neglected in their early years, and whose thieving propensities may have been due to misfortune, bad parentage, vicious surroundings, and other circumstances.

11,215. Would you favour anything in the way of cumulative penalties for this particular class of offenders?—No, I do not believe in cumulative penalties at all.

11,216. Cumulative penalties of imprisonment, that is to say?—No, I do not.

11,217. Or cumulative penalties in the way of detention?—In the way of detention and such other treatment as would be suitable for such cases. I think that most of these hardened criminals are practically insane, and that special treatment is what is required for these cases.

11,218. I see you say in your article: "The day "will come, however, when a more humane and more "enlightened spirit will discover that imprisonment "based upon industrialism, and tempered with a "human sympathy that shall be guided by a deeper "knowledge of comparative criminality, will be made "more effective for reformatory ends than the de-"humanising system which at present obtains"?—Precisely. Well, in such a prison as I suggest where these reclaimable and semi-reclaimable thieves might be detained it would be possible to put into operation such influences as I have referred to.

11,219. With regard to sentences, do you think the comparative criminality of the offender, generally, and not only with regard to the specific offence that he has committed, should be taken into consideration by the judge in giving the sentence?—Certainly, in cases where he is dealing with undoubted hardened criminals, but with a view to subjecting them to such special detention and treatment as I have already referred to.

11,220. Had you any reason to find fault with the punishment awarded by the directors?—Well, I do not know what change may have taken place since I was in Dartmoor 16 or 18 years ago, but during my seven years' experience of that prison I know that floggings were very frequent, and generally, in my opinion, without being deserved. A flogging of 24 or 36 lashes is a fearful punishment to inflict for even striking a warder, and if a prisoner only knocked off a warder's hat, and did not injure his body, he was flogged.

11,221. Should you be in favour of the amalgamation of the convict and local prisons, and the application to the convict prisons of the system which now applies to local prisons in respect of the punishments of visiting committees?—Well, I cannot speak as to local prisons because I have no experience of local prisons in England at all, and upon the question of amalgamating local prisons with convict prisons I have not given that subject very much thought, but perhaps you will allow me to put it in my own way.

11,222. Certainly?—I would strongly urge the re-institution of local control as much as possible, and the decentralization of the present system. I think a great deal of what is unnecessarily harsh in the present system of penal servitude is due to a too centralized control.

11,223. Of course there has been practically no change in the convict prisons since their establishment, but you are thinking, of course, of the local control in the case of local prisons?—Yes.

11,224. I gather you would like to extend that as far as possible to local prisons, and to apply that system to convict prisons, at any rate so far as the operation of local influences in connexion with prisons is concerned?—I do not think I could go so far as to say that each convict prison should be under the government of the local authorities. I think county prisons ought to be under the government of local authorities, but with reference to convict prisons as well, I am not going to say whether it would be better or worse to have them controlled locally or by centralised officialdom here in London. I would favour independent inspection of all prisons, and would give the privilege to all magistrates and members of Parliament and county councillors to visit any convict prison or any county prison, and send an independent report of what they have seen to the Home Office.

11,225. But assuming that the supreme authority of the Government as represented by the Home Secretary and the Prison Commissioners is maintained with regard to the general prison system, so that they would be able to keep a list of the local prisons or the convict prisons, do you think that it would be advantageous to bring the convict prisons under the purview of visiting committees?—Certainly.

11,226. Do you see any reason, assuming that you keep that central control, for drawing the hard and fast line which is now drawn between the local prisons and the convict prisons?—No, I do not. I would be in favour of more lenient treatment of prisoners in all prisons, whether local prisons or convict prisons. I would strongly favour independent inspection of all prisons, and as I say in my evidence before the Kimberley Commission and in my article, of course I would favour in all prisons the cessation of that unnecessary punishment of complete silence on the part of prisoners from the time of conviction until they are discharged.

11,227. You had experience of the old system when talking was allowed in convict prisons?—Yes.

11,228. Was it allowed indiscriminately?—Only during exercise.

11,229. But there were no restrictions between one man and another?—No.

11,230. And no warder listening?—Well, there would be a number of warders walking round the exercise ring, and if they chose they could hear what was going on. Still, on the other hand, a great deal of conversation might be carried on on such occasions without being heard, but if a warder or warders wished to hear what prisoners were talking about generally there was nothing to prevent them.

11,231. Would you be in favour of allowing talking in convict prisons without regard to the character and behaviour of the prisoner?—No; I would of course prohibit conversation about thieving projects outside, obscene talking, and conversation of that kind. That is one thing. But I would be altogether against prohibiting all kinds of talking at all times amongst prisoners, which is, I understand, the rule now.

11,232. You would make talking a premium on good behaviour?—Well, seeing that you have abolished talking altogether, I would now give it as a reward for

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good behaviour and observance of the prison rules. That is to say, when a prisoner has gained his 3rd class after he has undergone 12 months' experience of penal servitude I would allow talking as one of the privileges, to be forfeited for a time through misconduct.

11,233. Take the case of one of these old offenders, the "old lags" as you call them, whose behaviour is irreproachable in prison, and who thereby would earn the privilege of talking, it is quite conceivable that that man might do a great deal of harm to various classes of prisoners?—Precisely; but what I propose is that that class of prisoner shall be associated together, and kept entirely apart from those who are in prison for the first time. The evil to which you refer, and which might result from allowing indiscriminate talking, could be remedied if you put all the "old lags" together.

11,234. Then it is really a question of classification?—Yes.

11,235. And you are in favour of some relaxation or privilege on Sunday?—Yes; I would increase the inducements to real good behaviour on the part of the prisoners. I do not use tobacco myself, but nearly all the prisoners that I have come across were tobacco-users, and would give anything for it. I have frequently seen them part with their dinners in order to get a small piece of tobacco, and I think if when prisoners get into the 3rd, or 2nd, or 1st class they were allowed a small pipe of tobacco on a Sunday it would be a wonderful inducement to good behaviour.

11,236. Should you say that there was more danger of contamination among the younger class of prisoners than the old?—Certainly; because the young prisoners of whom I have any experience were boys who had practically no care in early life, brought up in workhouses or in places of that kind, and then thrown out upon the streets afterwards to graduate in crime. They go through short sentences in county prisons, and they graduate into penal servitude. In my time in Dartmoor the "old lags" made it a point to get into the exercise file with these young criminals. Then the "old lag" would enlarge upon his achievements, all the great things he did in his time, and in recounting his exploits he would be simply educating the younger thief into the higher class of criminality. Therefore I would strongly urge the entire disassociation of all young prisoners from all "old lags" who had been convicted a third time.

11,237. As a matter of fact a good deal has been done for that by the establishment of what is called the "Star class," which consists of first offenders, who are kept apart?—I am glad to hear it. Are the first offenders kept entirely apart in working and in association?

11,238. Yes?—Well, that is undoubtedly a reform in the right direction, but I do not think such a classification as I have over and over again suggested would in any way interfere with prison discipline. I would think it would rather further the ends of prison management.

11,239. Now with regard to labour, do you think that a convict who is, say, a skilled tailor, or a shoemaker or an artisan should be allowed on admission to work at his own trade?—Certainly, if such a trade is being carried on in the prison. I think that an artisan should not be sent to a prison where the trade in which he has earned his living is not more or less practised.

11,240. Of course it sets up a certain inequality of treatment, because it is impossible to provide that all prisoners shall be set to work at the trade with which they are familiar, but they have to be sent to some trade which is distinctly hard labour to them; and by sending men to their own trade an inequality is set up, as they are set to what they are accustomed to do?—I think you will find the number of trained artisans in the convict prisons is a comparatively small number.

11,241. No doubt, but still it is a question which does arise very often?—Well, I have never found in my experience that a shoemaker being sent to the shoe-making shop caused any jealousy amongst prisoners who had not been trained to any particular avocation. In Dartmoor the prisoners who were not artisans, and who had never learned a trade, if physically able for the work, were sent out to reclaim the land, which I thought an admirable industry for them. Then, again, in Portland prison, you have an industry which is practically local to the prison, that is the getting of Portland stone.

11,242. I think we are familiar with your views upon the question of prison industries?—I go in very strongly for putting all prisoners to some useful work, both for the purpose of making their detention more humane and for reforming them. I think if anything will reform men of that class who have gone wrong it will be to give them some training or some opportunity of earning their livelihood by industrial effort when they come out into the world again.

11,243. Just a word upon the view taken by certain trade unionists that all interference with outside labour should be avoided. How far do you think you ought to carry that principle?—I think that view on the part of trade unionists is very narrow, and unworthy of educated working men. I do not think that the trade that would be carried on in your convict prisons or your local prisons by say shoemakers or bookbinders or tailors would be of any such extent or volume that ought in any way to interfere with trade unionist or free industry outside the prison walls.

11,244. Would you approve of underselling as compared with the local outside trade?—No, I would not approve of underselling the product of skilled industry outside; and precautions against that would, of course, be taken by the representatives of trade unionists in the House of Commons.

11,245. Let us take the test case of mat-making, which is a very suitable prison industry and undoubtedly the manufacture of mats for sale outside does to a certain extent (though I hardly think it is an appreciable extent), interfere with the outside trade?—But not so much as the products of industry on the Continent and other countries interfere with the general industry of this country.

11,246. Certainly not?—Really, the competition of prison mat-makers to mat-makers outside would be infinitesimal as compared with what it is from abroad.

11,247. You think they ought not to interfere at all. The first thing is to give suitable industries under proper conditions to the prisoners?—Certainly.

11,248. To what extent do you think first-class hard labour is desirable?—First-class hard labour?

11,249. I do not know whether you have thought of that. That is really a question which is more confined to local prisons. When a man is sentenced to hard labour he has to perform a certain class of work which is described in the Prison Act, and for the first month he has as a rule either to work on the treadmill or the crank?—Well, I am totally opposed to what I call the abominable and inhuman punishment of treadmills, cranks, and all that sort of thing. I do not see how that can benefit any human being, whereas if the energy that is wasted and the time that is lost in this treadmilling and crank winding were only devoted to some useful industry producing something, it would be altogether better for the prisoner, it would be altogether better for the prison, and it would be better for the general community. I do not think they have got treadmills and crank winding in any other country in the world except here. I have never heard of it, and consequently you have in those countries where prisoners are treated more humanely a far less percentage of re-convictions than you have in England.

11,250. Do you think that education is sufficiently provided for in the convict prisons?—No, not the education that I think ought to be given in convict prisons. I would certainly give more power and more latitude to the prison schoolmaster, and I would make the teaching as largely manual or technical as possible.

11,251. Do you think it would be advisable to improve the status of the schoolmaster?—I think so, undoubtedly, because I think the schoolmaster could be made a very powerful reformatory influence, especially in the convict prisons, if he was allowed more latitude Now, or rather during my time, he was really one of the prison officials. He was not, I think, permitted to visit the cells of the prisoners except in their absence, when book days came round. I do not see why a prisoner should not have the privilege of sending for the schoolmaster in preference to the chaplain if he wished it, and I would give the schoolmaster the same privilege that the chaplains have of going round from cell to cell in the evenings and endeavouring to improve the education of the prisoner, to reform him, and to lighten the burden of his imprisonment somewhat by such intercourse.

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11,252. Would you prefer teaching them in classes to avoid the repetition caused by going from cell to cell?—The only class of convicts who were taught in classes in my time were the illiterates; those who could read or write did not attend the classes. We got books once a fortnight. A prisoner would have the privilege of writing down on his slate when going out in the morning what book he wished to have. The schoolmaster goes round in the absence of the prisoner, sees the request on his slate, and copies it into his diary. Then, if the book is in the library it is brought round; if not, the prisoner must wait for it or ask for another. That is about all the intercourse that there is between the schoolmaster and the prisoner who is not illiterate. The illiterate prisoner goes to school once a week for about an hour or an hour and a-half in the winter time and for about three quarters of an hour in the summer. I am referring, of course, to a period now 16 years back.

11,253. Do you think any form of higher education should be attempted in the prison?—In the direction of manual or technical industrial education, yes.

11,254. By way of lectures, perhaps?—Well, I would advocate Sunday evening lectures in the chapels for prisoners during the last year of imprisonment. This is a practice in some of the American prisons they go so far as to occasionally organise concerts. That is condemned in England, but while I am not prepared to advocate concerts in English convict prisons, I should strongly urge that there should be lectures by the Protestant and Catholic chaplains, the Governor, or Deputy Governor, or any competent person approved of by the Governor during the last 12 months of the prisoner's sentence, of such a character as might be considered serviceable to the future of the prisoners, I mean lectures on industries, thrift, sanitation, health, and so on.

11,255. You mentioned music. Now, Sir Edmund Du Cane, the other day in giving his evidence, mentioned music as something which he thought it very desirable to introduce, with due regard to prison discipline?—I am very glad to hear it, but in my time if I dared to whistle he would have sent me to "chokey" on bread and water.

11,256. Well, this is Sir Edmund Du Cane's answer, "I should like to teach them singing and "music, it would do them no harm. I do not know "that I should dare to propose it, but I should like "it"?—I am very glad to learn that the world progresses. In prison, you know of course, that to sing or to whistle or to make any noise, musical or otherwise, is a high crime and misdemeanour against the rules.

11,257. I understand that you think that under the age of 25 at any rate young prisoners are reclaimable?—There is hope up to that age, and up to 30, but not much when they become second or third timers. For third timers especially I do not think there is much hope. Still I would not advocate anything like perpetual detention even for these incorrigible cases.

11,258. But with regard to the younger men, you would agree that every effort ought to be made and ought never to cease being made until it is practically a hopeless task?—Undoubtedly, and I would make the effort as far as possible industrially so as to train them to some trade or some means of earning a livelihood outside.

11,259. Should you be in favour of raising the age of admission to reformatories to 18?—Certainly I would.

11,260. Should you be in favour of the establishment of something in the nature of a halfway house between the reformatory and the prison, where the younger and not hopeless offenders could be sent for a special training, special reformatory influences, and special opportunities for industrious and agricultural work, such as land reclamation and so forth?—I would undoubtedly. Such an effort was made, I think, at one time in Ireland. It was during my imprisonment. Probably Mr. O'Connor would know all about it. It was the prison of Lusk in the county Dublin, I think. I think some effort was made, but I do not know with what success.

11,261. Are not you thinking of an intermediate prison?—Did I gather from you it was an intermediate prison you suggested?

11,262. No, this would be something between a prison and a reformatory to which these young offenders could be sent for periods of detention?—I would decidedly favour the establishment of such a place.

11,263. That is to say, if a lad of 16, 17, or 18, or up to a certain age showed that he was in danger of becoming an habitual criminal, that that lad should be laid hold of in some such establishment, and that every effort should be made for four or five years by a proper system to turn him out a good citizen?—Certainly, I would strongly favour the establishment of such a system.

11,264. (*Sir Algernon West.*) I want to ask you a little about what you think of the chaplain system as it exists at present. That is the only thing that I think Mr. Gladstone has not asked you about?—Well, in my experience I would say that the chaplains in Dartmoor had practically no influence whatever upon the reformation of prisoners. The services were perfunctory, and the chaplains did not, in my opinion, visit the prisoners in their cells often enough, and did not converse with them in a manner to impress the prisoners with the idea that they were really wishful for their reformation. Of course we had sermons on a Sunday, admirable in their way; religious services too, which were admirable; but it struck me that the chaplains did not exert their influence for good upon the prisoners sufficiently; and moreover I think that the class of chaplains, like the class of doctors in convict prisons, should be of a higher standard. I think a chaplain should know something about mental disease, that he should know all about criminal law, and that he should have the fullest latitude to bring to bear in his teaching all the influences he could wield for the future reformation and moral welfare of the prisoners under his charge.

11,265. Do not these faults arise, do you not think, from the monotony of the work of the chaplain. It must be very dreary and monotonous work for the chaplain to go round day by day to the same cells. Could not that be remedied by a change of chaplain occasionally?—I would say that in the vocabulary of a Christian minister of religion there should be no room for the word "monotony." I think that where extra spiritual effort is required, that men willing to undergo hard work in the service of Christianity ought to be found, and could be found.

11,266. You think they could?—Yes, and I would recommend young chaplains rather than older men. The young ministers have more enthusiasm than the old ones. Of course I admit that it is rather a monotonous life, but still it ought to be a very acceptable field of operation for any zealous Christian minister.

11,267. I think they are divided into two classes. One, those who really go into it with the Christian object of reforming, and the other class, those who have not much object in going there, but who goes

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there as a chaplain because he cannot get anything better. Would you approve of having different preachers to preach to them—men who are well known in preaching and in the ministry?—Yes, I would thoroughly concur with that. Occasionally at Dartmoor we got a new preacher—perhaps for about a week once every year. I know it always had a very good effect upon the prisoners' minds; they looked forward to it with a great deal of pleasure. Then I think if the prison chaplain would vary his discourse occasionally it might be all for the better.

11,268. I have one other question only to ask you now, and that is about talking. From the experience you gained from other prisoners do you say there was not only the talking which you were allowed at exercise on Sundays, but that there was also a regular organized system of communication going on always?—Yes. That results largely from the prohibition of talking. Of course man is a talking animal, and no matter what rules you adopt to prevent talking, if you have a thousand men congregated in a prison they will insist on exercising this natural right to speak.

11,269. And you think they did it?—Undoubtedly they have systems of telegraphing by knocks, communicating through books, and sending what are called "stiffs," or letters, from one part of the prison to another. But if talking was allowed, that is, such talking as I referred to a little while ago, at exercise and at work, I think these dodges or subterfuges would largely cease, and the prohibition of talking is, of course, an incentive to the breach of the rules. I think that the vast majority of prison offences would be made up of breaches against that particular rule. That was the case I know during my experience.

11,270. (*Miss Orme.*) I think you said that you are in favour of untried prisoners seeing visitors without the presence of a warder?—Certainly.

11,271. Do you not think that sometimes there would be the danger of their giving them injurious things, such as the means for committing suicide, and so on?—No, I do not think the desire to commit suicide or to help others to commit suicide is as prevalent as all that. Then, again, reasonable precautions could be taken by the prison authorities against allowing well known disreputable characters going in to see a prisoner.

11,272. You do not think there would be any great difficulty in making such a distinction if there was once the rule established?—I have no doubt that if my suggestion were carried out contraband things would be taken in occasionally by some people, but the fear of that ought not to operate in favour of denying to an untried prisoner, who is an innocent person until he is proved guilty, access to his friends and to his newspapers, and what he might feel it necessary to have in the preparation for his trial.

11,273. Instead of trying to keep out these disreputable people (which might be a difficulty), should you approve of allowing an untried prisoner to see a class of visitors, such as solicitors and persons who would be very little likely to act against the prison rules?—They are allowed to see solicitors now, not absolutely alone, but in a small room with a glass door, outside of which the warder stands, to see that nothing is passed between the solicitor and the prisoner of the nature and character you apprehend.

11,274. Would you think it an improvement to allow them to see certain classes of visitors, such as solicitors, absolutely alone?—Yes.

11,275. Would that meet your difficulty?—Yes, along with the other rights I referred to awhile ago, which ought not to be denied until guilt is established by the due process of law.

11,276. Without giving that freedom to all visitors?—Well, I would not give absolute freedom of access by all people to all prisoners. Presuming a man is arrested for a burglary, the presumption is that he may be visited by some of his associates who are also criminals. There greater surveillance would be required, and some supervision would be necessary. But assuming a man is arrested for the first time for an offence against the law, I think the assumption ought to be that those who would come to see him would be honest citizens who would not do anything against the prison rules.

11,277. Then, in the conversations that in the old days you used to have with so many prisoners, did you ever find out at all what effect the Prisoners' Aid Societies had had upon them. Did you come to any conclusion about that?—Well, I can only give you the prisoners' own views about these Aid Societies, and those views are not at all complimentary. I have no knowledge of the *personnel* of these societies, nor have I inquired since I came out of prison as to the working of their organization. I read occasionally about them in the press, and learn that they do a great deal of good; but the prisoners themselves, chiefly reconvicted men, told me they went to these societies, and that they were simply under the control of Scotland Yard, and that these societies were inimical to them. I believe that is an unfair view to take, but I can only give you, in answer to your question, the views of the prisoners themselves, because I have no knowledge of the actual working of these societies in London.

11,278. You were speaking of the services held in the prisons, and the duties of the chaplains. I suppose a large number of those prisoners to whom you used to talk really had been brought up as Nonconformists, and not as members of the Established Church?—No, most of the prisoners I had experience of in Dartmoor were never brought up to any religion at all, if I except the Catholics. Real religion, I am sorry to say, has very little interest for and very little influence over the vast majority of the prisoners.

11,279. Should you say it is an evil of the present system that there are only the two sorts of services held in prisons, the Catholic and the Protestant?—In Dartmoor there was no other service. In Millbank, I think, there was a Presbyterian service, but of that I am not sure.

11,280. That is of course the Established Church of Scotland?—Yes.

11,281. Should you think any good might be done by introducing Nonconformist ministers to influence those prisoners who were in early life trained in Nonconformity?—Certainly. I would give the fullest liberty to Nonconformist ministers to visit prisoners who may in their early days have belonged to the Nonconformist religion; and in addition to that I would also give permission to select qualified officers of the Salvation Army to visit the prisons and endeavour to reclaim by their well-known methods and means some of these men. I think that carefully selected officers of the Salvation Army would be likely to do far more good with certain classes of criminals than either Protestant or Catholic chaplains.

11,282. Should you say that that ought to continue during the whole sentence or only for a term before they are discharged?—I would continue it during the whole term of imprisonment. I believe in Belgium, but I am not sure, and possibly in parts of France, there is free access to prisoners by Catholic priests; and the Redemptorist Fathers (an order which has for one of its objects the reclamation of criminals) visit prisons constantly; and I am told by those who are familiar with this work that it has the best result. These priests go and sit down in the cells with the prisoners and talk to them and teach them crafts, and give them the best possible advice for their future life. I think if something of that kind were resorted to in our prisons, and if the Salvation Army were included in the privilege with the churches, that good results must necessarily follow.

11,283. Rather than a mere formal service?—Of course I would keep the formal service, because that after all is one of the reformatory influences operating for good on the prisoner, but I would add to that what I have recommended in reply to your question.

11,284. (*Dr. Bridges.*) I think you have had nine months' experience of the silent system at Millbank?—Of course the silent system is now extended throughout the entire imprisonment. I had nine months' experience of solitary confinement.

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11,285. During that time to whom did you speak?—To the warder who would visit my cell several times during the day when bringing in work, or in letting me out to exercise; to the chaplain when he came round; and to the schoolmaster when he came with books, once a week I think it was in Millbank; once a fortnight in the convict prison.

11,286. And the chaplain you would see how often?—Well every prisoner is at liberty to send for the chaplain when he wants to see him. If the prisoner does not send for the chaplain, he goes round on the average once a fortnight or once a month. In Dartmoor poor old Father Green, who is now dead, and who was an old man, seldom came round; but where you have a young chaplain, such as I found in Portland, in Father Matthews, the Catholic chaplain; he was almost constantly in the prison, and all the prisoners spoke well of him.

11,287. Then practically for most days of the week the only person to whom you spoke was the warder?—That is so.

11,288. You were out for one hour for exercise?—For the first six months I had only one hour's exercise in the morning. Then I complained to the doctor that my health was suffering from the confinement and he gave me an additional hour for the remaining four months.

11,289. You expressed the opinion, I think, that that solitary confinement tended to the development of insanity in certain cases?—Yes.

11,290. How were you able to know that in the individual case, seeing that you were yourself in solitary confinement and could hold no communication with other prisoners?—Well, the fact that I did not become insane in consequence of my nine months' solitary confinement is not a reason why men who have been in prison repeatedly do not become insane when subjected again and again to this treatment. I believe that solitude must necessarily tend to injure all minds. To be shut up for 23 hours out of every 24 for nine months, and not allowed to speak except in the instances I have given, is a fearful ordeal for any human being to go through.

11,291. I rather wanted to ask whether you had knowledge of any individual cases in which in your judgment insanity was either developed or promoted by that confinement?—It was quite a common occurrence during my nine months in Millbank to hear of prisoners being sent from there to the lunatic prison at Broadmoor, and I have several times seen men at chapel and in the exercise grounds show symptoms of insanity, but I think it will be found that these insane cases are largely from among the habitual criminal class.

11,292. With respect to this habitual criminal class, I think you expressed the view that in many of them the criminality was to a certain extent the result of insanity?—Well, I would really call irreclaimable criminality a form of insanity.

11,293. That is what I mean. You mean irreclaimable theft, or at anyrate some irreclaimable theft is like dipsomania or the tendency to drink?—I will give you an illustration which I got from a well educated burglar in Dartmoor on that point. I was trying to point out to him, apart from the immorality of the thing, the stupidity of running the risk of getting seven years' penal servitude for some 10*l.* or 20*l.* worth of stolen goods. I pointed out to him that if he only worked at the commonest labour outside at 1*s.* a day he would earn far more money in the seven years and have his liberty as well. He replied: "Well "yes, that is all right coming from you, but put your- "self in my position. I never knew my father or my "mother. My first recollection is being turned out of "a workhouse. I fell among thieves. I got educated "in crime; I learned to read and write in prison. "Unlike you I have had no moral training." "Now," he said, "I hold that man is naturally a thief. Take "for instance a child in its mother's arms; anything "that excites its fancy it wants to get, and if that "natural feeling is not corrected by parental training "and moral influence and education it gets stronger "as the child grows older." "Now," he said, "I am "such a product of your civilisation. You allowed "me to grow up with these animal instincts uncor- "rected, and then you send me to prison when I "exercise them."

11,294. Assuming that this irreclaimable life is to be looked upon as a form of insanity, then there comes the question of how to deal with it?—Precisely.

11,295. Could you deal with it otherwise than by detention and by labour?—Detention and labour apart from the severer punishment that is comprised in penal servitude. I do not myself believe that men have ever been reclaimed or ever will be reclaimed by punishment. I do not think that punishment reclaims anybody. Detention in such cases, with special treatment such as experts might suggest, and industrial occupation, training them as far as possible to earn something for themselves or something for the State.

11,296. But it would be necessarily compulsory labour?—Yes.

11,297. They would not be allowed to be idle?—Necessarily, no. I will go in for as much labour as you please, if it is productive labour.

11,298. I meant to say, in what respect would such employment differ from work in the quarries as now carried on at Portland?—I am not opposed to work in the quarries. I would send all the habitual criminal class to as hard manual labour as they ought to be put to, taking into consideration the state of their health. I would give all prisoners, but particularly "old lags," as they are called, some manual labour, and unless they did that labour (and some of them, of course, would refuse to do it) they would have to put up with the consequences, that is, with less food, and the loss of privileges. When I say "less food" do not misunderstand me. I would not resort to starvation diet, such as is now practised as a method of punishment in the convict prisons.

11,299. And, consequently, whether you regard these irreclaimable thieves as criminals or as insane persons, the treatment you adopt would be substantially the same in either case?—So far as industrial occupation is concerned, yes. But I would have them in a prison apart from other prisoners, and, in addition to their labour, would subject them to such special treatment as experts might think would be beneficial in the end.

11,300. These irreclaimable thieves are not, I suppose, deficient in mental powers?—Oh, no; on the contrary. For instance, take the case I gave a while ago of the educated burglar. I have met quite a number of these "old lags," who could speak French and read German. I once listened to a discussion on Homer from a man who had undergone several sentences of penal servitude. They read the prison poets, and they are very attentive to the schoolmaster, in the matter of library books, and they never fail to criticize the sermons. If there is any literary mistake or any misquotation from scripture, you will find that your educated burglar will point out where the mistake has been.

11,301. Coming to another class of prisoners, those who are obviously mentally deficient, have you seen many of that class of people who are absolutely weak-minded?—A very large number; and it was one of my cruellest experiences in Dartmoor to see wretches who were manifestly insane treated as if they were putting it on. Of course I make this allowance for prison doctors (especially in convict prisons) that they have to deal with a certain class of "old lags" who pretend to be insane. That is what in prison parlance is called "putting on the barmey stick," pretending to be mad. I would therefore strongly urge the appointment of a higher class of medical officer than I found during my experience of penal servitude. You want men skilled in mental diseases who could detect sooner than an inexperienced medical officer any of this shamming. In consequence of these

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shamming practices, many men who were really insane were treated and punished as if they were only putting it on. There was one instance which I think I gave in 1878, though I do not find it in my printed evidence. It was that of a young German lad about 18, who was breaking stones alongside of me in Dartmoor for a time. He could not speak a word of English. I was told by another German prisoner that he was suffering from religious mania. I was also assured that he had been wrongfully convicted. Well, that poor boy was repeatedly reported by warders for insubordination without being able to understand what was said to him by the warders. He was punished and punished until he was finally driven into the infirmary, and he was subjected there to what was called "the battery test" Those prisoners who are supposed to be pretending insanity are put into a chair, and electric batteries are applied, and whilst he was being subjected to this infamous test he died. That boy was really killed in Dartmoor, because there was not a medical officer there with sufficient knowledge of mental diseases to deal with it, and say that he should not be so treated.

11,302. (*Mr. O'Connor.*) I suppose I may take it that classification, properly carried out, is at the bottom of the question of prison reformation?—Yes; a proper classification would remedy many of the evils that I have referred to, and instead of interfering with prison discipline, I think it would promote the interests of order and economic management in the various prisons.

11,303. And whether the convict prisons and the local prisons were merged into one system or not, there is room for classification in both one and the other?—Assuming that nothing has been done in the way of better classification since I was last in prison.

11,304. The "star class," as you say, is a step in the direction in which you would wish to see things carried out?—Yes.

11,305. Could you indicate at all the lines upon which you think that classification ought further to be carried out?—Yes.

11,306. I think you have stated in your article that the character of the crime should be one element of classification?—Yes, I think men who are in prison for certain classes of offences I will not name should be kept entirely apart from other criminals. Those imprisoned for murder, I think, should be separated from the ordinary class of prisoners.

11,307. Would you say that age should be an element in classification?—Age, if associated with criminality. If an old man is imprisoned for the first time, I do not think he should be put in the same category or in the same classification as an old jail-bird.

11,308. I understand you to be in favour of raising the minimum prison age as much as possible, that is to say, keeping the young out of prison?—Precisely, raising the age for admission to reformatories and keeping young convicts as far as possible away from the "old lags." The "aged in prison" really means old criminals. I have occasionally met old men who were sent to penal servitude for the first time, but very few of them.

11,309. Then first offenders will furnish an element of classification, and the intellectually weak will be another?—Yes.

11,310. And the utterly depraved?—Yes, the utterly depraved will be another.

11,311. With regard to the nine months' separate confinement, I notice that in your article you speak of that with reference to "shorter sentences all worked out," and you say with regard to the nine months for the first offenders that it should be reduced to one or two months at the beginning or at the end of the sentence?—That is unless it is abolished entirely. I would go in for the abolition of that part of the sentence entirely, but wanting that I would favour the reduction of that term to a month or two at the beginning of the sentence and a month or two at the end of the sentence.

11,312. And it should be confined to first offenders?—Do not misunderstand me. I would favour the sending of old offenders at once after sentence to hard manual labour.

11,313. And the separate system should be confined to first offenders?—Yes, to one month at the beginning of the sentence and one at the end, unless it was abolished entirely.

11,314. You have in your article repeated twice over the expression, "shorter sentences all worked out"?—Yes. I deal in that article with the barbarous sentences, as I call them, of 7, 10, or 15 years' penal servitude for offences against property. I consider that seven years' experience of penal servitude is a fearful punishment. I believe that in recent years there has been some tendency to reform in that direction, and I think I am right in quoting Sir Edmund Du Cane as strongly in favour of shorter sentences; at least he wrote an article some years ago in one of the magazines urging that reform, and I would in the case of first offenders have a "short sentence all worked out" instead of the ticket-of-leave. I would reserve the ticket-of-leave for the old offenders who are in prison for the third or fourth time. In the case of first offenders I think it operates against them after their sentence has expired that they are compelled to report periodically to the police, as the police who have to look after these discharged prisoners are not always fair and considerate towards them. The police seem to think that it is their duty to prevent employers being imposed upon by men who have been in prison, and I have repeatedly had complaints made to me by reconvicted prisoners whom I met in their first sentence who came back again to Dartmoor that they got no fair chance when they were discharged, but that they were pursued everywhere by detectives and were driven back again into crime.

11,315. And you think there were good grounds for the complaint?—I do think there were very strong grounds for it.

11,316. With regard to the weak-minded; from what you have said I should gather that there is a good deal more of insanity, in your opinion, than appears in the official reports?—I think so, and I think even the official reports will convict the present system of increasing insanity in prisons. If I am not wrong in what I am about to say, I think the reports of the Commissioners show that there has been a large increase of insanity within the last 20 years amongst prisoners, and I think it will be found that this increase is referable chiefly to men who have been in prison on several occasions. In Ireland I think there is not that increase of insanity amongst the prisoners, and I would say this with reference to the Irish prisons that I think the treatment on the whole there is more humane than in the English prisons. I believe also that the number of punishments in Irish prisons is far less than it is in England, and the number of re-convictions is also less, showing that a more humane and more enlightened treatment even under the present system would remedy a good many of the evils that we charge against penal servitude in this country.

11,317. Do you know whether there is a rule enforcing silence so rigidly in Ireland as in England?—Well, I have no actual experience of convict prisons in Ireland, but I do not think that the rule against talking is so rigidly enforced.

11,318. You regard the prohibition of speech as inhuman?—I do, as absolutely indefensible. There is nothing like it in any other country in the world. I condemn it on every ground, as inhuman, as unjust, as not contemplated by the sentence inflicted by the judge himself, and as being unnecessary so far as prison discipline is concerned. Moreover, it is a fruitful source of offence against the prison rules. Then the prohibition of speech encourages deceit in prisoners. It drives them to resort to dodges and cunning, and it helps to keep in pernicious activity practices and faculties that are peculiar to the criminal class.

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11,319. You speak also of the "eye torture of the four whitewashed walls." Did you suffer much from that?—I did very much. Of course prisoners are not allowed to ornament their cells in any way. To do so would be a breach of the rules, and would entail punishment; but I do not see why a prisoner who has to live in a small whitewashed cell for nine months should not be allowed, if he has the taste and the ability, to ornament his cell.

11,320. With regard to silence, you would advocate freedom to speak when at work and at Sunday exercise?—Certainly. Of course the conversation under those circumstances would be directly in the hearing of the warder, who would at once reprimand anything that would be obscene, or anything that ought not to be heard spoken.

11,321. And I suppose if a proper system of classification was carried out the objection which might now obtain to speaking would be largely removed?—Largely, if not entirely. The objection to speaking is that the old criminals can inoculate with more crime the less experienced prisoners. They talk about their exploits and their performances outside. Well, if that class of criminal is taken away and put in a prison by himself there would be less fear of demoralisation following from conversing at exercise and at work.

11,322. With regard to the effect of this nine months' separate and silent system, I suppose that you had in going to chapel and in returning from chapel and by other casual opportunities, means of judging of the condition of the prisoners?—Certainly. In going to chapel both in Milbank and in Dartmoor we had to cross corridors or yards, probably 100 or 200 yards in extent.

11,323. So that in spite of your being in separate confinement during the nine months, you would yet have the opportunity of judging of the effect of the imprisonment on your fellow prisoners?—Yes, and of seeing how enforced silence led to the breach of rules, because any offence of talking was immediately reported, and the offender sent to "chokey."

11,324. You say the nine months' sentence tends to make men more irritable?—Undoubtedly, if a man is shut up in a cell for 23 hours out of 24, of course, it naturally tends to affect his temper and his whole bodily system.

11,325. And make him more liable to commit himself and incur punishment?—Certainly.

11,326. You have told us also that when you were at either Dartmoor or Portland—I forget which—you on more than one occasion heard men being beaten below in the punishment cells?—In Dartmoor I was located in the punishment cells for several months, and had opportunities of seeing how incorrigible prisoners were treated by what I call brutal warders—men who exceeded their duty.

11,327. Would you hear the actual blows, or would you hear the cries of the prisoners?—The blows and the cries.

11,328. (*Sir Algernon West.*) Will you allow me to interpose one question here? Why were you in a punishment cell?—It was owing to the fact that some Fenian prisoners had been rescued in Australia; at least I was given to understand that, fearing that I might be rescued at Dartmoor, they took me out of the ordinary prison and located me in the punishment cells, which was a very great hardship.

11,329. A dark cell?—Not dark.

11,330. Comparatively dark?—No; we call the punishment cells—that prison within a prison—where men are sent to for extra punishment when they are guilty of breach of the rules. There were two classes of cells, the semi-dark cell where men undergo their extra punishment, and cells which are not dark, where men are located who are on what, I think, is called penal diet. If a man is, for instance, tried by the director and gets 28 days' bread and water and three months' "penal cells," he does the 28 days in the semi-darkened cell; then he is put into a cell where there is more light and kept there until his sentence expires. It was in one of these latter cells I was confined for several months.

11,331. (*Mr. O'Connor.*) At Dartmoor, as I understand, there was some kind of classification, because a large number of men, it appears, went out to reclaim land, but you never went outside the prison?—That was because I was subjected to greater surveillance and harsher treatment, being a Fenian prisoner.

11,332. Then there was a distinction made between yourself and perhaps some others, and the rest?—There was a marked distinction made all through my first imprisonment between myself and ordinary prisoners. A burglar, a murderer, or a pickpocket, who observed the rules, had the privilege of getting visits from his friends. That was denied me during my whole seven years' and eight months penal servitude. I repeatedly applied for my right under the rules to have visits from my friends, but the application was always refused.

11,333. Was the denial personal to yourself, or was it one that was extended to a class?—No, it was personal directly to myself.

11,334. Were there other political prisoners there?—There were two.

11,335. Were they allowed visits which were denied to you?—One of them, I think, was allowed two visits. Chambers, who is now dead, I think was allowed visits also, but I am not certain on that point.

11,336. In any other respect did you find your position different from that of others—I mean besides the visits?—In the respect I mentioned, in reply to the Chairman in the beginning of my evidence; I was subjected to what, I believe, was the political prejudice of the warders as well as the ordinary prison discipline.

11,337. I suppose that would manifest itself in a hundred nameless ways?—Well, especially in being searched. Prisoners at Dartmoor in my time were subjected to endless searching. You were compelled four times a day to open your dress on the parade ground no matter what the weather was. Then, in addition to that, you have your cell turned over, as the prison expression is. The warder goes over your cell in your absence.

11,338. (*Chairman.*) There have been modifications in that respect?—I am glad to hear it, but in my case these searchings were more frequent than with others, and, as I have only one arm, I had some difficulty in keeping my cell in order, so that it was peculiarly troublesome to me to be subjected to these too frequent searchings.

11,339. (*Mr. O'Connor.*) In the case of those men who are badly treated in the punishment cells, do you say that those cases of ill-treatment would occur where no complaint would be made by the men?—Complaints made by what are called "incorrigible prisoners"? Well, they are listened to, but nothing comes of it beyond that. If a man gets a reputation of being a troublesome prisoner, and has a just cause of complaint through such treatment as I have referred to, he is scarcely listened to by the governor.

11,340. Then there are many grounds and occasions for complaint when complaint is not made?—Many; there is a feeling amongst most prisoners that the complaining prisoner is a foolish prisoner. He brings prejudice to bear against him, and gets the warder against him, and loses the chance in future years of getting more congenial occupation in prison.

11,341. Would not you say that the numbers appearing in the report would furnish a fair standard of the amount of ill-treatment on the part of the warders?—Not at all.

11,342. Do you think that the harsh treatment which exists now is to a certain extent due to the fact that the warders are of a class inferior from that which they ought to be drawn from?—That is my impression, which I had shortly after my release from prison. Of course many changes, I hope, have taken place since then that would cause me to modify my opinion upon that particular point, if I were as familiar with the management of prisons now as I was 15 years ago.

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11,343. I suppose the warder's temper may be affected by the length of the hours he works, or a number of other things?—That was my opinion in Dartmoor; their hours were, I think, excessively long, and the warders had to do night duty for a week once every month. That would not be calculated to sweeten the temper of an officer in charge of a number of men.

11,344. And the prisoners might suffer in consequence?—I would strongly urge the application of the eight hours rule to prison warders, and some increase of remuneration to those who have to undergo night duty.

11,345. Did you ever hear of any case in which a man sentenced by the director to a flogging appealed, or endeavoured to appeal, to any other authority?—No, there is no higher authority to appeal to than a director in a matter of punishment of that kind. A prisoner can afterwards petition the Home Secretary, but whether he can complain about this particular punishment or not I do not know. I scarcely think he can.

11,346. Then the director, whether he is a man qualified by his past services or not, can without appeal sentence a convict to a flogging?—He can, and I think, in cases of that kind, where a prisoner, say, strikes a warder, or attempts to escape, and subjects himself to the penalty of a flogging, that he ought to have the privilege of having a local magistrate or a local justice of the peace present when his case is being investigated by the visiting director.

11,347. Would you mean with concurrent authority?—Well, I should say, yes; or with the power vested in the magistrate to appeal to the Home Secretary for a stay of punishment.

11,348. There is no representative of the press present when the director sentences a convict to a flogging?—No, there is no one present when the prisoner is being tried, except the visiting director, the governor, and the officer who makes the charge and the prisoner. Then, after the sentence is passed, the prisoner is examined by the doctor, and if he is found to be a man of weak health, or with diseased heart or lungs, the doctor has the power of averting he flogging, otherwise the flogging is inflicted.

11,349. I gather then, also, that whether the convict system and the local system are merged or not, you are of opinion that independent light from the local authority, whether corporate or individual, should be thrown into those prisons, whether they are county prisons or otherwise?—Yes.

11,350. You would be in favour of the county councillors visiting local prisons?—Yes.

11,351. And with regard to local prisons, you say that the local authorities should have the right of inspection?—Yes, and I would extend the right of inspection also to members of Parliament, magistrates, and justices.

11,352. Do you think such inspection is necessary for the reasonable protection of the prisoners?—I do, I think that such an inspection would have a beneficial effect upon warders and higher officials. They would be more careful in administering the power that is placed in their hands by the law.

11,353. A director can also sentence a man, I gather, to 28 days' penal cell?—In my time a director could give a man three dozen lashes, 28 days' bread and water, and six months' penal cell, say, for knocking off a warder's hat, or striking him in the body, or attempting to escape.

11,354. Have you ever seen a man who has been subjected to that punishment?—Yes, repeatedly. I was employed for three years in Dartmoor immediately outside the punishment cells, and I frequently heard the shrieks of prisoners who were subjected to the cat, and it was the custom then to pick out for the infliction of these sentences the strongest warder in the prison. I have frequently heard a particular warder, who had been in the navy, and who had the infliction of this punishment given him, boast about how he had made the prisoner yell.

11,355. Have you ever seen a man after he had been subjected to the 28 days' penal diet?—Yes. Generally, as a rule, when they had undergone this sentence, they were turned out to break stones with me for a time, I being employed outside these cells; and when opportunities occurred (as they did occasionally) of course the man who had been punished would tell me all about what he had endured. I would say that 28 days' bread and water would be an infinitely more cruel punishment than even three dozen lashes. I underwent practically a week's bread and water in punishment cells in Easter week, 1876, for absolutely nothing, simply because a warder had some particular prejudice against me. He reported me to the governor for not answering to my name in a respectful manner. I had answered to my name as I had done for five years previously, and I was never proved guilty of speaking disrespectfully to anyone in the prison, and because I would not admit that the warder's statement was correct I was sentenced first to two days' bread and water in punishment cells, and then brought up and sentenced again; so that I know practically what it is to be put on a week's bread and water. It was a fearful punishment, especially in Dartmoor, where you get the keenest possible appetite through the invigorating atmosphere. Then the ordinary diet of a prisoner was not at that time sufficient for a strong man engaged in outside labour, and to be taken from your work, as men are who commit breaches of the prison rules just before dinner time, and then sentenced to bread and water, while you are actually in hunger is a most fearful punishment. I do not think I could have endured 28 days' bread and water. Of course the 28 days' bread and water are not continuous. Every third day penal class diet was given. That is, I think, a pound of potatoes, and a little more gruel and a little more bread. Then the three days' bread and water is given again, and so on.

11,356. At the end of the 28 days what is the condition of the prisoner?—Well, of course he is reduced very much in weight and in strength. Then he is put on what is called penal class diet. That is a diet without any meat, and which is made up of porridge and potatoes.

11,357. And he may be sent to break stones?—No, no, not until the full sentence is carried out.

11,358. The six months?—The six months' penal class diet. Then he is sent out either to his former occupation or to break stones. Frequently men who have undergone that terrible punishment have been sent by the doctor to the infirmary for a week afterwards to recruit.

11,359. Have you ever seen a man at the end of the 28 days' bread and water and before the six months' penal diet?—No, because he is not allowed outside the penal cell.

11,360. You cannot speak from personal observation of his physical condition?—Except from what I have seen during the time I was located in this particular prison. Then I could only judge from his appearance as a prisoner might be passing from one cell to another.

11,361. Had you a choir at Dartmoor?—Yes, in both churches, Catholic and Protestant.

11,362. Did the choir practice?—On Saturday afternoons I think for an hour.

11,363. Was it considered a great privilege or advantage to join the choir?—A very great privilege, and only the best conducted prisoners would be allowed to join the choir.

11,364. An extension of that sort of thing might hold out means of rewarding good behaviour?—Yes, but the manner in which they are admitted into the choir is generally on the recommendation of the chaplain or schoolmaster.

11,365. Is there any other point that occurs to you with regard to which you would like to say anything?—I do not think so.

11,366. With regard to the point of the classification of prisoners or treatment?—I think I have, in reply to your questions and the other questions and in what I have written, said all I have practically to say with reference to classification.

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11,367. Or the treatment of prisoners?—Yes, I think I have dealt pretty fully with it. You see my evidence in 1878 practically deals with treatment and my own personal experiences, and I put that in as well as my article in the "Nineteenth Century."

11,368. (*Mr. De Rutzen.*) I understood you to say just now that in all cases of short terms of penal servitude you would have them worked out, and have no remission or ticket-of-leave on short sentences?—For the present system of long sentences and ticket-of-leave I would substitute "short sentences all worked out."

11,369. That is only on the short sentences of penal servitude, as I gather?—Well, I would deal differently with those who had been re-convicted three or four times and sent for short sentences to county prisons; but even in those cases I would favour giving power to the governor, the chaplain, and the doctor to recommend for discharge any such prisoner who has shown real evidence of reformation.

11,370. But I understood you to put that on the ground of the interference by the police with them when on ticket-of-leave?—Largely on that ground.

11,371. Are you acquainted with the rules by which the police are governed in those matters?—No. I come to my conclusion with reference to the ticket-of-leave from what I have been told by prisoners who have been re-convicted in my time, and from my own knowledge and observation of the conduct of detectives here in London while I was passing as an untried prisoner through Clerkenwell and Newgate, and subsequently on my various visits to this city.

11,372. There are a set of rules which govern the police, and I have a copy of one or two rules which you will allow me to read to you and found a question upon. Rule No. 363 is to the effect: "On no "account is a supervisee or licence holder to be "charged with failure to report without the express "sanction of the Assistant Commissioner at Scotland "Yard." That is one. The next rule that I will read is Rule No. 372: "When the divisional police "are directed to make inquiries respecting licence "holders or supervisees, the greatest care must be "taken not to injure them directly or indirectly either "with their employers or landlords. Officers should "be employed on this duty who are not well known "in the locality immediately in the neighbourhood in "which they live, and on no account is a man in "uniform ever to be employed on such duty." Assuming that those rules are carried out strictly would not that get rid of the difficulty to a great extent?—If those rules, which are admirable, were carried out to the letter and in the spirit, then the objection that I urge against the ticket-of-leave would fall to the ground. My position is that those rules are not carried out, that you have in the detective police who are set apart for this work men who are trained to hunt down criminals, and who have none of the humane and just spirit in them that you have manifested in those rules.

11,373. I have only one other question to ask you, which is this: Would it not be the duty of the police in your opinion to keep their eye upon a person who once was known to have committed an offence?—Keeping an eye upon a discharged prisoner in a fair considerate way is one thing, trying to run them down in order to get promotion and a character for vigilance is another. I am satisfied that if those admirable rules were worked out in accordance with their spirit my objection against the ticket-of-leave would largely vanish.

11,374. (*Chairman.*) In connexion with that I understood you to say that first offenders should serve out their sentences, and that the ticket-of-leave should be abolished in their case; but should you object to a system by which they could earn remission without being subject to the ticket-of-leave when they go out?—I would certainly favour a change that would allow the governor, the chaplain, and the doctor to recommend a prisoner should be discharged when half his sentence would be worked out, if they could give grounds satisfactory to the Home Secretary for such a recommendation. But in my article, while I recommend the abolition of the ticket-of-leave in the case of first and second offenders, I proposed it should be allowed to continue with the hardened criminal class, so that those who really have to be looked after for the public safety may be watched, but in a considerate way, under this law by the detective police.

11,375. Then with regard to one thing you have said in connexion with the silent system in the convict prisons. I thought you observed that there was nothing like it elsewhere?—I believe that is not strictly correct. I believe it began first in Philadelphia.

11,376. In Holland and Belgium they carry out a practice of sentencing people to long terms, such as ten years of detention and absolutely isolated imprisonment?—But I think that in Belgium you have associated with that the privilege to the Redemptorist Fathers and others to visit those prisoners in their cell whenever they please. Now the punishment of separate cells and silence together with such privilege of visiting as I have referred to is one thing; but such separate cells and silence as I underwent and other prisoners undergo in this country without any such visits is quite another thing.

11,377. Quite so; but as against that, of course, in Belgium and Holland there would be none of the associated labour, which I should have thought would make the imprisonment more severe?—I do not say associated labour is severe or objectionable. I do not think men working together in a prison makes imprisonment harder.

11,378. My point was that it makes it less hard?—But your point, I believe, is that in Holland and in Belgium there is no associated labour, and men work in their cells.

11,379. Yes, and therefore the isolation is probably more severe than it would be in the convict prisons at home?—But probably you will find that though they work in their cells they are working at some useful and remunerative occupation; they are allowed to ornament their cells and to have frequent visits from some such ministers as I have referred to; and in that way the horrors of silence would be very much mitigated.

11,380. With regard to the military and civilian warders, I do not know that there has been a change since your experience, but I find that taking Dartmoor for the year ending the 31st March 1894, there were 105 subordinate officers who had been sailors or marines and 80 who had been civilians. Probably more civilians have been appointed in late years?—There was certainly not that proportion in my time, but I have already, I think, in speaking about Dartmoor mentioned the fact that civilian warders were in my judgment the more efficient warders; that is, they treated the prisoners with a little more consideration than those of the military class, and appeared to get on better with them.

11,381. I have only one more point to put to you, have you any reason to think that in cases of disputes between charges by warders against prisoners or by prisoners against warders that sufficient prisoners' evidence was not sought for by the authorities?—No prisoner in my time was allowed to give evidence in favour of another prisoner, and the rule in the management of convict prisons then, as laid down by several governors, was that no statement by a prisoner would be considered acceptable evidence of itself against any prison official.

11,382. That has been altered now?—Yes.

11,383. You would say that a prisoner's evidence should certainly be taken for what it is worth as much as a free man's?—Well, many of the prisoners, of course, as well as being hardened criminals, are also notorious liars.

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11,384. Therefore it would be taken for what it is worth?—Yes, it would be taken for what it is worth, but manifestly there is a prejudice in the governors' minds against all statements made by prisoners. The suggestion is that there is little or no grounds for the complaints, and that is another *reason why* complaints are so comparatively few; prisoners feel that they will not be believed.

Adjourned until Monday 11th instant at 1 o'clock.

TWENTY-THIRD DAY.

Home Office, Whitehall.

Monday, 11th February 1895.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN);

The Right Honourable SIR ALGERNON EDWARD WEST, K.C.B.;
JOHN HENRY BRIDGES, Esq., M.B., F.R.C.P.
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis; and
MISS ELIZA ORME.

JAMES GRANVILLE LEGGE, Esq., Secretary.

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SIR GODFREY LUSHINGTON, K.C.B., called and examined.

11,385. (*Chairman.*) You were for a long period Under Secretary for the Home Department?—For nine years; I have been 25 years altogether at the Home Office.

11,386. Though not necessarily during that period brought much into contact with the interior of prisons, yet you have had many prison matters which have passed under your view?—Yes, a great number of papers, especially at the time of the transfer of the prisons to the Secretary of State.

11,387. Will you give the Committee your general view with regard to that transfer?—I suppose the Committee are themselves quite familiar with the details of the two Acts, so that I will abstain from making any comment upon them; but I should wish to point out that there were political and parliamentary reasons in operation at the time when that Act was passed, and the consequence was that the Prison Commission was not established by an independent and self-complete Act as it would naturally have been, but the creation of the Board was done by means of transfer. This transfer brought about one or two rather anomalous consequences. For instance, the Secretary of State has no power to alter any rules in the Act of 1865. I do not know that there has been much practical inconvenience from that, because we can add to them. Another point is that whilst the inspectors and Visiting Justices, under the name of the Visiting Committee, are retained, their functions are really inverted. Inspectors were State officers inspecting the institutions of a local authority. Now they are State officers inspecting a State institution carried on by their own official superiors. So Visiting Justices were members of the local authority. They practically managed the prison, and acted for that authority. Now they are independent critics of State conducted prisons.

11,388. Do you think it desirable that the Secretary of State should have power to alter the rules in the Prison Act of 1865?—Certainly. His power is limited in this way, that any new rule made by him must not come into operation until it has been laid before Parliament a certain time.

11,389. Do you think the transfer a success?—I consider the transfer has been eminently beneficial, and not merely as the cause of a better administration of the law, but as much more humane towards prisoners. The immediate purposes of the transfer, which were economy and uniformity, have been entirely fulfilled, and I believe individual abuses are now reduced to a minimum and all the provisions of the Act are most carefully carried out. Besides that, a vast number of valuable improvements have been introduced by the Commissioners; in fact, so far as I know, the prisons under the Commissioners as compared with prisons under the local justices are, as a whole—I say as a whole because of course some of the local prisons were very poorly, whilst others were admirably managed—are as a whole superior in every respect, except one, namely, the use of productive labour; in that matter there does seem to have been a going back, chiefly I believe owing to causes over which the Commissioners have little or no control.

11,390. Do not you think that the lack of interest, which I think on the whole it is proved has come about with regard to visiting justices, has constituted a going back as against the time before 1877, because of the less interest that is taken by the local people in the prisoners?—Very little indeed in my opinion. I believe that the personal influence of the justices over prisoners has been very much exaggerated.

11,391. Are you speaking of the time before the transfer?—Yes I am. In a prison like Holloway, for instance (which is an extreme instance, I admit) the influence of visiting justices so far as individual prisoners are concerned must be set down as nil. In a small county prison I dare say the justices did now and again have the chance of saying a kind or encouraging word to prisoners, but I attach no importance to that as affecting prison administration as a whole.

11,392. It would rather appear that the efficiency of a Prisoners' Aid Society (I am speaking of provincial centres and provincial local prisons) depends largely upon the interest which the Visiting Committees take in their work. If Visiting Committees are keenly interested in their work, and therefore interested in the state of the prisoners, they appear to be able to do a good deal for them. Do not you think there is some going back with regard to that?—I am not really competent to speak upon that. I attach very great importance, perhaps more importance even than most people, to the action of Prisoners' Aid Societies; and of course they could be to a certain extent helped by the Visiting Committees taking a personal interest in the prisoners; but this help to be efficient must consist of a methodical sifting of the antecedents of prisoners about to leave prison: and this methodical work Visiting Committees have as much opportunity to do as the Visiting Justices had before them: and I do not see how the case is affected by the question of whether they have a greater or smaller share in the actual administration of the prison.

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11,393. At any rate your general view is that the Act has been a great success?—It is.

11,394. And the actual transfer involved work of very great magnitude?—Yes, I think that cannot be emphasised too strongly. The work of taking over nearly 120 prisons all on a single day and consolidating them into about 60; organising the staff, every member of which had statutory rights reserved to him; re-arranging the buildings and establishing uniformity, has really been a work of prodigious magnitude, on which an immense amount of thought, contrivance, and skill has been expended; and it would be a disappointment to me if the Committee have not found this vast machinery in good working order, and everywhere showing marks of vigorous administration. By that I mean that nothing has been left to chance or is the outcome of neglect, and that the arrangements, whatever they are (whether you find them completely satisfactory or no), have been advisedly adopted, and that the Commissioners have their reasons, to offer why the arrangements should be as they are and not otherwise.

11,395. Do you think that sufficient money has been expended on the prisons?—That of course is a matter of detail, but I shall not be surprised if the Commissioners come to the conclusion that there are sundry matters with respect to which the existing arrangements require to be developed, and with regard to which more money ought to be spent. This, of course, might be found to be the case with any State Department whatever which is subjected to an independent examination like the prisons; but, if you would allow me, I should be glad to give some general explanations why this result is more to be expected in the case of prisons than of other institutions.

11,396. Do so, if you please. The essential characteristics of prison administration seem to me to be, first, that it is a vast and complex machine operating uniformly on a large number of persons, with the primary, if not the sole object, of inflicting and enforcing punishment as imposed by the law. In carrying out the law the amount of consideration to be shown to prisoners (except so far as may be prescribed by Act of Parliament), is an indeterminate quantity, a matter of opinion, a matter of sentiment, although the standard is constantly advancing. Next, the importance of the question how much consideration is due to prisoners depends on the fact that prison administration embraces the entire life, day and night, all the week, month, and year round of the prisoners, who are of various ages, characters, and physiques, but who one and all have the status of the most passive submission; and thirdly, that though there is no intention of concealment, and though there are certain safeguards, the operation of the prison machine is necessarily withdrawn from the public eye. Prisons are and must be dark places. Shall I compare the administration of prisons with, say, the administration of the Mines Acts?—Yes.

11,397. Yes?—Mines inspectors, and for that matter the Secretary of State, are not left to find out for themselves improvements that are necessary with regard to the mines. A thousand and one suggestions are constantly streaming in from mining owners, mining agents, mining institutes, trades unionists, &c.; in fact from all persons interested in mines, giving the Home Office the benefit of their experience in mines; pointing out how the Acts work and where they fail, and how they think they can be amended. The Prison Commissioners have none of those advantages. From prisoners of course they learn nothing; prisoners cannot view the prison as a whole, or even its larger features, and any remarks which they may please to make are not likely to carry much weight. From the warders, who are mere subordinates, who have strictly to obey all orders, they can learn little more. The warders, in fact, are incompetent as a class to advise on this subject. Superior officers of course have greater knowledge, and might make useful recommendations; but I am sure they would think twice, and three times, before they ventured to volunteer to a strong-minded and strong-willed executive suggestions of a large character which would involve an important alteration of machinery or serious addition to the expense. Again, whereas in the administration of mines reforms come chiefly from special experience of mines, in the case of prisons it is otherwise. First the general civilization outside advances, then the improvements from this general civilization gradually win their way into prison administration, involving a change in the prison machinery, and generally also an increase of public cost. Let me give a small instance of this, only one of a thousand. Prisoners have to be moved from one prison to another. Well, what so simple or so safe as to chain them together, and so to take them to their destination. For centuries one may say this was followed without misgiving from any human person. Perhaps it would never have occurred to a gaoler, whose first duty is the safe custody of his prisoner, to make any change; but the time comes when the public (who in this instance witness what is done) object to it as a needless hardship or a painful spectacle. So a change is made, but this involves a change in the prison machinery, more warders, and a special charge for conveyances, and increased cost, &c.

11,398. So that the suggestions come mostly therefore from the outside philanthropists?—Yes, they do, and philanthropists, I need hardly say, often have hearts more kind than their heads are strong; and, at all events from the outside, they can never understand the full working of the prison machinery which they propose to amend. The consequence is that when such benevolent suggestions are addressed to the prison authorities, proposing to alter the machinery, that is to the persons who do understand the machinery, who have been accustomed to work it, who invented it, and who are, not without reason proud of it, the philanthropist has just as good a chance of obtaining acceptance as a solitary blundering shareholder in a railway company has when at the annual meeting he presses some change upon the chairman and directors. The philanthropist does not understand his business. What he proposes is unnecessary, inconvenient, extravagant, or incompatible with discipline. For all or any of those judgments there are generally excellent reasons to be given, and in most cases those reasons are right, but not always. Wait a little. Let the public feeling become stronger and better informed, and it may be that the Secretary of State or some Parliamentary Committee or some Committee like this, necessarily more in touch with feeling outside prisons, and perhaps taking a wider view of the ulterior effects of crime and criminals on society than can be expected from persons whose main duty is the custody of prisoners, may say, "Well, this suggestion will no doubt slightly impair "the strict discipline hitherto enforced, but we think "the gain will be more than the loss," or "this other "proposal will require an outlay of public money, but "we think that the money will be well spent."

11,399. What do you consider is the position of the Secretary of State with regard to prison expenditure generally?—One of the main objects, or rather recommendations, of the Act of 1877 which were put forward to the public, was to introduce economy, and undoubtedly the Prison Commissioners have from the first been honourably distinguished by their economy, and notwithstanding the great improvements they have made, they have still, I believe, kept the cost of maintaining the prisoners considerably below that point at which it stood when the transfer was made. The Secretary of State also desires that the strictest economy should be maintained, but the time is long past (if it ever existed) since he had any desire that the cost incurred by the justices in administering prisons should be taken as the necessary limit of the expenditure of the Prison Commissioners. Better administration, of course, costs more money, and the Secretary of State, and I have no doubt the Treasury also, is prepared to accept this conclusion. Then,

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perhaps, I may mention another matter which is not peculiar to the Prison Commissioners, but which must be borne in mind. Prison Commissioners like other officials—all of them mortals—must be expected to have their bias; just as Sir George Grey's Commission on Convict Prisons took a severe line, to be followed by Lord Kimberley's, with its recommendations, which, in some respects, were mitigatory, so in the vast and complex work entrusted to the Prisons Commissioners it must be expected that different Prison Commissioners will in turn give their special attention to some matter or matters rather than to others, whether it be maintenance of discipline, improvement of buildings, employment in useful industry, amelioration in the lot of prisoners, or economy, or whatever it may be; and as from the nature of things, Prison Commissioners can pursue their beat with a peculiar exemption from public or even official interference, I certainly attach much importance to any means that can be devised for bringing outside feeling to bear upon their work. I believe that all prison reforms in the direction of the amelioration of the lot of prisoners are really inspired by the feeling outside the prison, and, therefore, whatever can be done to cause that feeling to operate upon those immediately responsible for the prisons without interfering with their independence and authority, ought certainly, in my opinion, to be encouraged.

11,400. Then what are the best methods for attaining that object?—The best means now available for this purpose seem to me to be the Visiting Committees. They are gentlemen chosen for their judgment, entirely independent of the Commissioners and official organisation; have full opportunities to make themselves acquainted with prison administration, and it is expressly their duty to offer criticism upon the system which they see in operation. They are invaluable as a protection to the individual prisoners, hearing both their complaints and the complaints made against them, and acting as an impartial authority in the dispensation of the severer punishments. But beyond this they do nothing or next to nothing. The fact is that they find nothing to do. The Prison Commissioners take good care to sweep so clean that nothing shall be left for the Visiting Committee to remark upon. In this respect the position of Visiting Committees is completely changed from what it was. Formerly they practically managed the prisons as agents for the entire body of Quarter Sessions, who sat, of course, only intermittently; but the Prison Commissioners are, as it were, always sitting day and night. There is, therefore, no occasion for agents to look to daily wants; but the Visiting Committee also seldom make important suggestions, such as they undoubtedly have a power to do and the reason is that, having nothing really to do, they take but a limited interest in prisons.

11,401. Have you any remedy to suggest for that?—The remedy which has been suggested is that the Legislature should give the visiting justices something to do. To this I am quite opposed. It would lead to dual administration, and my strong opinion is that nothing whatever should be allowed to interfere with the exclusive responsibility of the Prison Commissioners. In my view the Visiting Committee should have little or nothing to do with the every-day affairs and arrangements of the prison. These can be safely left in the hands of the Prison Commissioners; but the true and important function of the Visiting Committee, in addition to their duties of hearing complaints in the prison, is in their annual report to review prison administration in its larger features, and to submit general observations and suggestions.

11,402. Have they made such observations and suggestions since 1879?—Occasionally, but not nearly so often as might be desired. Let me, however, give two illustrations of two recent cases where this has been done, and very much to the public advantage. At Dartmoor the visiting justices called attention to the small cells of corrugated iron.* These cells had been put up years ago with the approval of the Secretary of State. There was, therefore, nothing illegal in them, nor were they shown to have produced ill-health to any of the convicts. They had been used for a great number of years, and the Directors, though, of course, they could not consider these cells as up to the modern standard, yet had continued to use them without misgiving, and had not thought it necessary to recommend their abolition to the Secretary of State; but the moment Mr. Asquith heard of these cells from the visiting justices he forthwith condemned them, and applied to the Treasury for the very large funds necessary to replace them; and it is my belief that any Secretary of State within the last 20 years would have done just the same. Another instance I may mention, namely, that of useless labour. The Secretary of State was, of course, aware that great difficulty had been thrown in the way of manufacturing articles for sale, and I daresay it is possible that he could have abstracted from various figures in the annual reports of the Commissioners the extent to which useless labour was imposed on prisoners, but I am quite sure he was not aware of that extent, and I cannot recall that the Prison Commissioners ever pointedly called his attention to the injurious influence of this practice.† Indeed, I believe they would not admit it to be so injurious. It is, of course, a question on which two opinions can be held, and, at all events, the practice is entirely in accordance with law, but the remonstrances of the Bristol Visiting Justices, made in their annual report, brought this question to the front and led it to be referred to this Committee; and, speaking for myself, I shall be much disappointed if, in consequence, what seems to me to be a very salutary change is not introduced.

11,403. Those two cases are very much to the point, but having regard to the fact that these cells that you speak of lasted 20 years, and also that this kind of labour which was commented on by the Bristol Justices also lasted 20 years, is not it rather a singular thing that the Bristol Justices have not made their remonstrances before and oftener?—I regret it, but in judging of the present system one must also remember the past: visiting justices and justices in sessions assembled, have, to a great extent, tolerated this useless labour for years, and bad cells too.

11,404. You suggest that the Visiting Committees should issue a more detailed annual report?—I do. At present they only send in an annual report which contains the remarks, if any, which they desire to make. I think something would be gained if the Secretary of State every year issued a circular to Visiting Committees and Visiting Justices specifying the headings that is the principle features of prison administration upon which he will request full observations and suggestions. This report should, with an analysis, be laid before Parliament.

11,405. Then according to that method the analysis would be left, I take it, practically to the Secretary of State?—Well, he would have the initiative in drawing up the heads on which he required observations but of course any observations on any other head would be welcomed.

11,406. Would not one danger of that system be this, that the Visiting Committees would get into the habit of thinking that all important points would be submitted to them for a certain time of year by the Secretary of State, and therefore would not they be more inclined to slacken their own personal interest in the prisons and devote themselves to answering the questions as best they could when they received them?—Well, it is difficult to prevent prejudices, but I certainly think the circular could be drawn in such terms as would directly negative that view. It would

* For Sir E. Du Cane's comments on Sir Godfrey Lushington's evidence as to the reconstruction of Dartmoor Prison, *see* Appendix IX.

† For Memorandum as to the views of the Commissioners on useful labour for prisoners in reply to Sir Godfrey Lushington's evidence on this point, *see* Appendix IX.

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state that the Secretary of State relied upon receiving the full benefit of the experience of Visiting Committees, and that therefore it was necessary for them to pay close attention to the administration of the prisons in order that they might respond to any inquiry which he might make of them.

11,407. Would it be better to issue that circular at the beginning instead of at the end of the year?—Well there would be no objection to that, perhaps there might be two circulars.

11,408. You remember the letter addressed by the Secretary of State—I think it was to a particular Visiting Committee—in 1878. It is a letter that was quoted very fully in the Report of the Kimberley Commission?—On what subject is it?

11,409. It is a letter calling the attention of the visiting committee to the intention and provisions of the Act of 1877, which put upon the Visiting Justices various duties and responsibilities. The intention of the letter was to make the Visiting Committees fulfil those duties more thoroughly in the future?—I do not remember that letter, but I have a general recollection that Lord Cross had great anxiety to secure for Visiting Justices full scope of exercising a useful influence on prison administration. As you are aware, there was a good deal of jealousy felt at the passing of the Act, and the superseding of the justices; and two Visiting Justices were associated with Sir Edmund Du Cane for the express purpose of giving him the benefit of their experience.

11,410. But under the Act of 1877 the Visiting Committees have excessively large powers. If they choose to act very fully on those powers, should not you say they would possess now under that Act a very direct power of interference with the administration of the prisons?—Yes, I believe it would be just that. It would not be assistance, it would be interference. Those words I regard now as surplusage in the Act. They were practically borrowed from the earlier Act, and I am quite sure that if they had been duly criticised at the time, persons would have felt that they would have been inoperative. I mean under the earlier arrangements the Quarter Sessions met periodically; they made their rules for the prison, and then of course it was quite necessary to see that those rules were carried out, and also to see that anything that happened in the meantime should be duly attended to. The Visiting Justices did that, and if you compare the words in the section of the Act of 1877 with the corresponding section (I think it is section 58) of the Act of 1865, you will see that the words in the Act of 1877 are a good deal borrowed from the earlier Act. I do not see how full operation could be given to those words without causing interference.

11,411. I think that you said that the Prison Commissioners by their strong administration make a clean sweep of the prisons, and leave very little to do for the Visiting Justices?—Yes, the Visiting Justices say so themselves.

11,412. But it would be possible, would not it, for the Prison Commissioners to intrust some of that sweeping to the Visiting Committees?—I think not.

11,413. I said "possible," I did not say advisable, but I said "possible under the Act"?—Oh yes, they could hand them over anything almost. "They "shall report on any abuses within the prison and "also on any repairs which may be urgently required "in the prison, and shall further take cognizance of "any matters of pressing necessity and within the "powers of their commission as justices and do such "acts and perform such duties in relation to a prison "as they may be required to do or perform by the "Secretary of State." Those were intended to be soothing words to the Visiting Justices.

11,414. Have you anything further to add with regard to Visiting Committees?—Well, it has been suggested that in England, as I believe in some other countries, there should be a periodical revision, by an independent body, of prison administration. I think it very doubtful indeed whether there should be any rule or standing authority to this effect. If there was a periodical revision every year I am quite certain it would degenerate into a mere form. At the same time, I cannot doubt for a moment that great good comes from an occasional revision by a competent independent body, and I think that such a body ought from time to time to be appointed. Their report would be given to Parliament, and in my opinion the institution of such a revision would no more cast reflection on the Prison Commissioners and Directors, or interfere with their operations, than say the Public Accounts Committee interferes with the Treasury.

11,415. You would propose that that body should be dormant for seven or ten years?—Certainly; non-existent rather.

11,416. Non-existent and then nominated by the Secretary of State?—Yes.

11,417. I think you wish to express some views on certain points in the general administration of the prisons?—There are one or two details in which it seems to me the arrangement for the general administration of prisons might be improved. After what I have said you will understand that any suggestion of this kind I offer with diffidence, being fully aware of the difficulty of meddling with a complex piece of machinery on the construction and perfection of which so much thought has been expended. However in some respects the machinery has not been, I may say devised, but is the result of the procedure adopted on the occasion of the transfer to the Prison Commissioners. In working the prison machinery, too great importance I think cannot be attached to the personnel. It is not enough that a thing requiring to be done in the prison should be done; it must be done in a proper spirit. The duties of prison officers are often painful; often have to be performed under provocation; always on a helpless subject, and more or less without immediate control from a superior officer. Everything depends on the spirit, judgment, and behaviour of the officer. Any want in this respect must inevitably aggravate the lot of prisoners, and also lead to a multiplication of prison offences. Now I believe this spirit must come primarily from above, and spread downwards, I mean that everything should be done to secure the utmost influence of the Commissioners on the governors and the superior officers of the prison; and of the governors on the officers of the prisons, and on all the warders. It seems to me that the arrangements in this respect are not all that could be desired. First, in the local prisons as distinguished from the convict prisons, the Commissioners very rarely inspect themselves. They sit at Whitehall and their control is a paper control, sufficient, however (quite sufficient I admit), to keep the machinery rolling regularly round and to prevent the improper and wasteful expenditure of money, but not calculated to give them very full personal influence over the governors. The inspection by the inspectors, who are a relic of the former system which has been now superseded by another, is not altogether satisfactory. I do not go so far as to think it a useless formality, although the inspectors have no power. At least they see what is going on and understand what they see and can report anything amiss and then it will be redressed. But an inspector can never have the same personal influence on the governor and warders as a Commissioner; nor can the action of a Commissioner on a report be so effective as his personal presence; for if he visited the prison he would see many things which might seem to him to require amendment, but which would never be reported to him because not contrary to rule. I know there would be a difficulty from the number of prisons to be inspected, but inspections, I think, might be rarer; at all events, one inspection from a Commissioner would be worth three or four from an inspector. If necessary, there might be an additional Commissioner appointed in lieu of the inspectors. Some of these visits of the Commissioners would, I suppose, be surprise visits, but others would be pre-arranged; and, in the latter case, a notification

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should be sent to the Visiting Committee to give them an opportunity of attending in case they should like to do so. It is of importance from my point of view to bring the Commissioners into as close contact as may be with the Visiting Justices. In the next place, I certainly think that in a large prison there should be a deputy-governor. The governor cannot be everywhere, and although the principal warder may be able to do what is required to be done, I can never think that he is likely to exercise the same influence on the superior officers, and the warders, and the prisoners, as a deputy-governor, either when the governor is in residence or when he is away on a holiday. What for this purpose ought to be considered a large prison is, of course, a matter to be settled; but the line should be drawn at a much lower level than where it is now drawn. This, of course, will involve an increase of public expenditure. For the same reason I agree with those Visiting Committees that have recommended that every prison should have a governor. The prison may be small, but the conduct of all engaged ought to be at the same high line as at a large prison, and I believe a person with the position and education of a governor is far more likely to secure this than a warder in charge. I know this will be an expensive arrangement, because there are various small prisons which for local reasons cannot be extinguished, but it seems to me to be a responsibility which devolves on the Secretary of State as successor to the local authority.

I am also sorry that this change should deprive principal warders of promotion, but of course there is nothing to prevent a warder being promoted to a governor if he is found really to possess the qualities which are recognised as essential for a governor as distinguished from a principal warder. Lastly, as to the warders, I think that before being definitely appointed they should pass through a period of probation, during which they should be regularly trained at certain prisons set apart for this purpose. During this period they not only could obtain methodical instruction as to their duties, but would be tested to see whether they possessed the manner and temper requisite for the proper discharge of their duties. There would be some difficulty, I suppose, as to the expense of removing their families. The warder would have to go to the expense of removing his family or be separated from his family for a while, but this would be recognised as an incident necessary to the service, and it is of course not a greater hardship than that imposed upon sailors and others.

11,418. If such a proposal were carried out probably the warders would be appointed at a rather younger age than is at present the case?—Perhaps so.

11,419. Eventually it would be so. Of course you would have to deal with the present staff, which of course means dealing with many elderly men?—I express no opinion upon that. I have not studied that part of the question, I only care to insist upon it that family difficulties shall not be allowed to prevail

The witness withdrew.

Mr. A. Turnor.

Mr. ALGERNON TURNOR called and examined.

11,420. (*Chairman.*) You are the Secretary to the Post Office?—Financial secretary.

11,421. Would you kindly tell us what work you give to the Prison Department?—At the present time they make for us the whole of the canvas leather mail bags, pouches, straps, and a variety of small articles that we require. Our estimate for next year is 20,000*l.* for that. They also make all the string required for the mail bags in London and in the travelling post office, and sundry other articles, such as stamping pads, notice boards, packing cases, and boxes. That is estimated at 12,000*l.* They do not make the uniform clothing, but they make waist belts, pouches, and leggings. That is another 1,000*l.* The total comes to about 33,000*l.* in a year.

11,422. They do not make boots?—No.

11,423. Do you find that the work turned out is sufficiently good?—Yes, it is very fairly done.

11,424. And is the tendency to give more work to the prisons?—I think we have always been rather inclined to give whatever we think legitimate to the Prisons Department. We have pointed out from time to time things that they could make.

11,425. Does the Prisons Department supply the raw material?—Yes, I think that is so.

11,426. Subject, of course, to your specification?—Yes.

11,427. Then you specify what you want, I suppose, to the Prison Commissioners, and they make all the arrangements as to where the work shall be carried out, and so forth?—Yes.

11,428. You leave that entirely to them?—Yes, there is a good deal of communication between our Controller of Stores and the corresponding official of that office. They arrange all the details.

11,429. Have you found that the delivery of the goods have been fairly punctual?—Yes, fairly so.

11,430. Have you any particular criticism to offer with regard to the production of the things?—No. I think we are satisfied; what they supply answers our purpose. If we were not satisfied we should not continue with them, but they have supplied us for many years.

11,431. Have you any suggestions to make with regard to any possible improvement in the industrial system of the prison service?—Do you mean as regards the making of our articles.

11,432. On any point in connexion with industries that you are acquainted with?—Of course I am not intimately acquainted with their internal system. All that I have to do is to consider what articles we could put in their hands, and then consider their offer, and to consider whether what they perform for us is well done. There are, of course, some other articles which might possibly be made by prison labour, but I do not know how far they have got opportunities for making these other articles. For instance, you mentioned boots just now. We have contracts for boots, not for postmen, but for telegraph messengers; we do not supply the postmen with boots. It might be a question whether they could not perform some of this work for the telegraph messengers. I do not think that subject has ever been raised with the Prison Commissioners.

11,433. Have you ever had occasion to rescind orders, or to cease giving orders for particular articles because they were badly turned out?—No, I think not.

11,434. Then some of the articles you mentioned involve a fair degree of skill in their manufacture?—Yes. Of course mail bags are simple things, and we want a great quantity of them. We want them well sewn and stout. There is not a great degree of skill in that; that is the main item with which they supply us, pouches and straps require a little more skill of course in making.

11,435. You have not made yourself acquainted with what I call the industrial system of the prisons; you are not familiar with the comparative degree of competence as between one class of prisoner and another?—No, we have no information of that sort.

11,436. You are satisfied with the work that has been done, and you are quite prepared on the same footing to extend it, assuming that the things would be equally well done in the future?—Yes, if we are fairly satisfied they could perform it to date. We are obliged to be particular to get in a supply in time.

11,437. (*Sir Algernon West.*) Looking at it from a financial point of view, do you regulate the price you pay the prisons for this work?—In some cases we ask for tenders, and we get prices offered by the prison authorities and compare them. Of course we should not pay more to the prison authorities than we should to a contractor.

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11,438. May I ask you, looking at it from the prison point of view, whether you would pay them less, or merely if their's is the lowest tender you would accept it?—Their tender is lower generally, and naturally so, because they have not so many expenses as a contractor.

11,439. Of course; but would it be possible to say it was unfair to give this contract for labour required by the Post Office because they undersell the ordinary trade; or is it a very small sum?—There is a considerable difference between the prices. There is no profit in quotations from prisons; the Prisons Department do not require to make a profit. You can hardly compare the two, I think.

11,440. When you call for a tender, I will say, for these bags, is it a tender by open competition?—In many of these cases we have gone on for many years, and continue to employ from year to year the prison authorities, we do not invariably ask for tenders in the open market.

11,441. The prison authorities have got a monopoly?—Yes, to a certain extent.

11,442. Do you think you could extend your suggestion if more work could be done, and it was thought advisable to have it done by prisoners, to other things. Could not you employ the prisoners in making uniforms. You supply them I think to your telegraph boys and others?—We supply uniforms to telegraph boys and others.

11,443. And you see no objection to that?—Well, I should very much doubt the expediency of doing that. We have to supply an enormous number of uniforms up to a given date, and meet with great discontent if they are not ready, and also with very great inconvenience. Unless we were truly satisfied that the Prisons Department could do the work as well as the contractor, and turn it out up to date, I should very much doubt the expediency.

11,444. Perhaps you are aware that in France they do make uniforms, and that they make for the police and for the Civil Guards in the prisons, and that sort of thing?—Yes.

11,445. But provided the work was good, and came up to your sample, you see no other objection to utilising prison labour do you?—I very much doubt whether they could perform the whole of our work. The contract would have to be divided, and there is always an inconvenience in dividing a contract into very small divisions.

11,446. I suppose it is enormous?—It is enormous. We are just making a new contract, and we have found that we have made it very much cheaper this year than has been hitherto the case, by dividing the cloth from the tailoring. We buy the cloth ourselves, and then get a contract for the tailoring part. Of course the tailoring part is very important, and we have to be satisfied that the clothes are well put together.

11,447. Quite so, but provided all that is done to your satisfaction, you do not see any objection to giving a portion of that to the prisons, as you do divide it now?—There is the inconvenience of splitting up into very small divisions.

11,448. But you do that now I think?—We have a separate contract for Ireland, and we have one contract for the whole of Great Britain

The witness withdrew.

Colonel J. T. Barrington.

Colonel J. T. BARRINGTON called and examined.

11,449. (*Chairman.*) You are the Superintendent of Inspectors of Stores at Woolwich Dockyard, I think?—Yes.

11,450. Do you conduct any business necessary to the giving of orders to the Prison Department?—No, I inspect the stores, that is to say, the inspectors under me inspect the stores that are made in the prisons, I do not give the orders.

11,451. Can you tell me what work the Prison Department does for the War Office?—Yes, the prisons make rugs, and mats, and baskets of various kinds, and also oil bottles of various kinds and sizes. They have made those for several years, supplying their own material and making their own arrangements; in fact, tendering as a contractor would outside. But last year there was a new departure, and they got orders for bedding on a limited scale—about 12,000 bed cases and bolster cases for which the materials are supplied by the War Department; and they simply make up the articles and send them in, and the War Department pays the carriage. That was a new departure last year, and it is being continued again this year on the same scale, but the Prison Department wish to have the orders increased.

11,452. Where is the material sent?—The material is sent from the Arsenal; from the Commissary-General in the Arsenal to the several prisons. He is informed of the proportions to be sent to each prison. This year there are no less than 9 prisons, but last year there were only four in the metropolitan district.

11,453. Will you give us the names of those prisons?—For last year, they were Wandsworth, Holloway, Pentonville, and Wormwood Scrubs. This year they are Holloway, Wandsworth, Wakefield, Pentonville, Knutsford, Strangeways, Stafford, Liverpool, and Wormwood Scrubs.

11,454. Could you tell us the money value of the work done by the prisons?—Rather over 2,440*l.* for the present financial year.

11,455. The numbers of articles are large?—In the aggregate there were 26,766 oil bottles made during the past five years, and 7,000 door-mats 1,700 passage mats, 1,800 hearthrugs, and 18,866 baskets of various kinds, so that they represent in the aggregate a considerable value.

11,456. Are you satisfied with the quality of the work?—Yes; on the whole the quality of the work is very satisfactory, and especially in the tin work.

11,457. Do you have to make many rejections?—Very few.

11,458. Not more than you would in the case of an ordinary contractor?—Less.

11,459. Less than in the case of an ordinary contract?—Yes, much less; they have not the temptation to send in inferior material.

11,460. And they do not scamp the work?—No, they do not scamp the work. We had a difficulty in one contract with them. A few years ago they had an order to make 800 grocery panniers. They are covered baskets to go upon pack animals, and supplied to regiments in the field. It was a new order to them, and it was rather a large order for them to take up, It was not altogether satisfactory, although they got through it, and eventually supplied them all. But we had trouble; they had to take some of them back and make some alterations. The fittings were bad, although the wickerwork was good. They are quite capable of doing the work.

11,461. Have the goods been punctually delivered?—Fairly punctually.

11,462. Do you find any difference between some London prisons and prisons some distance away like Knutsford or Liverpool?—Well, we have not had anything from those distant prisons. This is the first year those distant prisons have got an order. The mats are made at Lewes, Bedford, Canterbury, and Wormwood Scrubs. They make the mats. I have not heard that there is any more delay in the country prisons. I think they are fairly up to time.

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11,463. Have you heard at all that the work of one prison is better than the work of another?—No, we have not.

11,464. There is no appreciable difference?—No. I think we have very little trouble indeed with the prison work. We had trouble with brushes from the millitary prison at Gosport a few years ago. They had an order for 5,000 brushes, and they made the bulk of them very fairly; then towards the end they began to make up the inferior material which they had set aside, what would be called outside the waste. Those were very inferior brushes. How to get rid of their waste is a difficulty they have to contend with.

11,465. Do you see your way at all to give further orders, larger orders, to the Prisons Department?—There are a good many things of the same simple character that they could make for us, such as sand bags and corn bags, sackings for beds, and sacks of various kinds, barrack sheets, tent valises, and pin bags. Anything of that simple class they could do, and fencing jackets, they are made of canvas. Then in the tin work they might take other things. They now take oil bottles almost exclusively, but they might also do meat dishes, funnels, dust pans, pudding shapes, baking tins, and drums and cylinders for oil and paint. Those are all simple things, and they could do them. They might also do woodwork, such as boards of various kinds, bed-head boards used in hospitals, diet scale boards, inventory, knife and notice boards; also simple wooden boxes, such as brush boxes and salt boxes, cradles for camp kettles, trestles, and bed boards for field service. They might try soldiers boxes. There are a large number of soldiers boxes now got. Every soldier gets a box, and they are not difficult to make. I have not added to the baskets, because they practically do all kinds of baskets. There is no reason why they should not try brushes and bass brooms also. There are a very large number also of brushes and bass brooms got, but there is the difficulty of working up the waste material, the short material which in the trade they could work up into small brushes. If they had no outlet for that outside, it would be thrown upon their hands.

11,466. I suppose they could manage to sell that periodically?—I suppose they could, no doubt, if there was no objection outside to it.

11,467. You have no particular criticism to make with regard to the general arrangements for manufacture and delivery of the stores by the Prison Department?—I think that if a practical representative of the Department were to see our patterns, and say what they think they could do, and what they could turn out per annum, and approximately in equal deliveries monthly, that that would be a good way of starting. Then they could send an estimate to the War Office, we will say before the commencement of the financial year, and the War Office would then say what they could give them to do; but it would be essential that the orders should be fairly punctually delivered, and it would be for the convenience of the prisons and also for the convenience of inspection that they should come in periodically, and also in equal deliveries.

11,468. You keep certain stores of those articles I suppose?—The stores are kept in the Arsenal, in another department. I merely inspect them, and pass them into the storehouses.

11,469. I mean the goods manufactured by the prisons would first of all go into the stores?—No, they would come to me first to be inspected, and then they would go into store.

11,470. So that absolute punctuality would not be essential. It would be desirable, but not absolutely essential?—It is very desirable, because the Commissary-General does not keep large reserves, and he has out-stations calling on him for supplies for the troops, and if he has not got them, complaints come in from the stations through the Generals Commanding, that the troops are without their stores; and then there is trouble all round. For that reason it would not be well to give the prisons the bulk of large orders, but to give them portions, so that the Director of Artillery and the Director of Contracts could go to the trade and spread the contracts over a wide field if they wanted to get in quick deliveries.

11,471. It would not be possible, I suppose, for the prisons, say, in the north of England, to deal direct with the Northern Military District. All goods would still, you think, have to come up to Woolwich?—Well, in simple things that is now done to some extent. The Military Prison at Gosport, for instance, sends stores to be inspected at the Gun Wharf at Portsmouth, and if the Ordnance Store Officer there has any doubt about their quality, he sends a sample up to me at the Dockyard at Woolwich, or an inspector could go down occasionally, if there were any necessity.

11,472. I suppose you have found that on the whole it has answered for the War Department to give these orders to the prisons?—As far as I am concerned personally, it answers very well; and the Commissary-General, who is responsible, under the Director of Artillery, for the maintenance of the supplies at stations, has no objection to it, provided it is not carried too far, so that there shall still be a margin to work upon with the trade.

11,473. I understand you are well satisfied as a whole with the quality of the goods delivered?—Yes, quite so.

11,474. (*Mr. De Rutzen.*) Have you any idea of the money value of the things which you have suggested could be done by the prisons?—I have stated the approximate value of the stores now made. The value from year to year must of course depend upon the orders actually given to the Prison Department.

11,475. (*Dr. Bridges.*) Are the goods supplied by the prisons at a lower price than those you get from the trade?—I believe the prisons are called upon to tender, and they tender to the Director of Contracts when supplies are wanted. Then their tenders are compared with the tenders from the trade, and if they are too high they are not accepted. As a rule, I believe the prices compare favourably with trade-prices, having regard to the lowest-tender system. And, with such simple stores as those entrusted to the prisons, there is no reason why they should not, as profits have not to be taken into consideration, beyond covering expenses.

The proceedings were adjourned for a short time.

Sir G. Lushington, K.C.B.

Sir GODFREY LUSHINGTON, K.C.B., recalled and further examined.

11,476. (*Chairman.*) Do you think that the present prison system is sufficiently deterrent?—I think prison is unquestionably deterrent to the community in general. That is, it deters ordinary persons from committing crime. I cannot doubt that if imprisonment were abolished without any substitute there would be an enormous increase of crime. Therefore, it ought to be maintained, though it may fail to deter any prisoner from falling into crime again. Recidivism is not the test of an effective prison system. How far recidivism is on the increase I cannot say, but the statistics can only be taken with qualification. The increased shortness of sentences of course tends to make prison less deterrent, and also to multiply the opportunities for recidivism. On the general question I should suppose that actual experience of the inside of a prison is not deterrent on the very young, nor on the habitual criminal, nor on the habitual drunkard; and perhaps it is not deterrent on the very very poor; but on others I should think experience of a prison had a deterrent effect. The shame to have been in prison, the shame to have been in the company of known criminals, and all the misery occasioned to friends and family, the injury and ruin of business, and so on, must have their effect.

11,477. When you said the statistics must be received with qualification had you specially in your mind the difficulty of identification?—No I had not, but of course that is a very serious difficulty.

11,478. What particular point had you in your mind?—Well I meant that if they compared the present period with a distant antecedent period that comparison might lead to fallacious results.

11,479. The law has changed?—Yes, and of course the enormous multiplication of small prison offences affects it. The criminal law has been enormously magnified and extended. I do not know how many hundred new offences are created every year.

11,480. Do you consider the present prison system of a reformatory character?—Well that is a very doubtful matter indeed, but perhaps it might be useful if I were to point out the elements in prison life which seem to me to make for, and those which seem to me to make against reformation. As favourable conditions I would specify, first, the actual separation from vicious associates and rendering it impossible for a prisoner to commit crime. Secondly, prison labour which may help to teach a prisoner a trade, or at least may help to give him habits of industry. This influence, however, must be slight indeed in the case of short sentence prisoners, and in all cases its moral effect is diminished by the fact that prison labour is forced labour, and it passes into a minimum quantity where the prison labour is useless labour. Then there is the influence of the chaplain and of religious services. In some cases this may be, and is, I believe, very valuable, as where the prisoner is still susceptible to good impressions, or sick; but on the whole I should put it down as coming to something very little indeed. I cannot think that all the ministers, say 150, can have produced much effect upon the 168,000 persons who passed through the local prisons in 1893, many spending only a few days there, and all of them of very unpromising material. It must also be borne in mind in this matter that the prisoners are not free agents, and have therefore no opportunity to give effect to any good intentions they may form. The one prison requirement is to conform to rules, and judged by that standard most prisoners attain perfection. To my mind the special good done by the chaplain is that he is one of the three officers (the governor and the medical officer being the other two) who are at liberty to speak to a prisoner as a man to a man. On the other hand the influences unfavourable to reformation are in my opinion very strong indeed. First, the so-called solitary confinement of a convict for nine months, of a local prisoner for one month, I regard as unfavourable. I should hold the same opinion if I could assume that all this time the prisoner was brooding over his sins and undergoing prolonged moral penance.

11,481. On that point of the nine months solitary confinement, the practice simply survives from the days when there was transportation, I understand. The nine months solitary confinement was designed, originally, to be a preparation for transportation?—I daresay that may be so. I forgot that; but I think it was strongly insisted upon by one of the Commissions, either Sir George Grey's or Lord Kimberley's.

11,482. Yes, that was so. But the system has not been designed in late years by the Secretary of State, or by the Prison Commissioners; it has been a survival from 50 years ago?—Yes. Then, I regard as unfavourable to reformation the status of a prisoner throughout his whole career; the crushing of self-respect; the starving all moral instinct he may possess; the absence of all opportunity to do or receive a kindness; the continual association with none but criminals, and that only as a separate item amongst other items also separate; the forced labour and the denial of all liberty. I believe the true mode of reforming a man or restoring him to society is exactly in the opposite direction of all these. But, of course, this is a mere idea. It is quite impracticable in a prison. In fact, the unfavourable features I have mentioned are inseparable from a prison life. All that I care to insist on is that this treatment is not reformatory. I consider that a mediæval thief who had his right hand chopped off was much more likely to turn over a new leaf than a convict who has had 10 years penal servitude.

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11,483. Do I understand that you do not think it is possible to introduce a reformatory element into the prison?—That is my opinion.

11,484. And therefore that the prison system should be simply punitive and deterrent?—Yes.

11,485. And therefore that it is of no use to make an effort to make it anything else?—I do not see how any effort of that kind could be made successfully. In addition to those features of prison life which I have indicated as not likely to help the prisoner to abstain from crime when he leaves the prison, we have to consider the condition in which imprisonment leaves him on discharge. In the case of penal servitude and other long sentences of imprisonment, a prisoner having served a period in which everything has been provided for him by his masters, and prescribed by order, and in which not a shred of liberty has been permitted to him, is at once let loose into a world of complete liberty. There he has to shift for himself, with a small gratuity, but nothing more. His business, if any, probably gone, his family, may be, ruined or alienated, or scattered, and his own character lost. This is a dismal but true picture. It is to some degree mitigated by the intervention of the Discharged Prisoners Aid Societies. Hitherto the work of those societies, except so far as formal communication might have been made with the governors of prisons, has been, really, altogether outside the sphere of prison administration; and on the whole I am inclined to think it had better remain so. But I think the aid societies should be more subsidised than they are, and in some respects have greater facilities allowed them. Assuredly the work is one of very great importance, and which is capable of great extension. It might be objected that more ought not to be done for the ex-criminal than for the virtuous poor, but this objection is removed by the great danger to society caused by the abandonment of discharged prisoners.

11,486. Have you any knowledge of the method or principle under which the 4,000*l.* a year grant is distributed to the different prisons?—I have some little knowledge of it, but I think it is stated accurately in the evidence of one of the witnesses who has been before you. I think you had better have that from someone who is more intimate with it than I am.

11,487. Then you would not, I suppose, give a perfectly free hand to the representatives of Prisoners Aid Societies while the sentence is current?—No, I think it would lead to great mischief if further opportunities were allowed to ladies and other visitors with respect to prisoners while under sentence. I also recognise the evil of societies competing for prisoners when the time comes for discharge, but subject to this every facility should be granted. It would not be well, I think, to submit to each prisoner the various lists of societies, but if a prisoner expresses a desire to see the representative of any society, then, as now, it should be gratified. And further, to prevent clashing arrangements and to allow the utmost scope to each society, I think arrangements might be made by the governor for an equitable distribution of the work amongst the various societies which seek to take a part in it. Supposing, for instance, there were two societies at a certain prison, the Salvation Army and a local society, the governor could arrange that each should take prisoners on alternate days or alternate months, or that one should take one class of prisoners and another another. I think all that could be settled without difficulty and to advantage. I may add that I am not aware that there are any societies to aid the families of prisoners during their detention. Good work could be done in this

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direction, but it would be a work of very great difficulty.

11,488. You would agree, probably, that it is desirable to get more inter-communication between the Prisoners Aid Societies for the purpose of identifying criminals who make an improper use of these societies?—Yes, I belong to, I think, two of those societies myself, but I am not very familiar with their operations, and I should be afraid there would be likely to be some jealousy between different aid societies. Whether they might combine just for the purpose you mention I do not know.

11,489. Without some such system of communication an old offender who has been perhaps in the convict prisons or in London prisons, and who changes his scene of operations and goes up to the north, may present himself up there to the Prisoners Aid Societies as an injured individual, and take advantage of them unfairly?—Yes, that would be so.

11,490. Possibly it would be desirable to arrange so that either by communication with the prison or police authorities, or by inter-communication between themselves, that undesirable result should be avoided?—I have not thought out that part of the subject, but I believe that more could be done to reform the prisoner and help the prisoner after he gets out than when he is in; and if the State by its prison organisation can in any way help on the work, I think it ought to do so.

11,491. Perhaps you will now give your views to the committee on the question of classification?—As to classification, it seems to me, in the first place, that it is essential that when a sentence has once been pronounced by a court of law it should be known to be what it is, and it should be carried out without any modification. This, of course, does not prevent variety in the form of sentence. The sentence of the court may be one of imprisonment with labour or without labour, just as it may be for two or for three months; and so again the effect of a sentence may be known to be different according as the person sent to penal servitude is a man or a woman, and so on; but in my opinion it would be quite wrong and hopelessly impracticable for a governor or other official to have the power of mitigating in prison any sentence with a view to equalise the penal effect of sentences on different classes of prisoners. I am quite satisfied that in this respect equality is equity. But so long as sentences are carried out equally for all, there is no objection on principle to any classification of prisoners with a view to convenience of prison management, or to prevent prisoners injuring themselves or one another. In convict prisons, where persons work in association on public works, and are detained for considerable periods, there are such classifications. There is the star class for those who are sentenced for the first time, or supposed to be, as it were, first offenders; and again, the weak-minded convicts are kept apart. In local prisons there would, of course, be much more difficulty in classification, and also there is nothing like the same reason for it, as prisoners do not work together on public works, and they are detained comparatively for so short a time.

11,492. What is your opinion with regard to juveniles?—I am entirely against the imprisonment of children under 16; but I may say not for the reason usually given. I do not believe in actual contamination inside the prison. The younger prisoners are exercised apart from the elder ones, and there can be no real conversation between them. The actual mischief which comes from juveniles being in prison is, no doubt, what has been pointed out, namely, their possible after recognition by the older prisoners when they come out; but though this may lead to the ruin of certain individual prisoners, I am rather incredulous about its being carried out on a large scale. However, my objection to the imprisonment of young persons is that imprisonment is at once not severe enough, and too severe. It is not severe enough because boys at this age make light of a short period of imprisonment. Unlike their elders, they are accustomed to be ordered about; they do not mind discomfort and hardship. They have no anxiety for their family being impoverished, and no power of looking forward or realising the after effects of imprisonment. On the other hand, the punishment is, in its subsequent consequences, far too severe. The boys, when they grow up, carry through life the stigma of having been in prison, perhaps only for a freak of mischief; and they get to think of themselves in association with crime and criminals, which is bad for them, in some cases depressing to them, in other cases stimulating them to criminal exploits. I think the imprisonment of boys and girls could be done away with if the Bill of the late Government were brought into operation.

11,493. Which Bill do you refer to?—It is the "Summary Jurisdiction (Youthful Offenders) Bill," which was brought in by Mr. Henry Matthews on the 9th February 1891. It is a Bill which gives to the magistrates various powers of dealing with young criminals and their parents instead of sending them to prison. I was going to say the law at present works deplorably ill. A boy commits some outrageous piece of mischief; the justices think this so bad that they must take notice of it, but they can only fine; the boy cannot pay, and the father will not, so that the boy has to go to prison. It is shocking, I think, that boys should be imprisoned for acts of that kind. Flogging can now only be imposed for certain offences, but the Bill would allow the justices, if I remember rightly, whether they convict or not, either to order a flogging, or to fine the parent, or to require the parent to enter into securities for the good behaviour of his child. The Bill was opposed because it authorised flogging, but, even if the flogging was struck out of it, I still think it would be very well worth having.

11,494. In what you have said you do not contemplate the establishment, I gather, of a Government reformatory?—No, certainly not. The idea of a Government reformatory, I think, is that boys might be subjected to a long course of penal treatment without the stigma of having been in prison. Now, in the first place, I believe that the stigma would attach to this penal reformatory just as much as it does now to an ordinary reformatory or even to a gaol. There is some stigma attaching now to reformatory boys; they are not allowed to enter the Navy at all, and there is often difficulty found in disposing of them in any respectable calling or in any respectable service. Then, which is a stronger objection in my mind, prolonged penal treatment, I consider, is wholly unsuited for boys, and thoroughly bad for them. What father would think of keeping his son in disgrace for two or three years? It seems to me a completely unnatural and inappropriate treatment. On the contrary, what is wanted is kindness and encouragement. Ordinary reformatories profess not to be penal at all, but of course they are penal, they cannot help being so, and I think they are a great deal too much so. The isolation, the monotony, the complete dependence of life, and the want of all the free play of society in general—these must be terribly penal to a young boy, and, in my mind, they constitute very serious drawbacks to the reformatory system. It is true that in well-managed small reformatories—I lay emphasis on the word "small"—these adverse influences are, to a certain extent, counteracted by the friendly and fatherly interest taken in the boys by the managers, but this redeeming element is exactly what would be absent from the State reformatory. A new Parkhurst would be a prison in another name.

11,495. I understand you are speaking now with especial reference to juveniles?—Yes.

11,496. Would your objection extend to a penal reformatory for a rather older class of young offenders?—I think it would simply be a prison.

11,497. Of course, we have had evidence to show, at least statements have been made to show, that the habitual criminal is created practically between the ages of 16 and 21 as a rule. If any establishment could be organised in the nature of a prison, but

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which was specially adapted for the teaching of industrial work; and at any rate for giving a great deal of agricultural work and land reclamation work to them, do not you think that such a prison might possibly succeed with a certain number of these young offenders who simply have turned out habitual offenders by the present prison system as it is?—That is not my view. I do not like prisons much, but in some respects I prefer them to reformatories; that is to say, I would far rather send a lad of 17 or 18 to a comparatively brief term of imprisonment than I would shut him up in a reformatory between 18 and 21, which I believe is now what many of the reformatory managers are asking for. In my opinion, when a boy has been free up till 16, he is too old to bend himself to the severe discipline of reformatory life, for the first time imposed upon him; and it is in my judgment entirely wrong that lads from 18 to 21, who are really young men, should be treated like children, have everything ordered for them, and in case of disobedience should be liable to be flogged. Such treatment is not likely to turn them out good useful men, or make them inclined to do their duty to the community. I should say that proposals to this effect coming from reformatory managers ought to be very carefully scrutinized. As it is, reformatory managers notoriously keep the boys too long. It was distinctly so reported by the Commission which was presided over by Lord Aberdare. It is, of course, to the interest of managers to keep their reformatories full, and also to have the profit from the remunerative labour of the older boys; but, apart from this, there must be a tendency on the part of managers to attach excessive importance to the advantages to the boys of the institution—advantages which are always *en evidence*—and not to be sufficiently sensible of the drawbacks which ever accompany a protracted life in the reformatory; so they become inclined to unduly put off making the experiment, for it must be always more or less an experiment of restoring their young protegés into freedom and social life.

At this stage of the proceedings the Chair was taken by Sir Algernon West.

11,498. (*Sir Algernon West.*) May I follow for a moment that subject about these reformatories. Do you know yourself personally anything as to the conduct of the Redhill Reformatory?—I know a little about it; I read the evidence which has been given.

11,499. It is rather on the same principle as our large public schools. There are separate houses, and it is conducted very much the same as a large public school, and I certainly say the per-centage of boys there who turn out well and lead good honest lives is much greater than they would be at any of the public schools, because I think they said that they amount to 93 per cent. of the boys that go there. I was tremendously impressed with Redhill?—I do not accept those statistics without qualification.

11,500. No, I suppose not?—First of all it assumes that all the boys, because they were convicted boys, would turn out ill. That is, I think, a large assumption; and in the next place it assumes that the whole of that long detention has been necessary to secure their reformation. But I quite concur with you that, as far as I know, the system of conducting the Redhill Reformatory is the right one, that is to say, that boys of different ages are separated, and not more than a certain number of boys are collected under the same roof, so that there is some possibility of giving them personal attention. But when you compare them with our public schools, I recollect that schoolboys have four months holidays in the year, when they are with their fathers and mothers, and brothers, and sisters. I think there is a very great difference there.

11,501. I did not quite mean it was the same, but I meant the system was the same of separate boarding-houses, separate messing, and having their amusements separate in each house. In each house they have their football matches and so on?—Yes.

11,502. They, I think, as you said in the evidence, were anxious to extend the age. You would not agree with that?—No, I should not accede to it.

11,503. Then going on with classification, I think you have something to tell us about lunatics?—Well, I really do not think I have much to say about lunatics. It will, of course, be remembered when persons suggest that lunatics are continued to be dealt with as prisoners that there can be no indisposition on the part of the prison officers to recognise them as lunatics. The officials have no motive for such action whatever; on the contrary, lunatic or *quasi* lunatic prisoners are usually more or less troublesome prisoners. A certificate of lunacy gets rid of a troublesome prisoner, and a medical officer can be under no apprehension that he will suffer any unpleasant consequences from granting a certificate of lunacy; on the contrary, he knows that the effect of the certificate will be to ameliorate the lot of the prisoner.

11,504. And you think certificates would be granted far easier in the case of prisoners than they would with an outside person?—I should think so. I see the question has been raised whether the examination on admission is too perfunctory to offer a reasonable security that an insane prisoner would be distinguished. As to this, I think we must remember the circumstances under which the examination is made. This is not a case where the examination has for its object to ascertain once for all whether a man is lunatic. It is not like a case where the finding of lunacy carries with it irretrievable consequences, as, where a free man has to be shut up for life as a lunatic; or as where a convict under a capital sentence will have to undergo that sentence. There are, of course, different classes of prisoners who all pass through the examination. First there are the remand prisoners and the prisoners committed for trial. These have all passed through the hands of the police and have been before the court before they come to the prison. Therefore there is some slight presumption that they are not lunatic, except those who are specially sent to be under observation. The purpose of examining these prisoners is to ascertain, not that they are fit for penal imprisonment, but whether they are fit for mere detention for a few days or a few weeks, as the case may be; and during that detention prisoners are under observation, not under very strict observation it is true, but under observation more effectual than they would have received out of doors. Then as to the sentenced prisoners; most of these have been through the prison previous to their trial, at all events they have undergone their trial in open court, and the object of the examination is to ascertain whether they are fit for penal treatment. When removed to the prison punishment they are daily under the eye of a warder, are seen every day also by the governor, and (if they complain) by the medical officer. I think that these seem to me sufficient safeguards that penal treatment will not be imposed on or be continued to persons who are insane or on the verge of insanity, I mean persons who are generally considered to be insane—though, of course, I know what I say will not satisfy those experts who hold more subtle views of lunacy, and think that most criminals should be treated as lunatic patients.

11,505 What you tell us would rather lead us to doubt the accuracy of the insane statistics?—Yes, there have been statistics offered to the public which, I think, can scarcely be accepted. For instance, a prison is compared to a village, and at that rate Holloway, with its 22,000 prisoners passing through it in a year, is compared with a town of 700 or 800 inhabitants, simply because that is the average daily number of prisoners in the prison.

11,506. That at once throws great doubt on these statistics?—Yes, and of course, the population is quite different in the two cases. In one it is mixed and indiscriminate, in the other it consists solely of criminals, and a good many of these are also of the pauper class. Then the conditions are all different also.

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Unlike persons outside, prisoners are on the one hand safe from drink, safe from hardship, safe from vicious associations, and from all the trials of love and business which are supposed to specially lead to insanity; and they are also under medical supervision. On the other hand, they suffer from the shock of imprisonment, from the isolation, monotony, and limited amount of exercise which are the incidents of prison life, and which also, of course, lead to solitary vice. I may take this opportunity of saying that quite independent of the bearing of the question upon lunacy, I think that all prisoners should have Sunday exercise, and that an addition to the staff should be made for the purpose.

11,507. You think that is important?—I do; I think that is necessary.

11,508. Then as to habitual criminals?—I have no remarks to make as to habitual criminals.

11,509. And drunkards?—As to drunkards, what I should say is that few persons would question that habitual drunkards could be more effectually treated in an asylum than in a gaol; therefore, it would be well for the gaol to be rid of them. But the practical difficulty is whether they could be committed to an asylum for a period long enough to produce good results without causing excessive hardship to themselves and to their families.

11,510. Have you at all come to any conclusion as to what time you think would be any good in shutting up an habitual drunkard?—No; I was not a member of the Committee which inquired into that subject; but I think everybody assumes that the period of deprivation from drink must be a long one.

11,511. I think we have had it given us that a year would be the least, and two years would be better. Of course, as you say, there are families to be thought of in those cases. Then, as to these men who are put into prison really for contempt of court, who are called debtors. It always struck me in visiting these gaols, that they are a worthless and disturbing element in the gaols, and I have heard instances of men who are put in for a small debt, which they can pay and will not pay, having dinners more costly than the debt they will not pay?—I daresay it is so. Those are quite my views. No person can be sent to prison for mere debt, unless the court finds that he could have paid, and has not paid, and would not pay. Those men seem to me to be dishonest, and I see no reason whatever why they should not be treated as criminal prisoners.

11,512. Then as to prison labour?—My view is that labour absolutely unproductive and useless should be discontinued, or at all events never imposed, except as it is in convict prisons by way of a special punishment. For prisoners under sentences too short to admit of their being taught a trade, even a simple one, labour not useless, but purely mechanical, seems the very last resource, but for all others work requiring some intelligence should be found, and such as may be useful hereafter, whether as having helped the prisoner to form habits of industry or as having given him some little knowledge of a trade. I am aware that there is difficulty in carrying out this policy. It is difficult to find such work or customers for the product. It may be necessary to remove prisoners to a greater extent away from the prisons near which their friends reside, in order to collect them into another prison where they would have an opportunity to learn a trade, and certainly more money will have to be spent in providing workshops, more warders to supervise, and skilled warders to give instruction; also money to meet the cost of waste and spoiled material or products that do not fetch their market price; but I believe these difficulties are all to be overcome.

11,513. I suppose your difficulty in removing a prisoner from one place to another is the hardship you inflict upon his relations by not being able to see him?—Yes; a great point was made of that at the time the Prisons Act of 1877 was passed.

11,514. Then, except as a punishment, you would do away with the treadmill and with the crank?—Well, with the treadmill and the crank which do nothing.

11,515. But do you like even a treadmill which grinds?—I put that as the lowest class of useful labour. In saying that I attach very great importance to the abolition of useless labour; I should wish to add that the area to which productive labour is applicable is not so large as might at first appear. After eliminating all remand prisoners, all prisoners committed for trial, all very short-sentence prisoners, all sick prisoners and debtors (if debtors are allowed to be continued), the residue who can be put to productive labour forms comparatively a small part of the total number of prisoners. Of course, in the case of convict prisoners, it is very different.

11,516. Would you say whether you think greater advantages might not be given to well-behaved prisoners of the star class. The only advantage they have now is absolute isolation from other prisoners?—I should object to any advantages being given, except they were open to all prisoners alike. I mean for good conduct.

11,517. Would you like these advantages to be increased. You are aware, no doubt, that in several foreign countries they allow them to earn a small wage; and part of it—I am not quite sure what the proportion is—goes to the State, part of it goes to a fund to help them when they go out, and part they may either send home or spend in small luxuries in the prison, that is to say for a little better food. That is for prisoners of very good conduct?—Well, I have not thought of that subject, and therefore I should not like to express an opinion. Before leaving the question of labour may I add that I think wherever it can be managed—in many cases, of course, it is impossible from the circumstances of the prison—it would be a great advantage to employ prisoners in outside labour. The consideration of extra cost of staff or of any extra fencing ought not to be allowed to prevent that.

11,518. Well, I think that is your general evidence. There is no other point?—I did wish to add a few words about prison offences and prison punishments. I have no suggestion to make as to the powers of punishment conferred respectively on governors and Visiting Committees. There are objections, of course, to every kind of punishment—to corporal punishment, dietary punishment, manacles, or punishment cells; but on the whole I should think that dietary punishments, if strictly limited, are the least objectionable. The system of marks seems very well adapted to diminish the number of each of these special punishments; but it seems somewhat defective in stopping short when the full gratuity has been earned. If there are objections to extending it in this direction (of which I am not aware), it would be advantageous that a prisoner with more than a seven months sentence should, like a convict, be able to earn some remission. Also to meet the case of violently refractory prisoners, I see no reason why visiting justices should not be empowered to add to the sentence, of course within very strict limits, say not more than a period equal to the original sentence itself, or to not more than a month, whichever was the least.

11,519. Then you evidently view the case of the prisoner who goes for two years without any remission as being in a worse position than that of a convict for three years with the remission?—Well, I believe that the life in the local prison is supposed to be harder than in the convict prison. It is harder in consequence of his not working on public works. One gets two years and three months, the other gets two years.

11,520. May I ask you one other question which you will perhaps explain to me; and that is as to the relation between the Home Office as the Home Office and the Prison Commission. I take it that the Prison Commission deals with prisoners from the moment of their entrance into the gaol to their coming out and nothing more. Is not that so?—Yes.

11,521. And that the Home Office as distinguished from the Prison Commissioners, deals with the prisoners as to sentence, and remissions, and forgiveness, and so on?—Yes; of course almost all the questions of remission are raised by the prisoners whilst they are in the prison.

11,522. I am a visitor of Woking Prison, and sometimes when I come across a case I want to inquire about, I go to the Prison Commissioners, and they say: "We know nothing about that; that must be a Home Office case"?—No, they do know nothing about it; but it is on the petitions sent to us.

11,523. Do you think it desirable there should be a little more co-operation between the Home Office and the Commissioners, and that the Commissioners should know what you are doing?—No.

11,524. You think it works satisfactorily?—When the petition comes from the prison, we always send back the answer of the Secretary of State to the Commissioners.

11,525. They know what you have done, do they?—Yes, they know what we have done.

11,526. (*Mr. De Rutzen.*) No doubt the seeds of crime are sown very early in life among boys, and, as you suggested just now, that no boy under 16 should be sent to prison (probably with that we should most of us agree) for trivial offences, perhaps such as a little petty larceny, a boy is fined, but he cannot, of course, pay it, as you say?—No.

11,527. The parents will not pay it, and the consequence is that the boy goes free?—He does sometimes.

11,528. Because it is no good to send him to gaol, as he would be discharged; he would not be of the age, and he would probably be discharged?—Not necessarily We only act under 14, but we do not always act if the boy is under 14.

11,529. Have you any suggestion to make in reference to that, as to how a boy should be dealt with, because if he cannot pay (as he clearly cannot), if his parents will not pay, and there is a disinclination (as there is) to send him to prison, it leaves him master of the situation?—Yes, it does. I suggest that you should have power to order him to be whipped; distinctly.

11,530. But there are a great many offences for which he cannot be whipped?—No, but that is the effect of that Bill which I referred to.

11,531. When prisoners are sent for trial, and the calendar is made out, it may be that the preliminary court, which sends a person for trial, has remanded a prisoner upon the supposition that he is not quite strong in his intellect, and in some cases a return is made that the person has shown no signs of insanity, but is a person of more than ordinary weak intellect. He goes for trial. There is no calendar which recites any of these facts for the knowledge of those who have to try him. Do you think that that would not be an improvement, and that any observations by the doctor of the gaol should be placed on the calendar?—I am afraid that judges would strongly resent anything of the kind unless it was done under order. They would object to anybody volunteering to make a statement with respect to a prisoner coming before them.

11,532. I only mean it is one of those things which ought to come before the judge, as to the particular state in which the prisoner's mind is?—I am not quite sure I understand the case. Who was it that directed the prisoner to be put under observation?

11,533. Most likely the magistrate who commits the prisoner for trial?—Then, would not it be right for the prison officials to communicate it to the magistrate. I suppose the magistrate could communicate it to the judge.

11,534. He has had an intimation that the person is simply of weak intellect?—Would not it be right for the magistrate to communicate that to the judge.

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11,535. Yes, but it gives no kind of information to the magistrate which precludes him from sending the case for trial if otherwise it ought to go for trial. The difficulty is that it does not really reach headquarters, that is, the person who has to pass the sentence?—Do I understand the case to be this, that a man is brought up before a magistrate who thinks he ought to be carefully observed, and a report comes from the prison that the man has been observed and that he is decidedly weak minded, but the magistrate nevertheless thinks it right that the man should be committed for trial. Is your question what becomes of the report of the medical officer of the prison.

11,536. No, no, it is never put down on the calendar. The calendar is made up as to whether a man is able to read or write. The state of his education is put down in one column, but the state of the man's mind is not put down at all?—Well, I think there would be considerable difficulty in making that a compulsory entry in the calendar. At all events I would not suggest it until the mind of the judges generally had been ascertained. I do not know whether you are aware that there is a great difference of opinion as to what should be in the calendar as to previous convictions, and so on.

11,537. The question arises in this way. There has been a suggestion that a great many cases of insanity have been caused by prison treatment. My question, rather, is pointed to this, that I am taking the case of a person who began his prison career by being a man of weak intellect, who has then passed on after a sentence into prison, then may possibly become insane, having started as a man of weak intellect, no notice of which is brought to the attention of the judge, who presides at the trial of a person of that particular class?—No, that is a drawback; but judges are extremely sensitive of any communications being made to them.

11,538. I know that?—You know there is a second calendar, containing a list of previous convictions. With some judges the first thing they do is to say, "let me see that book"; that is before they try the prisoner; but other judges will not look at it, and are highly offended if it is put before them.

11,539. (*Dr. Bridges.*) Taking prisoners with regard to whom there has been no previous insanity or enfeebleness of mind, who are regarded as sane when they come into prison, have you at all had your attention called to the number of cases of insanity that break out among those after a month or more than a month's imprisonment?—I have not analysed the statistics myself, but I believe that the conditions of prison life which are most liable to lead to insanity consist of the first shock of imprisonment. To some persons that must be a terrible shock indeed.

11,540. You made some remark, I think, with regard to the nine months separate confinement of convicts?—Yes.

11,541. But have you formed any opinion as to that nine months being a desirable thing to continue?—I do not think that I have arrived at any definitive conclusion. I look upon those nine months as part of the punishment, and as being something which was intended to make the punishment more deterrent; but I am not aware that it is too deterrent, and I believe prison officers do not think so.

11,542. You have not formed any opinion as to whether it is likely to be injurious to the man's mind or no?—No.

11,543. With regard to the question of reporting things or making suggestions for the amelioration of prisoners, you said, I think, that even a superior prison officer such as a chaplain or a doctor would be too much influenced by his official superiors ever to make such suggestions?—Well, I do not say it is universally so. It depends very much on the superior officer, and also very much upon the subordinate officer, but that such a feeling often exists in the prison as well as in other services I cannot doubt. The stronger the superior officer is, the more he does

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for himself, the more he relies on himself, the less likely is he to receive information from his subordinates.

11,544. Let us take the case of a prison medical officer. Might it not be regarded as incumbent upon the prison doctor that he should make general reports as to his prison and his prisoners, and be encouraged officially to do so?—Certainly I believe that is made expressly his duty by the Act: "The foregoing "resolutions do not purport to comprise the whole of "the duties of the medical officer, but if it is amongst "the matters to which they relate, it is expected that "he would at all events carry out his instructions "with goodwill to the best of his ability, and will "spare no efforts to promote the wellbeing of persons "under his charge."

11,545. I mean, supposing it was understood it was part of the medical officer's duty to report generally as to the amelioration of his prison or to the lot of his prisoners every year, how could he be regarded as showing any insubordination by so doing?—No, there would be no insubordination in his making any suggestion, but he could, of course, I do not say he would, cause some annoyance in making what was supposed to be an inopportune suggestion. Nobody can give advice except under those conditions, that the advice may be unpalatable to the person who receives it.

11,546. Could not more be done in the way of encouraging such suggestions by the Secretary of State making it understood by the Prison Commissioners that such suggestions were to be encouraged and not discouraged?—The Secretary of State would be willing to do anything which was necessary for that purpose; but I think he would be unwilling to do anything which threw the slightest doubt upon that being the rule at present.

11,547. I have been struck in reading the reports of the Commissioners for several years at the extremely scanty and jejune reports given by the officers, or, at any rate, at the extremely barren extracts from those reports which are published. I do not know whether the whole of the report is published or not, but could not more use be made of the prison officers in the way of encouraging such suggestions?—I am afraid I have not examined carefully into that. It must be plain, on the one hand, that it is not for every medical officer to be constantly reviewing the whole of the prison system. On the other hand, I certainly think it is the duty of every medical officer to refer to any special practice in his prison which he considers to be injurious, and if he has a strong opinion upon the physical result of any general feature of prison life I think he ought to state it, as, for instance, if he considered that the nine months preliminary detention of a convict was excessive and injurious, I certainly think he ought state it.

11,548. I suppose that such reports, if they are ever made, do not necessarily come before the Home Secretary?—No, they do not; in the annual reports there are extracts from the medical officers reports.

11,549. You rather rely, I gather, for such general suggestions upon the Visiting Committees?—Not, I think, on the medical points.

11,550. I thought you said on the general points?—Yes, on general prison administration; but if it were a question of whether the diet was sufficient or whether there was too little exercise I certainly think that that is a medical question, rather than one for the Visiting Committee, though it may be well to put the question also to them in case they may have any remark to make. But I think it is the medical officer who is primarily concerned in the matter, and it is certainly his duty to make any representation he thinks fit. I will give another illustration. Supposing he felt that sufficient time was not allowed to him to examine the prisoners, or that his duties were excessive, and that he was not able really to do justice to all the prisoners, it is undoubtedly the duty of the medical officer to make a representation on the point, and the Secretary of State could only rely on the Prison Commissioners bringing the matter to his attention, if it was of importance.

11,551. I have only one more question which I want to ask you. I gathered that you had formed an opinion unfavourable to reformatories. Is that because, as far as you have known them, they have not been very well administered within the last 20 years?—No, I should not like to say that; I would rather say that at it's best the life offered by a reformatory has most serious defects, however vigilant and kindly managers may be; that these defects are liable to be aggravated by special causes, as by insufficiency of funds, or by the inmates being too numerous for good management, or, in rare instances, by remissness on the part of the managers.

11,552. (*Sir Algernon West.*) Before you go, I do not want at all to draw you at length into the question about the outbreak at Wormwood Scrubs, but I think many of the Committee would be glad to have just one or two questions answered by you, as to whether you could tell us what was the opinion of the Secretary of State, as to whether it was a very serious outbreak or not at the time?—Well, I do not think it was a very serious outbreak, except that any prison outbreak which threatens violence is a very serious thing. It was all done and quicted before the Home Secretary heard anything of it. Then there was a slight resumption of disorder when the convicts were being removed at the railway station. I believe the immediate cause of the outbreak was this, not the bare fact of convicts being confined in the local prisons, but that some changes had been introduced into the treatment of convicts, subjecting them to penal conditions more or less corresponding to those of local prisoners. Those changes had been adopted and were in operation in the provincial prisons, but for some reason which I do not know they had not actually found their way, or were only just finding their way into the metropolitan prisons. These convicts were at Wormwood Scrubs, which was a metropolitan local prison, and they were put in cells on which were placarded the rules for the local prisons. Then the convicts said "These are not our rights, and we will have our rights," and the outbreak followed in consequence. That, I think, throws great light on convict life, and shows how very careful you have to be with convicts. It also shows, I think, that great care must have been taken in order to prevent similar outbreaks on other occasions. The Secretary of State, of course, put an end to the particular difficulty, he said that in future we must have different abstracts, and that every convict must have a convict's abstract and that every local prisoner must have a local prisoner's abstract.

11,553. Did you put any complaint before the Prisons Board then?—The Secretary of State said there had been a mistake with respect to these abstracts.

11,554. And they were told that by the Home Office?—Yes, certainly.

11,555. And that was the revision that was made, and the result and the conclusion the Secretary of State came to?—Yes, they were to have fresh abstracts made and sent up for approval. There has, I believe, been no recurrence of trouble, either at Wormwood Scrubs or elsewhere.

The witness withdrew.

Adjourned.

TWENTY-FOURTH DAY.

Home Office, Whitehall.

Thursday, 28th February 1895.

PRESENT:

THE RIGHT HONOURABLE HERBERT JOHN GLADSTONE, M.P. (CHAIRMAN);

The Right Honourable SIR ALGERNON EDWARD WEST, K.C.B.;
ARTHUR O'CONNOR, Esq., M.P.; and
ALBERT DE RUTZEN, Esq., one of the Magistrates of the Police Courts of the Metropolis.
JAMES GRANVILLE LEGGE, Esq., Secretary.

Mr. CHARLES EDWARD TROUP called and examined.

Mr. C. E. Troup.

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11,556. (*Chairman.*) You are senior clerk in the Home Office?—Yes; and I was in the Criminal Department for 12 years.

11,557. I think you were chairman of a Departmental Committee appointed to consider the question of the judicial statistics?—I was a member of that Committee and drafted the Committee's report, and after the Committee had made its report I undertook to edit the first volume of revised statistics.

11,558. When was that Committee appointed?—About three years ago. I have just written an introduction to the statistics for 1893, and have the proof sheets here. I will hand in certain tables (*see Appendix III.*)

11,559. You are acquainted with the figures given in the Prisons Commissioners' Reports upon the decrease in recent years of the prison population?—Yes.

11,560. To what extent do you think that that decrease is borne out by your examination of the general question of crime?—Of course, the decrease in the prison population is quite as great as anything that has been stated, but as an indication of actual decrease of crime it really does not prove anything.

11,561. For what reason?—Standing by itself it might arise either from a decrease of crime or from the reduction in the average sentence. Taking it by itself, one cannot tell in the least whether crime has decreased or has not decreased. If we take it in connexion with the reduction in the number of commitments, then we can say with some degree of accuracy how far it is due to the reduction of crime, and how far otherwise.

11,562. To what extent would you say that the reduction was due to the decrease in committals?—The figures which I have quoted here (*Table A.*) show that in 10 years from 1883 to 1893 the total prison population, that is, the daily average, had decreased by 33 per cent.; but when you look at the committals you find that the reduction of the committals is only 3·5 per cent.; that shows that the reduction in the average term of commitment must be about 29·5 per cent. Of course, one cannot take even the commitments to prison as an absolute index of the decrease of crime, but they show that a great part of the reduction in the prison population is not due to actual decrease of crime.

11,563. How do you prefer to test the question?—Do you mean the question of the decrease of crime?

11,564. Yes?—I think the best figures to go by are the number of indictable offences; not the number of offences tried on indictment, because that has been very much affected by the Summary Jurisdiction Act: nor the total number of convictions on indictment and on summary process, taking the whole together, because that, of course, is very much affected by the creation of new offences, but if you take merely the indictable offences, that is, those which can be tried upon indictment, then (as during the last 20 years there has been very little alteration indeed in the definition of indictable offences) whatever increase or decrease we find in those is a very reliable index, on the whole, of the increase or decrease of crime.

11,565. Would you give the Committee anything to show the result of applying that test?—I will give the annual averages. For the five years, from 1874 to 1878, the number was 53,044. For the next five years, from 1879 to 1883, the number was 60,080. For the five years, from 1884 to 1888, it had fallen to 57,385, and for the last five years, beginning in 1889, and ending in 1893, the number had fallen to 56,472. That shows a diminution in the last three quinquennial periods, but not a great diminution.

11,566. Could you give us the proportion to 100,000 inhabitants?—Yes. For the first period it is 217 per 100,000. For the next period it rises to 230 per 100,000; then it falls to 208 per 100,000, and then to 194.

11,567. On the whole that shows a slight but practically a continuous decrease?—Yes, for the last 15 years. I produce some diagrams, which I propose to publish with the statistics for 1893, which will illustrate this (*see Appendix III.*). What I show by the first diagram is this: that the number of crimes against property is so large compared with other crimes, that the variation in the total of indictable offences is completely dominated by the offences against property, and in fact dominated by the offences of the larceny and embezzlement group. The two lines at the bottom show the variations of other classes of crimes. One relates to crimes against the person, and the other, to miscellaneous offences. These (if shown on the same scale as the other) have variations so slight as not to affect the total at all.

11,568. The offence of larceny really constitutes a great proportion of the whole?—About five-sixths of the whole; that is, larceny and one or two kindred offences. Finding that to be so, I went on to analyse more in detail the variations of the different classes of crime (*Table B.*), and without going through all this, perhaps I might just quote the summing up at the end. "Summing up these results, we arrive at the "following conclusions: that during the 20 years, "from 1874 to 1893, the number of crimes of "violence against the person have diminished in a "very marked degree; and though crimes 'against "morality' have apparently increased, the increase is "in part, at any rate, due to the creation of new "offences by legislation; all classes of crimes against "property show a diminution in the actual figures, "and a marked diminution as compared with the "population; and though in the case of larceny and "kindred offences this diminution is complicated by "changes of legal procedure, in the cases of crimes of "violence, and also in the case of offences against the "currency, where there has been no change of procedure, the diminution is very marked indeed; "and that the miscellaneous offences included in "Class VI., with the exception of attempts to commit "suicide, have shown a considerable diminution. On "the whole, therefore, there is good ground to

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"think the decrease in crime, though not so great "as it has often been represented, though by no "means comparable, for instance, to the decrease "in prison population, is nevertheless real and "substantial." I may also mention an interesting remark in the introduction to the last volume of French Judicial Statistics,—that for 1891. The writer, who is a very able statistician, after remarking that in France crime of every sort prevails most in those departments which are the wealthiest, the most productive, and the most civilized, and that the same thing appears in other countries, points to England as an exception to this rule. He says: "L'Angleterre, par l'effort persévérant d'un système "pénitentiare sévère et rationellement appliqué, "est parvenue à voir décroître rapidement, dans "ces dernières années, sa criminalité jusque-là "grandissante."

11,569. With regard to previous convictions of criminals, would you state the general conclusions at which you have arrived?—Well, taking the persons convicted at assizes and quarter sessions for 1893, we find that the number with no previous convictions recorded against them was 45 per cent. Those who had one or more previous convictions were 55 per cent. Of course those figures must be taken with the qualification that probably a good many escaped identification.

11,570. Then if they are wrong it would probably be in the way of understating the number and proportion of re-convictions?—Yes, that certainly is so; in fact one is certain that as to a good many—one cannot say how many there were, but it is certain that a considerable number do escape identification.

11,571. Of the 55 per cent. that you mentioned, what are the proportions convicted on indictment and summary process?—In 2,988 cases the previous convictions had been on indictment, and in 2,347 cases on summary process only.

11,572. I think you tested the general results which you have just given by examining the figures in regard to certain counties of England?—That was the point which was taken up by a committee of which I was chairman, on the Identification of Habitual Criminals. They do not represent the same figures as those above.

11,573. But they bear on the question of identification, do they not?—Yes, the object of those figures was to throw light on the question of how many escaped identification. Of course, one would naturally suppose that in London the proportion of habitual criminals would be quite as large as, if not larger, than anywhere else; and yet we find that in London the proportion having previous convictions recorded against them is only 47 per cent. as against 70 per cent. in Lancashire, Yorkshire, and Staffordshire, and as against 79 per cent. in the boroughs of Liverpool, Birmingham, and Bradford, and 61 per cent. even in the counties of Norfolk and Suffolk. That seems to show that in an enormous place like London, where a person gets lost in the population, the police are less able to trace his previous history and to record his convictions.

11,574. May we assume safely that there are a larger proportion of habitual criminals resident in London?—Well, I should think one might assume that, but we have no figures to show it.

11,575. (*Mr. O'Connor.*) But these figures show that the general average is low by reason of the very low average of London alone, and that elsewhere the average is very much higher, as for instance, 79 in Liverpool and Birmingham?—Yes.

11,576. So that your average is one of total cases and not of general experience in different places?—Our average of 55 per cent. is for the whole country.

11,577. It is for cases taken in the total, not the average experience of different places in the country, but it is brought down by the very low average in London alone?—It is brought down no doubt by the low average in London. That is a reason for thinking that if one could get at all the previous convictions the average would be a good deal higher. But there is one consideration to be taken on the other side, which is that those figures which I have quoted are the figures for quarter sessions and assizes. One must remember that in certain cases a prisoner, if he has previous convictions, will be sent to be tried at quarter sessions or assizes, whereas for the same crime, if he has no previous conviction, he would be disposed of by the court of summary jurisdiction: so that that tends to increase the proportion of habitual criminals at quarter sessions and assizes.

11,578. Would not that apply both in London and the provinces?—Yes, I am only mentioning it as a consideration to be taken in the opposite direction. As regards prisoners generally, the statistics for 1893 show the number of persons received in the prisons who had previous convictions was 48 per cent., that is a lower average than for quarter sessions and assizes. At assizes and quarter sessions it is 55 per cent., but of all persons received in prison, whether tried at assizes or quarter sessions or by courts of summary jurisdiction, the proportion is only 48 per cent.

11,579. (*Chairman.*) Now can you give us the proportion of re-committals in different classes of crime?—Of persons convicted of offences against the person, the proportion having previous convictions recorded is only 30 per cent.; of offences against property with violence, it is 66 per cent.; of offences against property without violence, 64 per cent.; of malicious injuries to property, 42 per cent.; forgery and coining, 37 per cent.; and other offences in Class VI., 25 per cent. Of particular offences, larceny from the person has the greatest per-centage, that is 79 per cent.

11,580. How do the other offences come out?—Simple larceny comes next with 78 per cent.; burglary and housebreaking and kindred offences, 66; robbery, 64; false pretences, 44; receiving stolen goods, 47. I have looked at some figures about the proportion of habitual criminals in other countries. I do not know whether that is of any interest to you.

11,581. Yes, we shall be glad to have those. Are they similarly classified?—No, I have only the totals.

11,582. Will you give the figures you have got?—In France, of persons convicted by the courts of assize the proportion of recidivists (that is, persons previously convicted) is 57 per cent. in the last tables; of those convicted by the correctional courts it is 46 per cent. In Germany the proportion of recidivists amongst all sentenced is 34 per cent., but the German figures are taken on rather a different basis, because they take in an enormous number of crimes; it is 34 per cent. on a figure of nearly half a million.

11,583. They take in civil offences?—They take in very minor offences, but not civil offences; very small offences.

11,584. Certainly offences which would be included in the English figures?—No, nor in the French figures.

11,585. What are the offences included in the French figures?—The 57 per cent. refers only to the most serious offences; those which have been tried at courts of assize. Pretty much the same offences I think as would be tried at a court of assize in England.

11,586. Then I understand that there is a closer analogy between the figures you have given us for France than there is to those you have given us for Germany?—Yes, much closer. In England the per-centage of 55 refers to a total of 9,600 cases, in France the per-centage of 57 to a total of about 3,000.

11,587. You think, on the whole, you can make a fair comparison between those French figures and the English returns?—I think so. In Italy, the proportion is only 36 per cent. of those tried at assizes, but I should think the means of identification they have are not so good; besides, in Italy a great proportion of the cases tried at the assizes are for offences against the person. The number of murders there is very enormous. In Switzerland the proportion among prisoners is 52 per cent.

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11,588. I think the French criminal statistics show that there is considerable difference as against the English figures in respect to the ages at which the bulk of the prisoners are committed?—Yes; shall I give you the English figures first?

11,589. Yes, if you please?—The proportion per 100,000 of the population of the same age, is as follows: Under 12 the proportion is 24; from 12 to 16 the proportion is 261; from 16 to 21 the proportion is 321; from 21 to 30 the proportion is 24. from 30 to 40 it is 204; from 40 to 50 it is 143; from 50 to 60 it is 92; and above 60 the proportion is 56, so that judging by the number convicted of indictable offences, the age of 16 to 21 is the most criminal age in England, after that it diminishes very rapidly (*Table F.*). In France I have not got the proportion per hundred thousand of population because I have not got the figures for the French population, but the actual figures (*Table G.*)* of persons tried by the Courts of assize are, under 12 years of age, 35; from 12 to 16 years of age, 597; from 16 to 21 it is 577; from 21 to 30 it is 749; from 30 to 40 it is 1,076; from 40 to 50 it is 661; from 50 to 60 it is 336; and above 60 years of age the figures are 176; so that there the most criminal age appears to be between 30 and 40, judged by those figures. I am not at all attempting to compare the number of crimes in the two countries, but only the proportions at different ages.*

11,590. Now with regard to the younger offenders in England; the large proportion may be due, I suppose, at any rate to a certain extent, to the short sentences which they get?—It might be to a certain extent, but then one must remember that a great many young offenders are sent to industrial schools or reformatory schools; in fact, the proportion of young offenders sent to industrial schools or reformatory schools is larger than the proportion of old offenders sent to penal servitude.

11,591. What is the actual proportion of criminals under 21?—Of all persons convicted the proportion is 41 per cent., and of persons in prison on the 31st March 1894, only 17 per cent. were under 21 years of age, showing, of course, that the sentences on those sent to prison are very much shorter. I must mention that on looking at the German tables, I find that the proportions in the different ages are very much nearer the English than the French. The most criminal age there is between 18 and 21 or between 21 and 25.

11,592. Have you come to any conclusion upon the question as to whether recidivism is increasing?—I have not been able to find any evidence that it is increasing. I have got the figures which Sir Edmund Du Cane gave you. These are, of course, calculated figures, which he had great difficulty in getting out, but in the new statistics we have got the actual figures for 1893 as regards the number of convictions, and I find that the proportion is rather smaller than what he gives here. Where he gives 29·6 per cent. of second to first convictions, the actual figures for 1893 are 28 per cent.

11,593. But that return seems to show that the proportion as between the last three decades has been increasing?—The proportion of second convictions has increased very little.

11,594. But taking the committals, say for the sixth time, I see that in 1872 there was 71·2; in 1883 there was 70·3; in 1893 there was 79·2. Then, taking the last column, the percentage of the number committed for more than the third time, and the number committed for the third time, in 1872, there is the percentage of 277·6; in 1883 there is 311·5; and in 1893 there is 417·1: do not those figures seem to show that there is a considerable increase?—An increase in those having a large number of previous convictions, but a comparatively small increase in those who are convicted for the second time.

11,595. That is to say, there has been a small drop of 2 per cent. since 1883?—Yes.

11,596. But an increase of 2 per cent. since 1872? Yes, that is so; I am inclined to think that the very great increase in the number of those having a large number of previous convictions must be due, partly at any rate, to the better identification. There is no doubt the police have been paying more attention in tracing habitual criminals in the last few years, and have been using photography a great deal more for that purpose.

11,597. Then I see the percentage of the number committed for the third time compared with the number committed for the second time has risen from 46 in 1883 to 48 in 1893?—Yes.

11,598. I rather gather that you are not prepared to give a very definite opinion on this point?—No. They are the best statistics I should think that could be obtained from the data available, but of course one of the chief objects of our revising the statistics was to get better data. We cannot carry our improved statistics back into the previous years.

11,599. No doubt in future years you will be able to get at the proportions more accurately?—Yes.

11,600. But from the figures that we have got at the present time, it would appear that there is a certain increase in what is known as recidivism in connexion with the larger number of committals?—Yes, the figures do show that.

11,601. That is to say, in respect of the prisoners who are committed for a larger number of times?—Of course that is the experience in all other countries. In France the number of recidivists is increasing. There are very accurate figures, which show it has been increasing enormously.

11,602. Will you give the Committee the figures with regard to the average length of sentences passed on prisoners convicted the first time, the second time, and so on?—Those figures I have only worked out for one or two districts; we tried it experimentally first for the West Riding of Yorkshire, and taking all the cases of larceny in 1893 where there was five or more previous convictions of a like offence, we worked out the average of the sentences passed on each conviction, and the figures we got (*Table C* (1)) showed that on first conviction the average sentence was 2 months, 15 days; that on second conviction the average was 5 months, 11 days; on third conviction the average was 7 months, 9 days; on the fourth conviction the average was 1 year, 9 months, 11 days; and on the fifth conviction the average fell to 1 year, 7 months, 3 days. Then taking the sixth to tenth conviction, the sentences give an average of 1 year, 11 days; and on convictions after the tenth the average was only 3 months, 28 days: but there were only 17 cases of sentences beyond the tenth conviction, so that really one did not get a sufficient number to give a reliable average.

11,603. Will you also give us the penal servitude figures?—Yes; the number of penal servitude sentences passed were on first conviction none; on second conviction, 1; on third conviction, 4; on the fourth conviction, 18; on the fifth conviction, 21; and on the sixth to the tenth conviction, 12; and after the tenth conviction, none.

11,604. You have made similar inquiry with regard to Lancashire?—Yes, excluding the Liverpool City Sessions. Again, we took all the cases where there were five previous convictions and upwards, and we got (*Table C.* (2))—on first convictions 2 months, 8 days; on second convictions we got 5 months, 27 days; on third convictions, 11 months, 6 days; on fourth convictions, 1 year, 2 months; on fifth convictions, 1 year, 7 months, 24 days; on the 6th to the tenth convictions the average was 1 year, 7 months, 7 days; and after the tenth conviction it was 1 year, 4 months, 24 days.

11,605. I observe there is a very close similarity up to the last item between the Yorkshire and Lancashire cases, but how do you account for that extraordinary difference in respect of those from the 11th to the 20th convictions?—I think it is really accidental. In Yorkshire there is so small a number of cases with

* Mr. Troup reports that there was an error in some of the figures quoted by him at the end of his answer to question 11,589. The correct figures are:—under 16 years, 35; from 16 to 21, 597; from 21 to 30, 1,326.

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more than ten convictions that we do not get a fair average. There were five cases of penal servitude included in those 32 sentences in Lancashire, whereas there were none among the 17 in Yorkshire.

11,606. Then will you give us the sentences of penal servitude in connexion with that?—On first conviction there were none; on second conviction there were three; on the third, 12; on the fourth, 17; on the fifth, 27; and on convictions from the sixth to the tenth, there were 42; and after the tenth conviction, there were 5.

11,607. The figures generally show that there is a certain increase of punishment, according to the number of committals?—Yes, but that after the fourth or fifth conviction the sentences fall away—the reason being, I think, that the class of criminals who are convicted of more serious larceny, get sent away to penal servitude by that time, and reduce the number of serious cases. There remain a larger proportion of people convicted of small offences.

11,608. Will you give the Committee the figures, showing the proportion of women among criminals at different periods of life?—Under 12 years the proportion of women to men is 7·32 per cent.; from 12 to 16 it is 12·18 per cent.; from 16 to 21 it is 14·48 per cent.; from 21 to 30 it is 17·93 per cent.; from 30 to 40 it is 21·74; from 40 to 50 it is 26·42; from 50 to 60 it is 26·66 per cent.; and above 60 it is 20·03 per cent. Of course, these figures, which relate to the proportion of men to women, do not imply that the number of women prisoners is actually increasing. It is only the proportion of women to men that increases.

11,609. They become criminals at a later period of life?—Or, at any rate, that so many do not cease to be criminals. Probably some become criminals at a later period of life; but that is not clear from the figures.

11,610. That column, I think, applies to women convicted of indictable offences?—Yes, of indictable offences.

11,611. (*Mr. O'Connor.*) I should like to ask you, whether you have any theory with regard to the relation of reconvictions to the length of sentence. You will observe that in Class 1 (offences against the person), the proportion is 30 per cent., and in Class 2 (crimes against property, with violence), it is 66 per cent., which is more than double the first class. In Class 3 (offences against property, without violence), the proportion is 64 per cent., which is very much the same as Class 2, which is also offences against property. Have you any theory with regard to the length of sentences?—Do you mean the length of sentences as producing those averages?

11,612. Yes?—I should not think they are connected with the length of sentences.

11,613. The reason I ask you is this, that you have been comparing figures taken from Germany and France, with the figures arising on the judicial statistics of this country?—Yes.

11,614. But one of the features of the administration of this country is the very sacred kind of character which attaches to property and the severity of the punishments inflicted for offences against property as compared with the trivial punishments given for serious offences against the person which in other countries, such as France, are regarded as more serious than offences against property?—I do not think that is the reason for it. I think the difference arises simply from the fact that offences against property are those by which a person can gain his living, and there is, therefore, a temptation to go on committing them: whereas in the case of offences against the person they are generally committed in hot blood, and are not at any rate the sort of thing one would ever get his living by. In the German statistics one finds, though the proportions generally are not so large, the proportion of reconvictions in the case of offences against property is very much larger than in the case of offences against the person.

11,615. That brings me to another point, are you satisfied that your classification of offences for the purpose of comparison with foreign figures is the same as the classification adopted at road in respect of crime?—The classification of offences?

11,616. Yes, are you sure that you are comparing like with like?—Would you refer me to the particular comparisons you mean?

11,617. In this country you have for those statistics a certain system of classification of offences?—Yes.

11,618. Are you satisfied that that classification is the same as those adopted for the statistics of France?—They are not the same as regards particular offences. As regards the distinction between crimes against property and crimes against the person, the line of distinction is substantially the same.

11,619. Take another cross division of indictable offences, the offences dealt with summarily; are you sure that the same division exists in France?—I am sure that it does not, but I have as far as possible avoided making anything in the way of comparison depend upon it.

11,620. Of course, the value of these comparisons must depend really on whether you are comparing like with like?—Yes, within certain limits. Will you put the question with regard to particular comparisons that I have made? If so, then I may be able to say how far they are affected by differences of that sort.

11,621. It is because I myself do not know the details of the classification of the foreign figures that I am unable to do that, but I had a doubt as to whether the classification was precisely the same?—It cannot possibly be precisely the same, but I do not think the difference would anywhere vitiate the comparisons that I have made.

11,622. Turning to page 96, we find a table (*F.*) showing the total number of persons convicted of indictable offences for all ages?—Yes.

11,623. And at the bottom of it a list of persons (*Table G.*) accused in France of serious crime for all ages?—Yes.

11,624. I take it that by "serious crime" you mean what we should understand here as indictable offences?—Yes, but there, of course, there is a considerable difference.

11,625. As long as it is approximately the same term I am satisfied?—It must be taken with this qualification, that the English figures do include a much larger number of crimes against property than the French do.

11,626. But at any rate you class all indictable offences together for England?—Yes.

11,627. And you class all serious crimes together for France. Of those offences tried at assizes in France, whatever the classification may be, making the best effort you can, you give us the figures for France and the figures for England for the more serious crimes?—Yes.

11,628. What strikes me is this, that under 12 years there are 2,000 in this country, against only 35 in France?—The figures must be taken with the qualification that the English ones include a much larger number of crimes against property, and therefore many smaller crimes.

11,629. Under which point there are only 35 in France where there are 2,000 in England; that is a startling disparity?—But the figures themselves are very unequal with regard to the total numbers.

11,630. From 12 to 16 there are nearly 7,000 in England and less than 600 in France?—Yes.

11,631. Then the numbers go to nearly 10,000 in England from 16 to 21, and there are not 1,000 in France?—Yes, that is so.

11,632. From 21 to 30 there are over 10,000 in England and not 1,000 in France?—Yes.

11,633. Now at the first blush, inasmuch as there does not appear to be one-tenth of the number of crimes recorded against France that stand to the account of England, it appears to me that we must somehow have got hold of what does not admit of comparison between one country and the other. It is incredible that there can be 10 times as many crimes in this country as in France?—I have said already that I am not attempting to compare the total numbers; but only the proportions of the different ages. I can give you the figures for assizes and quarter sessions in England from those tables, which would probably come much nearer it; though they are still considerably higher. Taking the figures of persons tried only at assizes and quarter sessions, of children under 12, there are only 11 in England; of course, the reason being that most of that age are disposed of summarily. Between 12 and 16 the number is 236, between 16 and 21 the number is 1,887, between 21 and 30 it is 3,087, and between 30 and 40 the number is 2,237.*

11,634. But those are included in the figures shown on page 96?—Yes.

11,635. Then that does not affect my point. Whatever the object with which these figures are put there, if the figures really represent, as they purport to do, the number of persons convicted of indictable offences in England, and with regard to France not the number convicted but only the number of persons accused of serious crime (and there are not one-tenth of the number of persons accused of serious crime in France as there are convicted of indictable offences in England), there must somewhere be a misapprehension?—No, I do not pretend that those are the same crimes in the two cases. I have never suggested that they are. I have told you all along that in this list for England we take a much wider class of crime than in the French statistics.

11,636. I quite understand your point. In these two tables you are endeavouring to distribute as between different age periods the offenders in the two countries?—Yes.

11,637. Let us go to the next point with regard to the numbers shown in the returns of reconvictions. I suppose any improved system of identification would naturally manifest itself most clearly in the higher classes of reconvictions, that is to say, supposing you improve you system of identification, the persons among whom the improved system operated earliest would be those who had been repeatedly reconvicted. They would come at once under the improved system?—Yes, I think so.

11,638. And therefore you would expect that after the fourth or fifth reconviction you would have a manifest improvement earlier than in the stage of the second or third convictions?—You mean you would identify more?

11,639. Yes?—Yes, I should think so.

11,640. Because they would be easier cases for identification under an improved system. Therefore, my point is this, the figures that have been read out may point rather to an improved system of identification than to any actual increase of what is called recidivism itself?—You mean Sir Edmund Du Cane's figures?

11,641. Yes?—Yes, I should think that is very possible.

11,642. And it is necessary to take those figures with that qualification?—Yes, I think so.

11,643. (*Chairman.*) On that point I can understand that when photography came in there was a very marked increase in the facility of identification. That would tell between 1873 and 1883, but as between 1883 and 1893, has there been any further distinct advance in the method of identification?—Well, I think the police have been using it more; at Scotland Yard, for instance, they have established a sort of separate department for identifying habitual criminals.

11,644. Within the last 10 years?—Within the last 10 years they have done a great deal in that way, and the same in Birmingham.

11,645. (*Mr. O'Connor.*) Then again, with regard to the figures on page 93 (*Table C.*), with regard to the re-convictions. I think you have already told us that they include a very large proportion of comparatively venial offences?—Well, they include all cases of larceny, great or small.

11,646. And they include also the most heinous offences?—Well, the worst cases of larceny. Larceny can never come into the very highest grade of offences.

11,647. You say the number of sentences of penal servitude passed were as follows. Then you give certain figures?—Yes.

11,648. "A similar investigation has been made "with regard to the County of Lancashire, excluding "Liverpool City Sessions; the result is to show a "somewhat similar graduation in the average term "awarded." It shows nothing about larceny?—I have said a "similar investigation" to that above, and there I say the examination was confined in the first instance to cases of prisoners convicted during 1893 of larceny in the West Riding of Yorkshire, who had at least five previous convictions of a like offence.

11,649. That is on page 92. I am dealing with page 93?—That is a similar investigation.

11,650. In the next sentence do you refer to larceny actually?—It all refers to larceny. I start by saying we investigated questions of larceny, and then when I come to Lancashire I say that a similar investigation has been made. I might repeat the word "larceny" to make it clearer.

The witness withdrew.

Colonel GARSIA recalled and further examined.

Col. Garsia.

11,651. (*Chairman.*) Colonel Garsia, there are a number of points which have arisen in the course of the inquiry which I just want to have some information upon. You remember the letter written to the Strangeways Visiting Committee by the Home Secretary in 1879?—Yes, I have it here.

11,652. Did that letter produce any effect?—Not immediately, but since then the Visiting Committee of that prison and the Prison Commissioners have gradually got on very good terms, and the thing works harmoniously now.

11,653. I think that letter was circulated to other visiting committees, was it not?—It was.

11,654. In order to stimulate them?—It was the purport of the letter that was circulated, not the letter.

11,655. Yes, the purport of the letter was circulated to all visiting committees, was it not?—I believe so.

11,656. Had it any general effect in the country?—I should say generally that it had, and that taking it all round the visiting committees have pulled very well with the Prisons Commissioners since then. The relations have been satisfactory, but here and there we have had cases where it has not been so, notably Birmingham; still, generally speaking, I should say that the relations have improved.

11,657. I was not thinking so much of the personal relations between the visiting committees and the Commissioners (which I have no reason to think are not satisfactory), but rather as to whether the visiting committees or the individual justices come forward readily to undertake the duties imposed upon them by the Act of 1877?—I could not speak positively as to that.

11,658. So far as any increased zeal is concerned you are not aware that that letter produced any particular effect?—No, not in that direction.

11,659. With regard to the prison staff employed in the small prisons, should you say that as a rule where the population is very small the prison staff is in excess of the work to be done?—I should not say so as regards the male part of the prison, but as regards the female prison in many cases at times of course it is in excess, because there is little for them to do. There are no prisoners sometimes.

* *Table H.* handed in subsequently.

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11,660. I think there was a case mentioned to us of the Dorchester prison, and that the number of women there is about six. What female staff would there be there?—Speaking just from memory without being able to refer to it, I should say two or three female officers at the *outside permanently*. Two, I should say.

11,661. With an average of six prisoners?—Yes, with an average of six prisoners.

11,662. That surely is quite unnecessary, is it not?—How could you possibly carry on the prison without a relief unless you had a second officer, because the poor unfortunate officer who was there would never get away. You have to consider that the officer has to be relieved.

11,663. Then supposing that there was an average of three, and that there was any chance at all of one female prisoner being received, you would have to have two female officers to look after them?—There was an exception to that at a prison at Ruthin in Wales. There they had ordinarily one officer, because it was very seldom that they had a prisoner. It is changing now. The reason was that the old governor there, Mr. Walmsley, had a daughter who used to receive some little salary in order to be available to relieve this officer. It was a local arrangement, and but for that we should have had to have two officers; you could not do with less.

11,664. According to the returns that we had, there were three prisoners at Oxford, and there are two warders?—Yes, there might be only one prisoner and two warders; that is the permanent staff of the prison.

11,665. Would not it be possible to draft them off in some way?—That has been tried by the Commissioners, and they have done it to a certain extent, so as to have certain prisons where female prisoners could be drafted. That is one of the objections that the magistrates made. I recall at this moment a prison in Wales where great trouble has been caused by closing the female wing of the prison, because sometimes there is no prisoner there at all. There was local opposition to that. They thought it a great injustice that their local prison should not have a female wing, and that their female prisoners should be sent to a distance where they could not be visited by their friends.

11,666. With regard to sentences inflicted by the visiting committees to punishment cells. Supposing a case of a woman being sentenced to 14 days. Now the governor has no power to remit that sentence supposing he or the matron has reason to think that she is no longer contumacious and perfectly willing to be amenable to discipline?—None whatever. He has the power of representing that fact to the visiting committee, and recommending that they should do it. He is in constant touch with the chairman of the committee.

11,667. Would the chairman have, *ex officio*, power on behalf of his colleagues to relieve it?—I am quite convinced that he does possess that power and that he would exercise it.

11,668. But he may be away?—I think there is always an arrangement for that. That is my experience.

11,669. But you would agree that, supposing a young prisoner, male or female, after two or three days, or, say, after one day, was brought to a state of repentance, it is most desirable that that punishment should be stopped?—I quite agree to that. I think it is very desirable.

11,670. Do you think an arrangement might be made that the governors should have discretionary power to remove those prisoners from the punishment cell at once, and inform the chairman of the visiting justices what had been done, and wait for his approval and confirmation?—I do not think the governor should have discretionary power to do it without the authority of the visiting committee, because I think it would be a very bad thing to vest in the governor the power of overturning the award of a superior authority; but I think it is the bounden duty of the governor to write at once any change in the behaviour of the prisoner, and to make a very strong recommendation to the visiting committee, and if the visiting committee, by their chairman, like to act, or they like to act themselves in case of his absence, that is another matter; but where he can be got at, I think it should rest with him and the committee who ordered the punishment.

11,671. But if you gave the governor a discretionary power to provisionally remove a prisoner from a punishment cell subject to the confirmation of the visiting justices, then you are giving him a power to overturn their decision?—I think it virtually is so. I cannot see the distinction.

11,672. Can you tell the Committee how often the prisoners are kept to No. 1 hard labour longer than a month?—I can tell you generally that no prisoner is kept to No. 1 hard labour beyond the statutory period allowed provided he earns the marks. It is done by a system of marks, and not by time. Provided he earns the marks, namely, eight a day, for the period, he is relieved from it; but if he fails to earn those marks, he is kept at No. 1 hard labour, if the doctor certifies he is fit for it, until he has earned them. That is one case. The other case is, if a prisoner misconducts himself, and the governor, under the power vested in him under the stage system, sentenced him to be put down in the lower stage—the first stage—he is kept there until he has earned the number of marks which he may have been ordered to earn in that stage. Those are the only cases in which a prisoner is kept beyond the time.

11,673. How often does it happen that a prisoner is sent back from loss of marks to first-class hard labour; does it often happen?—For misconduct?

11,674. Yes, for misconduct or want of marks?—I should say that the per-centage of it is very small.

11,675. Have you ever known cases of a prisoner being kept to hard labour for two consecutive months?—Never to my knowledge. I think if you were to look at the punishment books you would find that there is a column there marked "The stage." You will often see that a governor sentences a prisoner to some punishment, such as dietary punishment, without touching his stage at all, and in that case a man would not go back to hard labour. It is only where he actually sentences him to loss of stage or detention in the stage that it would affect it, and that would be by loss of marks.

11,676. With regard to the question as to whether convicts or men sentenced to hard labour should be allowed to work at their own trade, what view do you take about that?—Well, I take very strong views on the question of industrial employment, as I told the Committee when I had the honour of appearing before you last. I think we are bound to obey the Act now, but I think that the Act (particularly if a prisoner is sentenced to over a month) might well be altered or amended so that prisoners should be employed at industrial employment from the day they come into the prison. I am very strong upon that point. I think that prisoners in prison should be taught to be industrious, which is the first principle of imprisonment. I have always held those views strongly, and I cannot too strongly urge them here.

11,677. Do I gather from that that you would allow a carpenter, a joiner, or a fitter, as the case may be, to work at once at his own trade as a form of hard labour?—I would—at task work. I would exact from him such an amount of work that it would not be light work at all, and I would see that he should fulfil such a task as would come under the head of "hard labour." I think it would be a greater advantage to the man, a greater advantage to the State, and that it would also be reformative.

11,678. Have you heard of cases of complaint by other prisoners on the ground of inequality as between a man who is set to work at his own trade and another

prisoner who is not?—I have incidentally heard so as an incidence of imprisonment.

11,679. And you have stated your view upon it?—That is my view.

11,680. Now, on any occasion, are any educational classes held in prison other than for juvenile prisoners?—No; except for juveniles it is all cellular. It is so to the best of my belief. There is no authority for it to be otherwise.

11,681. To what extent are the rules regarding visits and communications relaxed by visiting justices?—The visiting justices have no power under the statute to relax any regulation as regards letters, but they have power to extend the duration of a visit. The Prison Commissioners have recently issued a standing order, No. 228, giving governors increased powers of giving extra letters and visits.

11,682. Governors?—Yes.

11,683. What is the date of that standing order?—It is dated the 8th February 1895.

11,684. Will you hand that in?—Yes. (*The document was handed in. See Appendix.*)

11,685. Is it in the power of a man in a local prison who is not able-bodied to earn as many marks as might be earned by an able-bodied man?—Yes.

11,686. As a matter of fact, do those men who are not able-bodied earn as many?—Yes, when it comes to my knowledge I generally point it out to the governor. I make it my business as *inspector* to look particularly to this, that if a prisoner is not able-bodied, and does what the medical officer says his strength enables him to do, or should enable him to do, he should receive the same number of marks as an able-bodied prisoner doing the full task.

11,687. Has any order or circular been issued on that point?—Not in those exact words, but enough to make governors understand that that is the intention.

11,688. Do you feel satisfied that as a matter of fact the spirit of the thing is carried out?—It is thoroughly understood in the prisons.

11,689. Then this man who is not able-bodied does not earn his 10*s.*?—Yes, if he gets the marks he does. The marks decide the gratuity, and he gets the same gratuity as the man who earns the full marks.

11,690. A man who is in the infirmary would not earn the 10*s.*?—No.

11,691. Is not that a hardship?—Well, I have always thought that it is a hardship, but there are a great many considerations about that. You have such a lot of malingering in prison. You have got to think about that. I think that perhaps it is about the fairest thing in the present system where the governor brings the case before the commissioners and says, "So-and-so is an invalid," and when it is his time to go out, he writes and says, "This man has not "earned the marks owing to being an invalid"; in which case I recommend him for a gratuity, and the Commissioners say, "Give him the 10*s.*" I think it is better to have a rule to hinder and put a check upon malingering, but that very liberal consideration should be given to the cases on medical recommendation.

11,692. (*Mr. O'Connor.*) Why cannot they have the same rule in the prisons that they have in the army in that respect, that a man's pay is stopped if he goes to hospital for his own misconduct only?—Do you mean where the doctor has to decide it? Of course in the army we know what the misconduct would be that would lead to this.

11,693. But if he is incapacitated by his own fault he must pay for it?—Of course the difficulty is to get the doctor to certify.

11,694. (*Chairman.*) With regard to Question No. 2560, Captain Schuyler refers to a form called "L. P. C. 3 form"; could you tell me what the system is?—This is a form which I will hand in. (*Document handed in. See Appendix V.*) It is a form of notification to prisoner's friends from a prison of his being received at a prison. I may say that Captain Schuyler there speaks only from his knowledge of one prison; but I tell you (as having been connected with Wormwood Scrubs Prison) that it was always allowed, not by me alone, but by the governor of the prison, and that what Captain Schuyler says was allowed at Wandsworth was always allowed both at Milbank and Wormwood Scrubs; but he implies that it was not done at Wormwood Scrubs. I will go so far as to say that it is allowed at almost every prison throughout the country, and that even a governor who has only a particle of the milk of human kindness, when the prisoner sends the form to his friends, if he wishes to add to it, always allows it to be done. I really do not think the governors are so hard-hearted as to stick to the letter of the law, and compel prisoners to fill in the form without a word.

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11,695. You think it is generally done?—I feel perfectly convinced that it is.

11,696. With regard to Question 2569, Captain Schuyler uses the expression, "If any prisoner knows "the ropes, the regulations with regard to visits work "satisfactorily." Do you think from your own experience a prisoner does know the ropes?—I think that a prisoner who comes often does know the ropes. Though a man who comes in for the first time has the rules read and explained to him, and although he has a copy of the stage in his cell, yet we know that from the official wording of them the man may not be so well up to them, and probably during his first imprisonment does not so thoroughly understand what he can do; but I think the ordinary prisoner who has been once or twice to prison does pretty well know what he is about, and that he does arrange it.

11,697. Still it is more desirable that the man who comes for the first time to prison should know it?—My own practice, when I was connected with prisons, was this. Every morning, the first duty I performed was to have every prisoner received on the previous day paraded before me. I had each man individually brought into my office. I saw that he was clothed properly, I checked his property which he had recorded against him; I checked the amount of his sentence and commitment, and asked him whether he had any complaints or wishes, and whether he wished to write to his friends, speaking to him generally about the advantages of good conduct, and what he could gain as far as regards letters and visits by it. I did that with regard to every prisoner that was admitted to the prison during the time I was at Wormwood Scrubs, and I believe most of the governors do it.

11,698. Now, with regard to Question 2576, is the Prisoners' Aid Society at Wandsworth identical with the Visiting Committee?—The Visiting Committee at Wandsworth Prison are *ex officio* members of the "Surrey Discharged Prisoners' Aid Society." It is the same.

11,699. Because Captain Schuyler, I see, says that the governor brought a certain circular with regard to the Prisoners' Aid Society, to the "Surrey Discharged Prisoners' Aid Society," and they entirely disapproved of it being placed in the prison, and accordingly it was not placed in the prison. That disapproval would be *qua* Visiting Justices, and not *qua* Prisoners' Aid Society, I take it?—I think they objected to it as a Prisoners' Aid Society.

11,700. But they had no power to object to it?—They only did it by way of representation, that is all. Allow me to read this. I have got what we had from Wandsworth on the subject. The circular we sent out was this. This is the answer to it, objecting. Then the Prison Commissioners said, "Very good, do not exhibit them."

11,701. Have you got Question 5259 before you?—Yes.

11,702. Are those figures accurate?—There were 6,515 females received, of whom only 1,043 had not been previously convicted.

11,703. With regard to gratuities to prisoners' aid societies and homes, would you state to the Committee under what principle the 1,500*l.* given by the Govern-

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ment is dispensed?—I will hand in to the Committee this document, showing the whole system of the gratuities to prisoners from charities, and I will just state briefly that in 1888 the Treasury reduced the amount allowed to 1,500*l.*

11,704. Why was that?—It does not say why they did it. In order to bring the amount which was expended within this limit, the following course was adopted. As soon as a new scheme was framed by the Charity Commissioners making the income of the charity available for that purpose this was done. I will hand this in to the Committee. (*The document was handed in. See Appendix V.*).

11,705. You do not know why that reduction was made by the Treasury, you do not know accurately the reason?—The only reason I could see was that so many of these charitable societies had funds, and that the Treasury took advantage of that to decrease the allowance from Imperial funds, and left it to be done by these societies.

11,706. Then there is a certain amount of distribution of the money to the homes which receive discharged prisoners?—The refuges only.

11,707. They come in for a share of the grant?—There are three refuges, and they are treated exactly like the aid societies.

11,708. What refuges are so treated?—There are three of them. I will send you up their names. They are treated exactly as the aid societies, except (and why the distinction is made I do not know) that one refuge gets 2*l.* for each prisoner that goes to it, and the "Elizabeth Fry Refuge" gets 1*l.* for each prisoner that goes to it, and the third refuge gets only 10*s.* for each prisoner that goes to it.

11,709. (*Mr. O'Connor.*) Which is the third?—I do not know which that is, but there are three refuges and I will get you the names.

11,710. (*Chairman.*) Do you think it would be desirable to increase the Government grant on a somewhat new and more equitable method of distribution, according to the work done by different societies?—Yes, I think so. I think the aid societies' work after the reformation of prisoners in prison is the most important work connected with the criminal system. I think they can do more by taking a prisoner in hand than any one. We can teach him to be industrious and orderly, but when he passes outside the prison gates, unless there is somebody to take him by the hand, and keep him from relapsing into crime, the man has not a chance.

11,711. You alluded to a committee of which Lord Rosebery was chairman, in reply to Question 6474. What was that committee?—It was a committee on "Grievances of Convict Prison Officers as regards "their hours of duty and superannuation," &c.

11,712. What year was that?—1883.

11,713. I see that that committee is not mentioned in the list of previous inquiries which you gave?—I will hand in a copy of the report; it was a confidential report on the "Grievances of Prison Officers." It has never been given to Parliament. Both these committees of Lord De Ramsey's and of Lord Rosebery's were held to be confidential reports—not that there is anything confidential in them.

11,714. You were asked a question with regard to a prisoner becoming a number in the prison, and you told the Committee that you always addressed a prisoner by his name?—Yes.

11,715. That would be as governor?—As governor.

11,716. Would the warders call him by his name?—There is no rule about it. For the purpose of convenience every prisoner is registered as a number, and that number is fixed to him; if they are calling him out of the cell they would say "24," "25," or "26" for convenience; but, as a matter of fact, in practice the warders know the names of the prisoners. Their names are on the cards, and when a man comes before the governor as an applicant or on report he gives his name and register. He says, "B. 401, John Smith," and the governor speaks to him by his name.

11,717. When the warders have to call out for an individual prisoner who is among a great many others, what would they call him?—They would call him by his number.

11,718. And that would be in the prisoner's interest, I take it?—Yes.

11,719. Because it would not necessarily reveal his identity?—Yes. With reference to that I have also a feeling from my prison experience. Since I have been at the Home Office I have revised a great many forms in use in the prisons, and among others the card which is put up on the prisoner's cell, and so strongly did I feel that in the prisoner's interest his identity should be kept from others, that whilst the old card used to have the prisoner's name, and all the particulars of his crime, and where he came from, and everything of that kind, face outside, I revised the card, and the Commissioners adopted it, so that now the particulars which the visiting committee insist on having are put on the other side of the card, only showing the registered number in front of it. I only mention that to show that one has had the matter under consideration.

11,720. (*Mr. O'Connor.*) I have observed that in some prisons, but it is not universally so?—It was universal. We issued it a year ago, but some of the visiting committees (I recollect, at the moment, Portsmouth, Birmingham, and one or two others) wrote, saying they disliked it very strongly. Of course, there is a certain amount of conservatism about things, and they liked the old card, though in my opinion it was undesirable to have this information exhibited, because, do what you will, a cleaner who comes out goes and stands at his door and reads all about the man, but he would not turn the card over, because that would be an offence; whilst if anyone wanted to know all about the prisoner he could pull it down and look at the back of it. Still, they objected to it, and in some half-dozen cases the Commissioners endeavoured to meet them, and said they had no objection to the cards containing the information which they required.

11,721. (*Chairman.*) You mentioned the fact that Newcastle Prison was in a very unsatisfactory state. Is it likely to be condemned?—Yes, the Newcastle Prison is condemned. The Commissioners have recommended that a new prison be built. The Secretary of State has adopted the recommendation; and in the Estimates for the coming year a sum of money has been taken up to make a start for procuring land for building.

11,722. Where is the land going to be purchased?—I do not know. They are now looking about for it, but in the estimates for 1895–96 a sum of money has been taken up for it.

11,723. (*Mr. O'Connor.*) Whose business is it to look after that site. Is it the business of the Treasury, or is it your business?—We do it. The Prison Commissioners have statutory powers. They acquire land and own it.

11,724. (*Chairman.*) Is it proposed to acquire a site within the city?—No; we always get out of a town if we possibly can; and I should think that to buy land in a city like Newcastle would be ruinous.

11,725. Is it there now?—Yes, it is in the lowest part of the town; and I suppose it would not fetch what we should have to pay for a new one.

11,726. (*Mr. O'Connor.*) Would the money go to the county?—No. We are going to replace the prison, and therefore it goes to the Treasury. It is only where we close it that it goes to the county unless we provide accommodation elsewhere.

11,727. (*Chairman.*) With regard to the point raised by Captain Johnson at Question 8770, what is your view of that?—Well, the practice, I may tell you, at all prisons is, that if a visiting order has been sent out to the friends of the prisoner, and before the friends come the prisoner misconducts himself, the visit is allowed if his friends come. That is, I may say, no order of the Directors or the Commissioners, but it is the practice. But if a prisoner has not sent out his order, or has not applied for it, and he is due

for a visit and has earned a visit, then if he misconducts himself, and behaves badly after he has got his class or his stage, he would have to go to the governor and apply for leave to see his friends. The governor would, of course, say, "For the present, until you "regain your class or your stage, you cannot have it, "because you are under punishment." As I take Captain Johnson's suggestion, it is that that should not be so, but that the prisoner, having earned it, whether he be under punishment or not, should have that visit. I cannot say I go with him. I do not think it would be a good thing, because you might have (I do not say you would always have) a prisoner reserving his visit and defying the authorites in that way.

11,728. If the relatives came some distance that would be taken into consideration, I suppose?—It is always allowed; I have never known it refused.

11,729. (*Mr. O'Connor.*) Even if a man was under punishment?—I have known a man under dietary punishment in a convict prison when his friends have arrived even without an order, but it has been said, "The friends have come; they knew he was due for a "visit, and they must not suffer."

11,730. (*Chairman.*) With regard to the point raised by Colonel Plummer at Question 9013?—About the special class, I have carefully read Colonel Plummer's answer, and all I can say about it is that I do not agree with him. "Exemplary conduct" in the standing order does not mean entire freedom from report. There was a circular issued some years ago on that. The governor has a great latitude in judging what exemplary conduct is, and he is told that simple reports of no serious nature shall not be regarded as militating against a man going into the special class. I think this much also that it would be quite impossible for a misconducted prisoner to get into the first class, and therefore you must let him get into that step by step to make the standard of the special class. I would not alter those rules, but I think that improvement might be made in those rules about the gratuity. What is most important to a prisoner relating to this class is the money gratuity attached to it, and where the man does not in the opinion of the governor merit the special class owing to some little misconduct in the latter part of the sentence (because the special class carries not only a special gratuity of 3*l.*, but it carries a week's extra remission of sentence), then I think that the governor should have power to recommend this man for an extra gratuity, which would be given, but that he should not get the great advantage of an extra week's remission so as to make a difference between him and the man who really is exemplary.

11,731. I should like to ask you whether you think it is desirable that the Secretary of State should have power to alter at his discretion the Rules of the Prisons Act of 1865, assuming that any alteration which he made would have to be laid before Parliament and laid on the table of the House for sanction?—Yes, I think so. I am very Liberal; almost Radical in my views on all these questions, and I think as we go on we get better light on these things, and find that most of them are capable of great improvement. The difficulty is that it is very cumbersome to get anything altered. If the Secretary of State had power to amend the Act I think it would be of great advantage.

11,732. That leads to another point, which was raised in Question 9201. Dr. Aucrum refers to a Prison Congress that was held when the late Lord Aberdare was Secretary of the Home Department; have you any knowledge of that congress?—I know about it, and that it did exist. Of course there are Prison Congresses held periodically in different countries. There is one going to be held in Paris in June. It is on the same lines.

11,733. This was an European Congress, was it not?—I believe so.

11,734. Do you think it would be advisable that annual meetings should be held of prison officials and representatives of the prisoners' aid societies and visiting committees who are interested in prison work and with practical knowledge of it to discuss prison questions, prison statistics, and general points of administration?—On the whole I am not in favour of them. I do not know what good can come from them.

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11,735. You know the practice with regard to the meetings of inspectors of mines?—I do.

11,736. So also with regard to the inspectors of factories?—Yes.

11,737. And coming to other departments, for instance, the Education Department, the first-class inspectors meet every year. An agenda is circulated amongst them. They send on subjects to the inspectors subordinate to them to get their opinion upon, and then they come up to London annually to discuss all these matters with the chief officials at the office of the Minister of Education. Now, in all those departments the very greatest advantage is found from bringing to bear the general experience of practical men on the points at issue. Do you think there is any reason why the Prisons Department should be exempt from that practice?—First of all I would say it appears to me that the cases are not quite parallel, and that these people you have mentioned are all permanent officials. There is continuity in their work, whilst, as regards the prison officials, they are permanent as regards the commissioners and inspectors of prisons, who are in constant touch with the work; but when you get beyond that and get to visiting committees, you may have a different chairman and members every year.

11,738. Then let us take governors, medical officers, and chaplains. There is continuity there?—There is, but there is now a rule where we have it laid down that a governor is not to limit himself to writing a report to the Commissioners once a year, but that at any time any question occurs to him that he thinks he can bring forward he is to write to the Commissioners or directors, as the case may be. I think by that rule you would really get more than if you assembled 60 or 70 governors here.

11,739. There is no reason why so many as 60 or 70 should come. Can you see any harm, and do not you see the possibility of considerable good coming from bringing up certain governors, certain medical officers, and certain chaplains (we will leave outside for the moment visiting committees and prisoners' aid societies), and assembling them to discuss the chief questions on the treatment of prisoners that may be current or that may have arisen suddenly, and giving the benefit to the Commissioners, and through the Commissioners to the Secretary of State, of their own individual experiences?—I do not think it would do any harm. I am not opposed to it.

11,740. You think it might not do any harm; do you think it might do good?—I think it might. I am not unfavourable to it.

11,741. With regard to question 9932, may we understand that a governor has not the power of stopping a man from going to chapel?—I say this about it, that by the Prisons Act of 1865, schedule 1, regulation 46, it says: "Criminal prisoners shall "attend Divine Service on Sundays and on other "days when such service is performed, unless "prevented by illness or other reasonable cause to be "allowed by the gaoler, or unless their attendance is "dispensed with by the visiting justices." Now, for the "visiting justices" you must read "Commissioners." Therefore, the Commissioners have power to dispense with the attendance of any prisoner at Divine Service, and I say that in the case of most prisons that I have visited the governors have delegated to them by the Commissioners (because it has been done with their authority or their sanction) the power of withholding prisoners from attending Divine Service who misconduct themselves in chapel; and therefore it is perfectly legal and legitimate. I would say about that that in the unfortunate reference to the Wormwood Scrubs, which I have been personally

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drawn into much against my will, the question there of stopping prisoners from going to chapel for misconduct came up; and it might appear that I was the originator of this as the deputy governor of the prison appointed by the Secretary of State. I was the appointed deputy governor of that prison. I only followed what was done by the governor of the prison, who had authority from the Commissioners. I only carried on a system which had previously existed there. In going through the punishment book of Maidstone prison I find the same thing there, and that wherever the governor inflicted that, it was as a preventive measure. I can name any other number of prisons where the governor has done so, with the sanction and knowledge of the Prison Commissioners, who, having themselves power under this Act to do it, have therefore power to delegate it.

11,742. As we have reached that point I want to ask you a question about the case of a person who has been called J. E., and that reference to what was thought to be a punishment cell?—Of course when I appeared before the Committee last, this question of the award of the visiting committee on that prisoner on the 19th December 1891 did not arise. I have read it in evidence that has since been given, and I am very glad to have the opportunity of answering any question on the subject, and of making clear what did occur about that.

11,743. It seemed to me almost incredible that 42 days should have been inflicted in a punishment cell?—Well, I say distinctly that the prisoner never was sentenced to 42 days in a punishment cell.

11,744. What is your explanation of it?—I say the visiting committee sentenced him on my suggestion to 42 days' crank labour on No. 3 diet, it then being believed that they had powers of dietary punishment, which, no doubt by the Secretary of State's rule, it was intended they should have; that the sentence pronounced by the chairman of the visiting committee was distinctly without any reference to a punishment cell; that afterwards, no doubt, that "p. cell" was put in, but it did not stand for "punishment cell"; it stood for "penal cell" or "penal class cell." There were certain cells in Wormwood Scrubs Prison, which had been a convict prison, which were known as "penal class cells," and which were called familiarly "penal cells." They were ordinary cells containing a hard labour machine, called a crank, where prisoners underwent crank labour on this dietary punishment. I said to this visiting committee, that of course the man would do it in that cell, and no doubt the chairman of the visiting committee put "p. cell" there afterwards. If the question had been referred to me when the governor of Wandsworth (not knowing what it meant) assumed it was "punishment cell," if when it came up to the Commissioners they had referred it to me, and asked what is the meaning of this, I should at once have replied, and said what it did mean; but it never was referred to me. He dealt with it as he thought best. He said you must follow the statute, and only inflict so much of that punishment, but I say the visiting committee knew the law as well on that day as now, and so did I; and I never for one moment would have stood by and allowed the visiting committee, or agreed to the visiting committee ordering an illegal punishment like that, which would be a grossly illegal punishment, without any word of explanation or protest. I say distinctly that he was not sentenced to a punishment cell for 42 days, and that it is a misunderstanding entirely.

11,745. I noticed that Mr. Davitt in his evidence the other day referred two or three times to "punishment in penal cells"; so that I understand that "penal cells" are the usual cells where convicts are sent for crank punishment?—Yes. In local prisons there are a certain number of cells fitted up with a crank. They call them "hard labour cells" I believe, but I have always been accustomed to call them "penal cells." I have called them "penal cells" for 14 years, and I continue to call them "penal cells;" and at this place we had 300 convicts at the time. You will notice whenever the visiting committees wrote "punishment cell," they wrote "pun.". in this case it was put "p. cell." The sentence on the prisoner was 42 days' crank labour on No. 3 diet. I am clear about it, I am quite satisfied about it.

11,746. Do you see any objection to publishing the "standing orders"?—No; I see no objection to it. We publish all the orders for the Army, and there is nothing secret in our prisons. I think the more open they are, the more the public know about them, and the more the public see them, the better it will be for the administration of the prisons.

11,747. Do you see any reason why the inspectors should not certify that they have examined the punishment book?—There is no reason against it. They virtually do that now. They put their initials every time they visit the prison in token that they have done so; perhaps you will allow me to make a few remarks on this. I would tell you first that we have in our convict prisons what I regard as a most perfect system of check on the governor that the punishments of prisoners are all strictly correct, adequate, and legal. It is the rule of every convict prison, and in local prisons as regards convicts, for every convict who comes under report to have his name entered in a sheet called the "report sheet," which I will show to the Committee. Every report against a prisoner is there entered, with a statement of the investigations made, and the punishment awarded. If the prisoner, for the purposes of restraint, is placed in handcuffs, or if any other event happens whatever, it is recorded there. Then at the end of every week those sheets containing the whole of the records of every report, and how it is dealt with, are sent up to the Home Office by each prison, and are reviewed by the Director of the Prison, who goes through every report and every punishment to see that it is correct and legal, and who returns it to the prison with his remarks, either approving it or saying it is inadequate, and in some cases, saying "You must reduce the punishment." This is accompanied by a letter which I will also hand in, which puts the directors in complete possession of all the facts of how the prisoners have been treated throughout the whole prison. That is the covering letter which comes with it. Recently, within the last year, we have applied this same principle to convicts in local prisons. Every convict kept in a local prison who is punished or comes under report is in like manner entered up in one of these sheets, and every week we get one of these sheets up at the Home Office. What I think would be the most perfect check, and keep the people who know most of the work of the local prisons in touch with them, is to carry out the same system in local prisons that you have in convict prisons, and have that weekly sheet sent up to the Commissioner, so that he can see what is going on; see every man who has been punished, how he has been punished, and why he has been punished. He will know all that is going on, which he does not know now, and it will be a check on the inspector. I recommend that that should be done. It will give a little more trouble here, but it will make the present system very much more perfect, and I therefore recommend it.

11,748. There was a question asked with regard to the accommodation. I do not go into that further than just to ask whether you think that on the facts of the case it has been really possible to keep within the law. I see that you have kept within the law so far as the 17th section, subsection 1 is concerned, but then it does not necessarily follow that you are able to keep within Regulation 26 of Schedule 1; in other words, that where from accident there has been a too great influx of prisoners for the accommodation, those prisoners have had to be put is association for a time, which of itself is technically an infringement of Regulation 26?—Quite so; I can only say what I said before, that I think that all this overcrowding which has occurred in certain prisons could have been avoided. I think that we have got ample accommodation throughout the country, since the prisoners have been brought under one central authority we have certain alternative prisons, and if the governors would only look a little ahead and keep a margin of cell accommodation, and not run it too close, I think all difficulties could be avoided. It has occurred in the past; but it has become less now. We had a case last year.

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11,749. I have only one more question to ask you. I forget whether you have been asked your opinion with regard to the amalgamation of convict prisons and local prisons?—No, I was not asked that.

11,750. What is your view of it?—I really cannot see any advantage in the separation.

11,751. Do you see any difficulty in carrying out the amalgamation as soon as you can get Parliament to pass the necessary Act?—I see none whatever. I think that all your long-sentence local prisoners, people sentenced to 12, 18 months, and two years, might well go on public works and be employed with the convicts. I think it would facilitate the working immensely if we had such an amalgamation.

11,752. It would be a great convenience to the Commissioners to work the whole system I suppose?—Yes.

11,753. You have now to issue separate reports and separate statistics with regard to convict prisons and local prisons, and the whole thing could be done in one report if they were amalgamated?—Yes, I think it would be of infinite advantage to the public service.

11,754. It would require, of course, a codification of the law?—Yes. I now hand in a list of all reports on matters connected with the system and returns which have been furnished by the Prisons Department. I have also to hand in the report of the directors, which you, sir, called for, with regard to some of the evidence given by Mr. E——. (*The document was handed in. See Appendix* IX).

11,755. (*Mr. O'Connor.*) There are just a few points which occurred to me as the Chairman was asking you questions, as to which I should like to put one or two queries to you. First of all as to the discretion suggested for governors in the matter of remission of punishment. I suppose a good many governors would rather be without the discretion?—I think so.

11,756. And perhaps you would think it would be questionable as matter of policy whether it was wise to allow a governor to appear in the eyes of the prisoners as a court of appeal from a visiting committee?—I think it would be most objectionable.

11,757. But you would not have any objection to governors being allowed to submit to the visiting committee a case which appeared to them to call for it, and a proposal that some of the punishment ordered by the visiting committee should be remitted?—He has really the power now, and I think he ought to exercise it more than he does.

11,758. But that the remission should not be operative without the formal sanction of the chairman of the visiting committee?—That is my opinion.

11,759. Now with regard to another point. Prisoners should always be employed in industrial occupations, you think?—That is my opinion. You cannot do that with a very short-sentence prisoner.

11,760. No, I was coming to that. You said also you would be willing to see the men employed each upon his own particular line of industry; and that would be practicable?—It would be practicable. I am dealing, of course with long-sentence prisoners. I do not think it would be practicable with short-sentence prisoners, because you could not find work for them; but in dealing with prisoners of over six months or of over three months, where you have power to send them to particular industries, and where you could concentrate them under the powers vested in you under the Act, I think it would be possible.

11,761. If there was a classification of prisoners then, according to length of sentence, it might be more practicable than it is now?—Yes.

11,762. With regard to visits from relatives, you mentioned that often in cases which did not come within the rules, you yourself have taken upon yourself to allow certain things to be done which were not strictly in accordance with the regulation?—Which were not laid down in the regulation.

11,763. But that was where a strong governor would be prepared to deal with the situation before him apart from the strict regulation of the rule?—Yes.

11,764. Do not you think the rule should be so clear that every governor should understand he had the discretion?—I think it would be advantageous to throw light on all governors on these points.

11,765. Then I understand that there was a circular from the Commissioners making certain suggestions to the governors to the effect that the governors should send in any suggestions that occurred to them?—It is a standing rule.

11,766. What is the date of that?—I cannot tell you, but I know that as long as I have been in the prison service I have known that; it is in our convict regulations, and I believe it is in the books.

11,767. But it is not often acted upon, is it?—No, it is not. Of course I have known it acted upon, and I have acted upon it myself once or twice. I admit that governors are chary of coming too much forward in suggesting things as regards general administration, but things relating to their particular prisons they do not hesitate to make recommendations upon.

11,768. On the point of the suggested conference, I take it you are not very sanguine of the result?—No.

11,769. And you take it it would be scarcely worth the expense which would be involved?—I do not oppose it; but, I think, dealing with prisoners and prisons is a special study, and that people have to give up their time and their thought to it very much.

11,770. With regard to Rule 46 of the 1st Schedule of the Act of 1865 as to attending at chapel, I take it that that is a rule imposing an obligation upon a prisoner to attend service?—The first part of it is.

11,771. And the second part is a qualification, the object of which is to dispense the prisoner from the obligation in certain circumstances?—Yes.

11,772. The qualification is for the relief of the prisoner from an obligation to which he may have some objection?—I do not go with you.

11,773. Will you kindly read the terms of the rule?—"Criminal prisoners shall attend Divine Service "on Sundays and on other days when such service is "performed unless prevented by illness or other "reasonable cause, to be allowed by the gaoler, or "unless their attendance is dispensed with by the "visiting justices."

11,774. If the "visiting justices" means the "Commissioners," may I ask you if the Commissioners or the gaoler has power to dispense under certain circumstances with this particular obligation. A dispensation from an obligation is a totally different thing from a punishment?—I am not a lawyer, but all I can tell you is that this question was brought before the House of Commons in the case of certain prisoners, anarchists, at Stafford Prison; and the Secretary of State held the view that it was perfectly within the right of the Prison Commissioners to dispense with attendance at the services and to prevent those prisoners who had made it a grievance that they were not allowed to go to chapel from doing so, and that the governor, acting under the Commissioners' orders, had power to prevent them attending. I am not sufficiently a lawyer to know whether this is strictly legal or not. All I can say is, that that is my view; that is the way I read it, but I bow to you if your judgment is better than mine.

11,775. I only want to draw out your view. I suggest that dispensation from an obligation may be distinguished from a punishment?—That is the way

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we have always interpreted it here; that it is giving power to the Commissioners to dispense with i for the protection of the body of prisoners, not as a favour to the prisoner.

11,776. That would be a matter of precaution in the interest of discipline?—Distinctly, or it might be as a matter of punishment. I have never awarded it as a matter of punishment. I have always awarded it as a matter of precaution to keep away a man from hurting other people. I look upon it as a great privilege to go to chapel, but if a man makes the chapel unbearable for those who value it, I think that in the interests of the other prisoners he ought to be prevented from doing so.

At this stage of the proceedings the Chair was taken by Mr. De Rutzen.

11,777. With regard to the check on illegal punishments, I am afraid I did not catch what you suggest?—I suggest that the excellent system we have in our convict prisons of every punishment being entered on a sheet and sent to the Home Office so as to come under the review of the directors, should be adopted. In the case of convicts in local prisons there is the same check. That system should be extended to prisoners in local prisons; and we should have one uniform check which cannot in my humble opinion be surpassed.

11,778. That does not obtain at present in regard to local prisons?—No, only as regards convicts in any local prison.

11,779. With regard to the margin of accommodation which a governor ought to secure, if not the Commissioners themselves, from the returns which the governors send up with weekly information as to the existing margin in each prison?—Well, on Tuesday of each week we get an accommodation return from each prison, showing the vacancies in each prison.

11,780. So that the Commissioners themselves are fixed with knowledge each week of the existing margin at the date of the returns?—But they have no knowledge of the possibilities or the probabilities of what will be required in that prison. It is only the governor, the man on the spot, who knows the local circumstances.

11,781. But they have the history of each prison in preceding years?—Look at the work of having to work out 60 or 80 places.

11,782. But if these returns which are sent to the Commissioners are not to be acted upon by them, the returning of them, the filing of them, and the registration of them, becomes a matter of very perfunctory character?—I must explain the object of that return, which is to show the Commissioners that those prisons are not actually overcrowded at the time, and that they have got space for the prisoners; that is the object of them.

11,783. But we have had several cases mentioned to us in which the weekly returns showed that already the accommodation had disappeared, and that there was overcrowding. We have not been able to ascertain that the Commissioners, when that was brought to their notice, took any steps at once to communicate with the governors with regard to the condition of their prisons?—Of course in my multifarious duties as secretary, you will understand it does not devolve upon me to check these weekly returns.

11,784. I do not mean personally, I mean the staff?—But I want to explain it to you. The accommodation returns go to the chief commissioner of the district, and we make up the returns to see what the accommodation is. The commissioner is supposed to go through it and check it, and to call attention to anything, and pull up a governor if he sees that anything is exceeded. I do not know but it would be of great advantage to us if we could know the specific cases where these returns did show overcrowding and no action was taken on our part.

11,785. But I have asked in the course of these proceedings for any letter or communication or minute of communication made to a governor with respect to a report which showed that his margin had entirely disappeared?—May I further explain to you that the Commissioners have not laid down any distinct margin for each prison.

11,786. I am speaking of cases where the margin disappeared altogether?—That margin is in the discretion of the governor. Putting it generally, the understanding with the prisons is this. You have, we will say, 500 separate cells in a prison. The governor is supposed to understand (it is not a new thing, it has been going on for years) when he sees that he will be overstocked, or overcrowded, that he has to take time by the forelock, and submit a request to be allowed to remove prisoners into an adjoining prison; and we always instruct them by telegraph and give them authority to do so; but the Commissioners do not say to the governors "You have 500 "cells, when you come to 450 you are to apply for "authority to remove them;" they leave that to his discretion. In his discretion he may think 490 is the right number at which to apply, but I do say that the governor has this amount of latitude, at this moment I recall no case during my years at the office in which a governor has made a representation that he was, or was likely to be, overcrowded, in which there was any hindrance to his getting prisoners removed.

11,787. Of course when prisons are choke full it is absolutely necessary to remove them?—I have been just investigating a case which occurred at Preston prison, I think. The visiting committee in their annual report say that the prison on one day, that is the 30th of June, was overcrowded. We have gone into that, and we find that the governor did not apply until the 3rd of July to meet this position.

11,788. Would there be any objection to including in your weekly return of accommodation a line for the estimated number of prisoners likely to be received in the next week?—None whatever.

11,789. That would at once direct the attention of the authorities to it?—Yes, but I think a much more stringent thing would be to give a distinct order to the governors binding them to send in a demand for removing prisoners.

11,790. Just let me ask you one question with regard to the prisoner who has been called "J. E." at Wormwood Scrubs. Where was he on the eve of his removal to Wandsworth?—He was in a cell in B. hall.

11,791. He had already undergone one sentence, and I think he had already begun to suffer a second sentence, and was actually in course of suffering a second sentence?—But not the 42 days part of it. He was sentenced on the 11th of the month. The day before I resumed charge he was sentenced by the visiting committee to a punishment of so many days. It was a dietary punishment in a punishment cell. On the 19th, the day of the disturbance in the chapel, he was again tried by the visiting committee, and sentenced first of all to so many days in a punishment cell on No. 2 diet, and to so many days' crank labour in "p.," which, I have explained to you, does not mean a punishment cell, and he had begun to serve the first part of that sentence, not the 42 days at all.

11,792. It is not "punishment cell" here; it is "p. cell."

11,793. (*Sir Algernon West.*) What is "p. cell"?—Penal cell.

11,794. Is that where you put a convict?—Yes.

11,795. Then it is just the same?—I must tell you also that at Wormwood Scrubs there was not one solitary certified punishment cell.

11,796. (*Mr. O'Connor.*) On this paper you will see that "p. cell" is written in precisely the same way as the "p. cell" in the other sentences?—I do not think it was. It was not so in the punishment book.

11,797. The word "cell" was not. It was "p. c." I think?—Let me tell you that at Wormwood Scrubs there is no such thing as a certified punishment cell.

There were none that were certified in the prison as punishment cells; they were only ordinary cells.

11,798. That really indicates a punishment, I suppose?—That means, according to the Act, a semi-dark cell devoid of any appliances for labour, or even of furniture, in which a prisoner is shut up, in a state of idleness, deprived of exercise, deprived of going to chapel, and kept in close confinement; he does no work during the time he is there. That is a true description of a "punishment cell." A governor is limited to giving 24 hours in that, and the visiting committee to 14 days. These cells must be certified by an inspector of the prison as being for the purposes of punishment and punishment only. What I say is, that at Wormwood Scrubs there was no cell that had been certified for punishment. There were a lot of ordinary cells, some of which we had used as penal cells, but they are all ordinary cells, some of them having appliances which were capable of being used in case a prisoner was violent; but beyond that we had no punishment cells, and the mere fact of putting a prisoner on crank labour in a punishment cell is an impossible thing; you could not carry it out. They would have had to build a special cell for it, because in a punishment cell pure and simple there is no such thing as a crank, and how the Governor of Wandsworth Prison could have assumed it was a punishment cell, I do not know, because on the face of it you would not put a man to work in the dark. That is ridiculous. He wrote a letter and asked the question, and the commissioner did not refer it to me, but he wrote back and said, "You must obey the statute." All I can say about it is, that the man was not sentenced to the punishment cell. I am prepared to go into court and swear it, or if any magistrate here would put me on my oath I am quite prepared to swear to it.

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The witness withdrew.

The proceedings were adjourned for a short time.

The Chair was again taken by Mr. Gladstone.

Mr. JAMES DUNCAN recalled and further examined.

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11,799. (*Chairman.*) In connexion with Question 4484, you gave as the per-centage of interference by prison labour with outside labour ·04 per cent.?—Yes.

11,800. Perhaps you could now put that on a rather clearer basis?—The statement I made on this point was merely an extension, at the instance of Sir Algernon West, of the evidence I gave on the probable increase which would take place in the number of workers at industrial employment from the impetus which would be given to prison trade by the introduction of certain improvements which I had suggested: the augmentation of workshops; the inauguration of a scheme of systematic instruction to prisoners; the granting of pecuniary reward to industrious prisoners, and so on. After very careful consideration I estimated the addition which would thus be made to the number of workers as about 1,100, confining myself to this low figure—because the law as it at present stands requires that a very large proportion of prisoners who would otherwise be available for industries shall be employed on first-class hard labour, which is more or less unremunerative—there were 3,825 of those prisoners, for example, in 1893-94. Comparing the 1,100 with the last census statistics of persons employed outside at like occupations, we arrive at ·04 per cent., or ·4 per thousand or 1 in 2,500, as the rate of increased interference on the basis I have named. That is what I understood Sir Algernon West had in his mind.

11,801. (*Sir Algernon West.*) I wanted the total?—My answer is all on increased per-centage, and I took it you were running on that line. It can be got but easily on the wider basis.

11,802. At present I understand you mean the increased interference, supposing all you recommend were adopted, would be one man in 2,500?—Yes, one man in 2,500 workers. On this figure I have to remark that it is founded on a bare comparison of the respective numbers, but it has to be borne in mind that the amount of work done by a prisoner is much less than that done by a free workman. Taking, then, a prisoner's labour at half that of a free workman's, the ·04 per cent. would be reduced to ·02 per cent. or ·2 per thousand, or one in 5,000 workers, which is probably pretty near the mark, having regard to the number of learners and indifferent workmen among the prisoners. I think that is the more reliable figure of the two, and that is about a fair estimate of prisoners' work as compared with outsiders' work. I have, of course, no knowledge of what further industrial developments the Committee may have in view, but even were the 1,100 workers to be trebled, the rate of increased interference would be so small as to be unworthy a moment's consideration.

11,803. The question I want now to put to you is this: you have told us that supposing all the industries you have mentioned were developed subsequently by the prison authorities the extra interference with outdoor labour would be as one man to 5,000?—That is so.

11,804. Could you tell us what is the interference at the present time?—I cannot absolutely. It would take considerable calculation, but roughly you might take it that there are 10,000 workers, including the oakum pickers—say, 3,000. Taking off the oakum pickers it leaves 7,000 employed at industrial occupations.

11,805. That 7,000 divided amongst the different trades would be, roughly speaking, what?—It would increase the proportion.

11,806. What I want to get at is this: at present we interfere with outdoor labour to the extent of x, y, z, and if these recommendations are carried we shall interfere to the extra extent of 1 in 5,000?—Yes. I think you had better have the thing worked out exactly. It will be only a short affair to work out and give you. It is certain trades I am going to increase; and in the other trades, which will not be increased under the normal state of things, there are things which might seriously affect the per-centage as a whole; for example, bricklayers would come in, but I am not going to increase the bricklayers by my scheme, and there is an enormous per-centage of bricklayers outside. That might, perhaps, upset any estimated figure, and if you are going to quote any figure in your report I should advise you to have it exact.

11,807. Then I will ask you what do you calculate is the present interference of prison labour with outside labour in the trades for which you consider prisoners suitable?—And in which they are employed, you mean?

11,808. Yes, in which they are employed?—Taking, as before, the labour of a prisoner to be half that of a free workman, I estimate that the total present interference with outside labour is at the rate of ·053 per cent, or ·53 per thousand, or 1 prisoner to every 1,886 free workmen. The total interference after the proposed increase of prison workers has taken place would be at the rate of ·063 per cent., or ·63 per thousand, or 1 prisoner to every 1,587 free workmen. The rate of interference in so far as the particular trades proposed to be increased are concerned would be 1 prisoner

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to every 5,000 free workmen at those trades, as already stated.

11,809. (*Chairman.*) In connexion with that point, can you give us the per-centage of interference with regard to the mat-making industry?—Mat-making has been done away with.

11,810. With the mat-making industry alone?—As now existing?

11,811. Yes?—We have only about 70 people now.

11,812. I should have said, as it was when the agitation against it arose?—When it first arose? Because it has come gradually down from 2,800 to what it is now. At the time the agitation against prison mat-making first arose during the rule of the Commissioners, the number of prison mat-makers exceeded by 23·87 per cent. the number given in the Census returns as employed at mat-making outside.

11,813. (*Sir Algernon West.*) Out of that, may not they say, "Yes, very true; that is so as distributed "all over the country, but how is it as to a particular place?"—Yes, that is so.

11,814. (*Chairman.*) I think you wish to clear up a point that came before us with regard to the disturbance of the sack-making at Lewes?—Yes, the question of the cessation of the Admiralty coal sack making at Lewes is a very simple one. I have read the evidence, and I see that some misconception seems to have arisen on the point. The making of Admiralty sacks was entirely a convict prison industry up to 1888, the year in which I took over charge of the Store Accountant's Department. Though the work is undoubtedly more suitable for long term prisoners like convicts, because they can be depended upon to give better workmanship, and to supply to time, a strong effort was made at the period I refer to to get the local prisons to take a share of it, but the prisons applied to, as a rule, thought it far too difficult for the class of prisoners at their disposal, and were greatly disinclined to undertake it, especially as deliveries were required to be made by a fixed date. Lewes was only engaged on the work for two years, during which time the Admiralty were frequently pressing for deliveries. At the end of the two years the then governor reported that he was unable to promise any definite quantity, because of the want of convict labour, and the reduced population of his prison, a reduction which afterwards continued. There was no alternative therefore but to send the work to another prison; it is impossible to say for certain where now, the matter having happened some four or five years ago; but a crucial point with the Admiralty orders is promptitude of delivery, and unless that can be relied upon there is no use in our taking up the work at all. This is just one of the cases in which the establishment of a central depôt to which the prison could forward their supplies from time to time would be of immense advantage. I may mention that the Metropolitan Asylums Board have under consideration the question of establishing some such depôt as that, and I have been called into consultation with regard to the matter by way of assisting a special committee that is now sitting. I may mention, however, that the question of pushing the making of sacks in local prisons has been all along kept steadily in view; it has been one of my pet schemes. Wormwood Scrubs, Wandsworth, Reading, Exeter, Hull, and Chelmsford prisons have done excellent work for some time. A very large order for coal sacks, hammocks, &c., 154,910 articles in all, has lately been received from the Admiralty, and the governor of Lewes having reported some time ago the presence of a number of convicts in his population, he will be given a full share. He has already in fact been asked to proceed with 1,000 sacks on account. The same question arose at first to some extent with regard to the making of mail bags. When mail bags were first undertaken, it was entirely a convict prison industry. To-day, 75 per cent of the mail bags are done in local prisons instead of in convict prisons. No doubt that will eventually, under improved conditions, be the result as regards the coal sacks, which are a much more difficult thing to make, and also as regards the hammocks, and so on. Reading has done splendid work all through, and has taken it up most enthusiastically and increased its output from 1,000 to 8,000 sacks a year; it seems to have gone in for the work.

11,815. To what do you ascribe the special success at Reading?—I do not know. It has struck us very much. I suppose the governor took a fancy to the work, probably.

The witness withdrew.

ANALYSIS OF EVIDENCE.

ANCRUM, DR.:

A County Justice of Gloucestershire. Has not practised medicine for 35 years. A visiting justice of *Gloucester Gaol* for nearly 30 years; now chairman of the visiting committee, 9187–92, and chairman of the County Asylum, 9220. Gloucester the first prison on the "separate" system, 9203–7; not 100 prisoners at present time; will accommodate about 300, 9239.

Visiting justices. Their duties in the past and at the present time compared, 9193–96; interest taken in work greatly diminished owing to present system, 9201–2. *Old system* of visiting justices led to improvements in prison management, 9208. Means by which the interest of *the visiting justices might* be restored, 9210–18. Reformatory influence of prisons lessened by lack of interest on part of visiting committees, 9216–17.

System of gratuities at Gloucester Prison explained, 9208–9.

Improvements suggested. Justices should have greater power *to modify food*; cumulative sentences advocated for habitual offenders, 9248–49.

Prison diet sufficiently good, but absolute uniformity of diet undesirable. Stirabout refused by the ordinary Gloucestershire prisoner (the agricultural labourer), but in the North of England the prisoners, accustomed to porridge, would doubtless eat it, 9197–9200.

Habitual drunkards. Holds same opinion as that of the Committee of 1893, 9250–51.

Chief warder in charge *less anxious*, owing to his training, to desire to reform than to preserve strict discipline; appointment of a person of superior intelligence advocated, 9217–18.

Insanity. Cases carefully watched at Gloucester. Few prisoners are insane, though many feign insanity, 9219. As chairman of the County Lunatic Asylum sees 1,200 lunatics every month, 9220. The mere fact that a man is a criminal would not constitute an objection to his transfer to an ordinary lunatic asylum, 9221–4. Suspected cases carefully treated, and put into association, 9225–6.

Associated prison labour. In favour of, but not at first. The principle introduced by Maconochie is better; *separate* treatment at the outset, 9252.

Prisoners' Aid Society at Gloucester quite independent of Government, and more *than adequate*, 9252–57.

BAILEY, MR. ROWLAND:

For 11 years in charge of the furniture department of the Office of Works, 11,153–6.

The reason for the discontinuance of the supply of various articles (principally mats, baskets, and tinware) is mainly want of organisation. It was arranged with the prisons that a stock of articles should be kept, but this was not carried into effect. The present state of things could not exist if prison industries received proper attention at the board; *everything is* subservient to discipline; the governors have no object in keeping a manufacture, and the warders (witness speaks now from personal observation) lack interest, receiving nothing for superintending prison industries, 11,157–61, 11,166, 11,169–70.

There should be no difficulty in allocating the industries to the proper centres, but this is not done; tin *paper-trays* should not be made at Portland, nor baskets for Government use at Dartmoor, but in London; then there was the proposal to do washing for the public offices at Manchester, 11,162–4.

Carpet-beating not unhealthy. Feels sure the difficulties raised came from the staff, 11,167–9.

Improvements which witness agrees to be necessary are as follows:—Warders should have some incentive to take further interest in the work of teaching and supervising prison industries.

There should be a better supply of skilled artizan teachers; and

A highly responsible official in the prisons department should be entrusted with the organisation of labour, according to local requirements, and the individual capacities of prisons to produce certain articles, 11,180–4.

BARKER, COLONEL (Salvation Army):

[LAMB, Major (Salvation Army), also in attendance].

For 14 years an officer of the Salvation Army; secretary for the social operations of the Army in the Darkest England scheme, 8256–59.

WOMEN, PRISONS, BY (Salvation Army)—*cont.*

Work in Australia in connexion with prisoners, 8260–82, 8295, 8483.

The Prison receives convicts and first sentence men; the casual is dealt with at temporary relief wards, of which there are five in London. Since the Home was opened in February 1891, 1,197 discharged prisoners have been dealt with; of this number 383 have obtained employment after from one to 18 months (of these 87 per cent. are doing well, 10 per cent. have been lost sight of, 2 per cent. have returned to crime, and then there are the doubtfuls who, *although not lost sight of*, have not satisfied the authorities that they are reformed); 7 have enlisted in the army, 376 after working well and giving satisfaction, have left to seek work; 128 out of the 1,197 have been discharged as unsatisfactory and unwilling to work, 8310–18, 8385–95; perhaps three-fourths of the whole number are first offenders, 8396–400; of those received a great number are mentally weak and wasted, a considerable number colour blind, 8333–40; of the physically weak the larger proportion would come from the local prisons, the statement as to the feeble-minded applies more to convicts, 8401–29; the figures 1,197 apply to London alone, 8348–49. The various shelters cover 1,000 each day, *mostly casuals*; 20 *per cent.*, perhaps, *find their* way to prison, 8352–56. All classes received, drunken and refractory cases not kept at the home, but sent to other departments of the scheme; they would number 264 out of the 1,197, 8364–73. Perhaps 10 a day, or 500 in the year, are received at the prison gate but do not pass into the Home, being sent elsewhere, and staying on an average two months; nothing definite known of their after movements, 8374–82.

Women are sent to a home in Mare Street. Mrs. Bramwell Booth recently reported that she has had 700 women through her homes, 395 of whom have been sentenced for criminal offences, 8383–84.

Work performed. The chief industry is the salvage (the collecting and sorting of waste paper mainly): other industries are tailoring, boot and shoe making, and hat-making, 8306. Men are received who have *learnt a trade in prison*, but they are few in number, 8319–20; weekly cost per man, 7*s*. Salvage pays for keep and something towards cost of administration. At present a loss is incurred, 8437–41. Salvage work explained, 8442–50. Task work is performed in the lower class of labour yards, and men are paid according to the value of their work; the highest rate of wage 5*s*. a week, in addition to food and lodging, 8448–49. The next step is promotion to be a *foreman* with, perhaps, 2*s*. or 2*s*. 6*d*. a day, 8451.

Prison work should be productive. Non-productive work a source of real satisfaction to the loafing class. Productive work would act as a deterrent, 8326–31. Out-door work strongly advocated, 8335–40.

Cumulative sentences advocated for habitual criminals, 8296–98.

Present treatment of criminals a failure *so far as* reformatory influence is concerned. More discrimination and individual attention needed, 8299–304. In Australia solitary confinement has a deterrent effect on short sentence prisoners, 8357–60. Plank bed a deterrent, 8361–63.

Prisoners' Aid Societies. The Army desires to be placed on an equality with other agencies, 8284, 8293–94. Measures should be taken to prevent unscrupulous prisoners taking advantage of different societies, 8286–92. Co-operation necessary, 8293. A number of agencies but few prisoners' homes in England, 8292. A notice should be handed to each prisoner before discharge giving the names of societies willing to help; representatives from special societies should be allowed access to the prison on certain week-days in addition to the ordinary visiting committee, 8295. The advantages enjoyed by the Army over other aid societies, better appliances and more agents, 8454–56; more highly organised, 8457. Communication with prisoners prior to discharge very desirable; a great help abroad, 8279–81, 8460–62, 8474. Failing this, prisoners should be allowed to put their names down to be met at the prison gate, and this should be communicated to the Army, 8475. Visiting and conducting service in prisons at Kimberley and Cape Town explained, 8466–73.

ANALYSIS.

BARRINGTON, COLONEL J. T.:
Superintendent of Inspectors of ... Dockyard, 11,449.
Articles made for the War Office, ... value for the present financial y... mats, baskets, and oil cans. E... prisons find their own materi... contractor would outside. La... was made; 12,000 bed and bolste... the materials being supplied and ... the War Department. The contract ... continued this year on the same scale ... department anxious, however, for increase of orders. Prisons employed last year, Holloway, Pentonville, Wandsworth, and Wormwood Scrubs. This year five additional prisons, Knutsford, Liverpool, Stafford, Strangeways, and Wakefield (but *see* 11,462; as to mat-making at Lewes, Bedford, and Canterbury). Country prisons fairly up to time. No appreciable difference so far as quality of work is concerned between country and metropolitan prisons, 11,462–4. Quantities of articles made in the last five years: 26,766 oil bottles, 7,000 door mats, 1,700 passage mats, 1,800 hearthrugs, and 18,866 baskets. Quality of the work very satisfactory on the whole, especially the tin work. Rejections much lower than in the case of an outside contract. Deliveries fairly punctual, 11,451–61, 11,473. Difficulties have arisen in connexion with brush making at Gosport the short waste material having been utilized; this is used outside in the manufacture of small brushes, but the prison authorities have no outlet for it; it might possibly be sold periodically, 11,464–6; prison prices compare favourably with trade prices, 11,475.
Work which might be undertaken. Sand bags, corn bags, sackings for beds, sacks of various kinds, barrack sheets, tent valises, pin bags, and canvas fencing jackets. The tin work at present is almost exclusively confined to oil bottles. Articles which might be added are meat dishes, funnels, dust pans, pudding shapes, baking tins, and drums and cylinders for oil and paint. Then in woodwork, inventory, knife, and notice boards, boxes, cradles for camp kettles, trestles, bed boards for field service, and soldiers' boxes (each soldier gets a box); and the brush and bass broom industry could be extended, 11,465.
For explanation of, and suggestions as to, arrangements for manufacture and delivery of stores by the Prisons Department, *see* 11,467–72.

BELL, MISS MARY JANE:
Matron at Holloway for past three years, formerly warder and chief warder at Walton, 5351–6.
Prisoners at Holloway. No sentence of three months at present time, 150 for one month or under, 5358–9; a large proportion in bad health on reception; drink and mode of living the causes, 5378–9; receptions average 50 or 60 a day, 78 the highest number (in 1893); reception work not over, as a rule, before 10 p.m., at times later, between 11 and 12, 5386–91; association, due to overcrowding, necessary on one or two occasions, but quite three years back, 5431–4.
Prison work. Little opportunity to teach work owing to short sentences, 5357; prisoners not anxious to receive instruction, 5360; those who can do nothing else employed picking oakum, others make mail-bags and mattresses for the War Department; the mail-bag work can be learned in a few days, 5361–3; thinks the dislike for oakum-picking at Holloway does but point to idleness and dislike for work in any form, 5367–9; has not noticed that prisoners' fingers are torn at this employment; the stain of tar complained of as preventing laundry work can be washed off in half a day, 5437–8; associated work popular, 5376–7.
Punishments. For light offences a day's close confinement; sometimes, but not frequently, No. 2 diet; favours latter punishment for prisoners receiving a fairly good diet, 5370–1; punishment by withdrawal from association little resorted to; prisoners in kitchen and laundry seldom offend, 5373–4.
No. 1. diet much disliked and is largely the cause of insubordination at the prison, 5380–5. A large number of women are in repeatedly with short sentences (out on Saturday, in on Monday), the No. 1 diet in a number of these cases is departed from 5416–22. Alternative diet recommended a pint of gruel (made with 2 ozs. of meal), and 6 ozs. of bread at breakfast; and a pint of gruel with 5 ozs. of bread for dinner and supper respectively 5423–4.
Warders three days out of four are on duty from 6 a.m. to 6 p.m.; on the fourth day, from 6 a.m. to 10 p.m.

BELL, MISS MARY JANE—*cont.*
... trades, as already ... with that point, ... interference with ... —Mat-making has ... the ... as a ... industry along ... arture ... dered, ... paid by ... ing con- ... the prison ... of orders. ... Pentonville, ... This year ... Knutsford, Liverpool, Stafford, Strangeways, and Wakefield (but *see* 11,462; as to mat-making at Lewes, Bedford, and Canterbury). Country prisons fairly up to time. No appreciable difference so far as quality of work is concerned between country and metropolitan prisons, 11,462–4. Quantities of articles made in the last five years: 26,766 oil bottles, 7,000 door mats, 1,700 passage mats, 1,800 hearthrugs, and 18,866 baskets. Quality of the work very satisfactory on the whole, especially the tin work. Rejections much lower than in the case of an outside contract. Deliveries fairly punctual, 11,451–61, 11,473. Difficulties have arisen in connexion with brush making at Gosport the short waste material having been utilized; this is used outside in the manufacture of small brushes, but the prison authorities have no outlet for it; it might possibly be sold periodically, 11,464–6; prison prices compare favourably with trade prices, 11,475.
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DEFELL, MISS MARY JANE—*cont.*
... (rarely later), with a break of 1½ hours at 4 p.m.; ... warder on late duty afterwards sleeps in prison and is liable to be rung up by prisoners; all the warders, excepting one in each wing, being in their quarters; the strain on officers is great, though sick warders more often suffer from colds than overwork; hours of duty should be shorter 5393–5407.
Classification. First offenders should be detained in a separate prison, 5441, 5446; case practically hopeless after second or third offence, and classification would not apply, 5444–5.
Juveniles. Is opposed to imprisonment of young girls; perhaps even to the age of 18 or 19 they should receive other treatment, 5442–51.
Mental cases at Holloway, mostly cases remanded for inquiry; proportion of convicts very small, 5410–5.

BRAYN, DR.:
Governor and Medical Officer at Woking Female Convict Prison; experience since 1875 exclusively in convict prisons, 4805–7; 207 convicts, number decreasing, prison three parts empty, 4809; a good system to unite the offices he holds, 4890.
Classification of prisoners, ample opportunities for, 4812; facilities for placing jealous and quarrelsome prisoners apart, and for separating "star class" from others, desirable, and are adequate, 4814–16; star class, 4817–20, 4960, 4976; old women, 4916–18.
Medical condition of prisoners inquired into on reception, 4821; the "medical history" sent with them from local prisons is verified at convict prison, 4823; "hospital cases," which include everything however trivial, average about 7 per cent., 4872.
Work is productive, and carried on partly in cells and partly in association in the manufactory, 4841, 4842, 4843; knitting, sewing, twine spinning, and laundry, 4844; is beneficial to the women, 4849; 134 of whom work, 4842; twine spinning is for the roughest women, 4920; laundry work the most useful after expiry of sentence, 4922; star class cook for officers, 4960.
Exercise never less than one hour a day, more on Sundays, 4852–54.
Mortality unusually high last year, viz., five, 4855; with small numbers there must be great fluctuations, 4861; mortality much the same as outside prisons, 4876; deaths in prison avoided where possible, 4950; nursing carried out by two officers who are trained nurses, one of great experience, assisted by prisoners, who act solely under directions, 4864–69.
No regular lady visitor; Mrs. Stidson comes occasionally, 4902; doubtful whether a general system of lady visitors is desirable, 5032.
Discipline. Caution usually given for first offence, then separate confinement, then loss of marks or privileges, 4877, 4896; governor can give bread and water for three days, directors up to 42 days; the latter very unusual, 4882; lowest diet is No. 4 local prison diet, 4880; No. 2, the usual punishment diet, that is, 2 ozs. Indian meal and 2 ozs. oatmeal made into about a pint of stirabout, 4878; silence enforced on those in separate confinement, others have one hour's talking in groups of two or three every day; talking also allowed in laundry and twine shop about the work, 4886–88, 4949, 5022–29, 5835; and among the old women, 4917; this is different from male convict prisons, 4937; reformatory effect only occasional; Woking prisoners mostly incorrigible, many with 40 or more convictions, 4888; some previous convictions are for drunkenness, many for theft, 4887; outbreaks of disorder occasional, 4874; handcuffs never used, loose canvas restraint jacket used for protection, not punishment, 4896–98; has a good effect, and need rarely be used for 24 hours, one hour often enough, 4899.
The system of marks should be the same in every prison, so as not to deceive prisoners, 4913–15.
Would prefer to have prisoners for the first nine months without detention in local prisons, because it is easier to teach them, 4910–12, 5021; existing arrangements, 4982.
Refuges and aid societies. Refuges not suitable for three years' prisoners, 4831–32, 5009–15; a good system, 5003; discipline of, 5018.
Discharges of London prisoners take place through Holloway, others are sent to their place of conviction, 4926, 4927; a month before discharge prisoners are told of the aid societies in the neighbourhood, 4925; and a form is sent to the society they choose; there should be State assistance for prisoners on discharge, 5055; workshops, 5057; the Roman Catholic Refuge at Finchley does good work in that way, 5056.

...rix I.

To these institutions judges may send persons of between 10 and 15 years of ... instead of sentencing them to imprisonment or the rod; and there they rema... long as the governing body of the institution deem it necessary for the improvemen... their morals, but not after they have completed their 18th year. Should it ... ascertained with certainty that the child wishes to enter a correctional institution, ... authorities prosecuting may, with a view to the welfare of the child, retire from th... prosecution.
The institutions mentioned also receive lads sent there by certain admin... authorities (guardians of the poor or school boards). No separation or ... difference of class is made among the boys.
...vitude
The lads receive same instruction as is imparted in the national schools ... over employed not only in agricultural labour but also in different handicrafts.
The rules and regulations concerning the treatment of neglected and criminal children will probably undergo a thorough reform, since a Bill has been presented by the Government at the Storthing for this purpose.

SWITZERLAND.

...and.

This question has been partly answered in connexion with the seventh. As there stated, there are establishments, organised like reformatory schools in England, for the correctional education of young offenders under 20 years of age.

ITALY.

Offenders of not less than nine years of age, nor more than 18, who may be regarded as having been in possession of ordinary discretion, and those of more than 18 years of age, who are undergoing a punishment not exceeding three years penal servitude, are placed in a house of correction.
Italian reformatories are designated as follows:—
(*a.*) Institutes for education and correction.
(*b.*) Institutes for correctional education; and
(*c.*) Institutes for paternal correction.

The first of these (*a.*) are intended for offenders under 10 years of age, and for those between 9 and 14 years who may be regarded as having acted without ordinary discretion.
The second class (*b.*) are intended for minors of 18 years who have been exposed to want, or have suffered from some incapacity to work, or from parental neglect, and for beggars and prostitutes; they remain there until they are reformed or have learnt a trade, but never beyond the age of 18.
The third class (*c.*) are for minors who are placed in them on the representation of their parents, because they are fractious and disobedient at home; they also may be detained until they are 18.
There are institutes both under Government and under private control. For inmates of these latter, the Government gives a subvention of 80 centimes (7½*d.*) a head per day. Families who have means pay to Government a daily sum of not more than one franc (9½*d.*) a day to the support of children confined in the institutes for paternal correction.

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9. Does the treatment of female prisoners differ from that of male prisoners in any special way?

AMERICA, STATE OF NEW YORK.

...rica, ... of York.

There is no special way in which the treatment of female prisoners differs from that of male prisoners.

FRANCE.

...e.

In long sentence as in short sentence prisons, women are subjected to the same regimen, to the same discipline, and are under the same obligations as men. In cases

ANALYS

APPENDIX I.

HUNGARY.

Hungary.

Prisoners sentenced to hard labour (Zuchthaus) are bound to do the work designated by the director.

Prisoners confined in gaol or sentenced to simple imprisonment (Kerker and Gefängniss) are allowed to choose among the different kinds of work adopted in the prison.

Outside the prison prisoners can only be employed on public works. But prisoners sentenced to simple imprisonment can only be employed on public works if they consent to do so, and are always separated from the prisoners sentenced to hard labour (Zuchthaus).

Prisoners (Zuchthaus, Kerker, Gefängniss) are employed in different industries and only exceptionally on works which require to be performed in the open air. Prisoners confined in intermediary prisons may be employed on agricultural works during the warm season.

Prisoners sentenced to hard labour (Zuchthaus) work 12 hours a day during the winter, and 13 hours a day during the summer months. Other prisoners 12 hours a day in the winter, and 11 hours a day during the remaining months.

Prisoners do not work on Sundays or on the holidays prescribed by their respective confessions.

Work is not done which is dangerous to health. Work which involves bodily exercise is preferred to sedentary work, especially in the case of young male prisoners.

The different industries adopted in the prisons are those of:—

Tailor, bootmaker, carpenter, turner, wheeler, painter, sieve maker, locksmith, smith, ropemaker, brazier, gilder, bookbinder, buttonmaker.

The products of prison industry are in the first instance used for the purposes of the prisons themselves and to supply the wants of other State institutions. Besides this, special care is taken that the products of prison industries shall only be brought into the market in small quantities, and that no such articles shall be brought into circulation which are supplied in sufficient quantities by local manufacturers.

Prisoners confined in intermediary houses are employed on agricultural and garden works.

BELGIUM.

elgium.

No penal labour, as the term is understood in England, is in use in Belgian prisons.

The employment of a prisoner follows his aptitude for any particular industry. The object of the administration is chiefly to favour the development of a knowledge already acquired, and to enable the prisoners to obtain some benefit from their knowledge, and secure a bonus against the time of their discharge. In the case of prisoners who know no trade, easy occupations, which must be regarded as simple methods of employment, are provided.

The regulation of the 5th April 1887 enables an idea to be formed of the organisation of the portion of the prison service. The fourth and fifth articles determine a case in which recourse can be had to free or contract labour to find an occupation for the prisoner. The moment that the directors of prisons have to appeal to private contractors to find occupation for the prisoners there always results a certain competition with free labour. And this is the reason why the administration is always on the look-out for means of developing the execution of works for the State, *i.e.*, to supply the wants of the prisons themselves, of the army, and other public services.

No prison is provided with the means for agricultural labour properly so called. In the precincts of certain establishments the open ground, if sufficiently spacious, is given over to the cultivation of vegetables, which are used to feed the prisoners.

SWEDEN.

Sweden.

Penal labour in the special sense of the word, *e.g.*, unproductive work on such implements as, *e.g.*, treadwheels and cranks, is not in use in Sweden. Sharp and efficient disciplinary punishments are, as has already been stated, inflicted upon refractory, violent, or lazy prisoners, but when they are set to work they always receive a useful and productive occupation. The cellular confinement is in itself sufficiently deterrent and repulsive, and the prison labour which is supplied in Swedish penitentiaries is therefore always intended to be an educational and reformatory element of the penal system.

APPENDIX I.

The majority of Swedish prisoners are, as has been shown above, during the whole duration of their punishment kept to cellular confinement. Is is therefore an important duty incumbent upon the prison authorities to provide the inmates of cellular prisons with such labour as can be performed in solitary confinement. In local gaols the governors are, according to the regulations of these prisons (given in the Royal Ordinance of the 28th of May 1867) bound to do all in their power to supply the prisoners left to their care with suitable work. Most of the inmates of these prisons belong to the rural population the chief occupation of which, when at liberty, is farming, and many of them are unskilled labourers from the towns. Simple trades, such as basket-work and brush-making, are often taught by warders who have been especially trained for this purpose by teachers of "sloyd" sent out by the Prisons Board. Since most of the prisons in question are situated in small towns where it is rather difficult to procure for the prisoners such labour as is of an instructive character, the governors are often obliged to furnish the prisoners with the occupations which they have been able to find for them, *e.g.*, making matchboxes, paper bags, and envelopes, stripping feathers and down, oakum picking, sorting beans and different kinds of grain, knitting and needlework, making nets, and other fishing apparatus, mat-making and rag-cutting, &c.

Skilled labourers, *e.g.*, tailors, shoemakers, joiners, painters, &c., are, as a rule, supplied with such work as belongs to their respective trades.

In order to obtain suitable and sufficient work for associated prisoners in the central prisons the contract system has been adopted in some of these prisons, but all labour is performed under the supervision of the warders and trade instructors of the respective penal establishments. Foremen who receive their payment from the contractors are always attached to the prisons as extra warders or supernumerary officers. They are thus subordinate to the governors and other superior officials.

The principal industries carried on by means of the contract system are the manufacture of woollen and linen cloth, hosiery, cravats, brushes, wicker-work, &c.

In the large central prison for men at *Nya Warfoct* the contract system has not been adopted. All work for the prisoners is there arranged for by the prison authorities themselves. At this prison, where a large proportion of the inmates belong to the rural population, agricultural labour is one of the chief occupations.

At the chief central prisons there are also workshops for bookbinding, joinery and cabinetmaking, tailoring, shoemaking, painting, &c., carried on under the guidance of the trade instructors and overseers of the prisons. Many prisoners who are unskilled labourers before their arrival at the prison, are there taught a trade.

The female central prison in Gothenburg, in which laundry work is done, is nearly self-supporting.

In the central establishments the prisoners under cellular confinement are usually occupied in a more instructive way than in local prisons. Such prisoners as are unskilled labourers, and have long terms, often receive instruction in a trade in order to help them to earn an honest livelihood after their release.

The competition of prison with free labour has, in consequence of the large extension of the separate system (with hand labour in cells), been reduced to an insignificant minimum. Complaints on account of alleged illegitimate competition on the part of the prisons are not often heard, and the causes of discontent, when such has arisen among free tradesmen, have almost always been more imaginary than well grounded.

NORWAY.

In convict prisons penal labour is not customary, but the men are chiefly occupied in various kinds of handicrafts, and the women in weaving, washing, needlework, and knitting. Norway.

The real working hours are ten, or ten and a half, daily, on Saturdays or the eve of a holy day a couple of hours less. As to the hours of work for the convicts in the penitentiary, there is no strict rule for prisoners under 18 years of age, as it is left to the discretion of the governor, after daily considering the age, development, and strength of the prisoner, and consulting with the chaplain and doctor, to determine how long the hours of work shall be.

Complaints have often been made on the part of free artisans outside that the convict prisons compete with them in the same branch of trade, and the administration has therefore tried to limit this competition as far as possible, not only by introducing new developments of handicraft that are not taken up by the artisans of this country, but also by telling the convicts off to a great number of various branches of trade, and

ANAI

APPENDIX I.

by keeping the prices of the things made at the penal institutions as high as the usual charge made for similar articles. There is, moreover, a prohibition against the execution of orders from private persons for articles of handicraft.

There has been no opportunity for employing the prisoners in farming or agricultural labour.

The prisoners in the district prisons are not obliged to labour except in the case of children that have not completed their fifteenth year. It is, however, decreed that both prisoners under detention, as also convicts in the aforesaid prisons, shall receive suitable employment if they so wish and circumstances permit. The work done at the district prisons, however, is of so little importance, comparatively speaking, that there can be no real cause of complaint concerning competition with artisans who enjoy their liberty.

SWITZERLAND.

Switzerland.

A legal distinction between penal and industrial labour is only made in cantons where an antiquated system of houses of correction (*maisons de force*) obtains, and in which a certain class of prisoners is engaged on public works and utilised either for the making of roads, or the embanking of rivers, or work in the fields, &c.

This distinction is not made in establishments where the reform of the prisoner is the goal aimed at. Without doubt many kinds of labour are disagreeable and offer few attractions, and individuals who are engaged in them would not undertake them of their own free will; these kinds of labour thus acquire the character of forced or penal labour. In certain establishments prisoners are put to such work on their entry, and during the first part of their cellular stage, also prisoners who are degraded from the intermediate stage and placed in cellular confinement, and lastly the idle and intractable, &c.

This penal labour is of the nature of disciplinary punishment. The kinds of labour reckoned under this head are: the sawing and chopping of firewood, straw-plaiting, the sorting of coffee beans, the making of envelopes and paper cones, and the like.

Nowhere is any penal labour corresponding to the tread-mill to be found.

Forced labour in public, with the ignominy necessarily attached to it, is not unfavourable to physical health, but has a deplorable moral effect.

Penal labour introduced into modern Swiss penitentiaries as a light disciplinary punishment is only applied as a temporary measure; it is not harmful to the health of prisoners, and as prisoners often get disgusted with it they seek to regain the confidence of the authorities so as to be admitted to a class of work more interesting and more lucrative.

In most penitentiaries several branches of industry are carried on, among which the more important and the more common are the following:—Weaving, boot-making, and the manufacture of wearing apparel, carpentry and varnishing, upholstery, cooperage and the making of wooden measures, brush-making, locksmiths', blacksmiths', and tinsmiths' work, the binding or boarding of books, paper-ruling and lithography, clock-making, turnery, basket-making, needlework, embroidery, and knitting.

For short-sentence prisoners there are the plaiting of straw chair-bottoms, the making of slippers, mats, envelopes, and paper bags, and trellis-work in wire.

Then come the domestic services in connexion with the heating of the prison, the laundry, the kitchen, &c., and clerical work.

Industrial work in the Swiss prisons is directed by the administration itself. Trials which have been made in some prisons of the system of handing over the work to contractors for a fixed daily payment have been very soon abandoned. Orders are taken in at the prison; the raw material is supplied either by the administration or its customers, the tools belonging to the establishment. The work itself is superintended by warder-overseers, who calculate the value of the workmanship and the material used. This calculation is based on market prices. Care is taken everywhere to give the public sound and finished work, and thus the industrial products of Swiss prisons enjoy generally a good reputation.

In the interests of penitentiary education this system is preferred in modern prisons to the contract system. The administration being sovereign can introduce a greater variety into the kinds of work, and can thus take account of the different aptitudes shown by prisoners. The splitting up of prisoners among a larger number of industries results in but relatively few prisoners being employed in any particular branch of industry, and thus free labour has no serious competition to fear. Efforts are made to push prison goods not by their cheapness but by their fine and durable workmanship.

APPENDIX I.

Were it otherwise penitentiaries, which should also be schools of industry, would be diverted from their true end. It is held in Switzerland that penitentiary education is incompatible with the service of prison labour to contractors. The administration alone can take care that each prisoner learns a trade during the period of his sentence, so that at the moment of his discharge he can earn an honest living.

In agricultural cantons prisoners of a harmless class, and those who have reached a superior class in the grade system, are employed at agricultural work. This is particularly the case where the prison has been built in the centre of a domain of the State.

ITALY.

Italy.

"Penal labour"—properly so-called—may be said not to exist in Italian penitentiaries. Workshops have been established in Italian penal establishments, which are carried on with every regard for economy and business, either for contract work or single orders. Clothes for the use of the prisons themselves, and articles required by the different Departments of State and the hospitals form, by preference, the chief part of the work. The following are the trades carried on in the prisons:—Weaving; boot-making; tailoring; carpentry; blacksmith work; cardboard box-making; work in straw, &c., and, in the colonies, agriculture.

Work is obligatory for all prisoners, without distinction, excepting for those who are physically incapacitated; and it is carried on for from eight to nine hours a day, with exception of the public holidays, when it is voluntary.

A wage of from 8 to 10 centimes up to 1·50 and 1·70 francs a day (1*d.* to 1*s.* 3*d.* a day) is assigned to the workers, according to the kind of work done; and of this wage, the following proportion is assigned to the worker himself:

$\frac{3}{10}$ for long-term convicts;
$\frac{4}{10}$ „ those condemned to solitary imprisonment;
$\frac{5}{10}$ „ „ „ simple „
$\frac{6}{10}$ „ „ under arrest before trial;

and the remaining fraction of the wage falls to the State.

The assignment of the work is made by the director, who takes into account the former occupation and the physical capacity of the prisoner.

The Prisons' Department takes every precaution to avoid coming into competition with free labour; and has succeeded in obtaining orders for work from the other Departments of State, besides providing everything that is required in the prisons themselves; what is produced in the prisons is prevented from falling upon the local market in any great quantity; by imparting to what is produced in prisons, as much as possible, the character of "manufactures," properly so-called, the production thus extended over a larger field makes itself less felt by the public; lastly, advantage is taken of the permission given by the penal legislation of Italy to employ labourers in the open air, especially in reclaiming and draining either private or domain lands which have been left out of cultivation.

This outside work meets with general approval, but the carrying on in prisons of the various industries, properly so-called, has, on the contrary, given rise on several occasions to complaints from the Chambers of Commerce, which—not content with attempts to modify prison labour—aim at suppressing it entirely; but as these complaints have no firm foundation, they disappear again as often as they are raised.

Only those prisoners are employed on outdoor labour of this kind who have already spent half of their term in the ordinary penitentiaries, and who are spending the second period in an "intermediary" prison, and whose conduct is good.

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14. What are the provisions for exercise? Is there exercise on Sunday?

AMERICA, STATE OF NEW YORK.

America, State of New York.

In all prisons there is no regular exercise on week days, and unless on the sick list every prisoner must work. After chapel on Sunday mornings prisoners are marched about the prison grounds for about half an hour.

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FRANCE.

France. It appears on collecting the official regulations affecting open-air exercise that every prisoner not engaged on open-air work must have an hour's exercise daily, from which he can only be excused for medical or punitive reasons. This exercise is either in an association yard or in separate little exercise courts, according to the disposition of the prison. As for Sunday exercise, this is generally allowed, but a good deal of discretion in the matter seems to be reserved for the director.

GERMANY—PRUSSIA.

Germany—Prussia. *As to prisons under the Minister of the Interior.*—Prisoners are taken into the prison courtyards for walking exercise every day for half an hour to one hour.

As to prisons under the Minister of Justice.—All prisoners in good health, if not busied with work in yard or garden, or other outdoor work, and are not under detention, must, where it is practicable and when weather permits, exercise themselves daily for an hour in the open air in the prison courtyard, under continuous inspection.

As regards prisoners detained for inquiry, these rules only apply to them in so far as to ensure that they do not come into contact with the other prisoners. Open-air exercise must not take place before daylight nor after twilight, nor on hot summer days between the hours of 11 and 2 o'clock.

AUSTRIA.

Austria. Prisoners have an hour a day of walking exercise; those in solitary confinement singly at six paces from one another; the others in pairs at three paces distance, and at a rate of 100 paces to the minute. In great excesses of temperature exercise is taken in the corridors or courts. For well-behaved prisoners of the highest disciplinary class, an hour *both* in the forenoon and the afternoon is allowed for exercise. Gymnastics have been introduced, especially of the Swedish kind, at the prisons of Stein and Graz. Sunday exercise is the same.

HUNGARY.

Hungary. Prisoners sentenced to hard labour (Zuchthaus) are allowed to take exercise in the open air for one hour daily, and other prisoners during two hours daily.

All prisoners under 30 years of age are drilled by the prison guard on Sundays and holidays.

BELGIUM.

Belgium. There are exercise yards (*préaux*) within the prison walls in the proportion of one for every five cells. The prisoners, in number equal to that of the exercise yards of each wing, are so grouped that each can remain for one hour at exercise. This takes place every day of the week, Sunday included, under the supervision of a warder placed in a central observatory. To get to the exercise yard the prisoners issue from their cells with their heads covered by a hood, carrying their sabots in their hands, walking rapidly in single file and without looking round at intervals of five or six paces, in the presence of warders who are stationed along the line. They return to their cells in the same manner; and the same with each other group of prisoners who are at work in their cells while waiting their turn for exercise. After the return of the last group of prisoners the warders visit the exercise yards of their respective quarters, walk round them, and close the outer passages. In prisons where association is in vogue prisoners have an hour's exercise a day. They enter the yard in single file and in silence under the supervision of warders.

SWEDEN.

Sweden. Every prisoner who is kept in cellular confinement must, according to the regulations, spend at least half an hour a day (including Sundays), or more should the medical officer so prescribe, in an airing yard. In the airing yards the prisoners are entirely separated the one from another by means of radiating partition walls, and carefully supervised in order to prevent attempts at communication.

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Gymnastic exercises have not been introduced, inasmuch as experience has proved that where a gymnastic apparatus is erected in the airing yard, as is the case in German prisons, very little use is made of it by the prisoners. In Sweden they have, however, once a week to beat their bedding clothes in the airing yards.

Associated prisoners labouring in common workshops are allowed daily open air exercise in the prison yards under the supervision of a sufficient number of warders.

NORWAY.

Norway. Convicts in the penal institutions where there is no outdoor occupation take exercise in the open air on week days for from 30 to 60 minutes, and on holy days for a longer time, if circumstances permit. The young prisoners must learn gymnastic exercises, if possible, during part of the time spent out of doors.

For those prisoners who are ill the doctor gives the necessary directions as regards exercise being taken or no.

In the district prisons each prisoner must daily have at least half an hour's exercise out of doors.

SWITZERLAND.

Switzerland All prisoners, whether they work in cells or in workshops, are conducted every day to the exercise yard, and have an hour's bodily exercise. In most prisons they have exercise on Sundays before going to worship.

ITALY.

Italy. Prisoners are taken for exercise in turn, in small courtyards for individuals, or in larger yards in common. Exercise is so regulated that every prisoner can take part in it for one hour a day, but it lasts longer on public holidays, and for minors, sickly prisoners, and those on arrest awaiting for trial. The prisoners who take exercise in common must walk in single file, and may not leave the file, stop or sit down, without permission from the warders in charge, and they must keep perfect silence. Those sentenced only to simple imprisonment are allowed to talk without making undue noise, and to walk in freedom, but in proper order.

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15. Is a separation, complete or partial, in use? How is it carried out in the matters of labour, exercise, and attendance at chapel? Is silence enforced?

16. Is solitary confinement in use and for what lengths of time, and by whose authority in each case? What reports are made of it?

AMERICA, STATE OF NEW YORK.

America, State of New York. No separation is in use, either in labour, exercise, or chapel; silence at all times is rigidly enforced.

A prisoner may be kept in solitary confinement in a dark cell, under the authority of the warden or deputy warden, until the prisoner is reduced to submission, usually from 24 hours to a week, and in lighted cells until submission.

Monthly reports are made to the governor of the State.

FRANCE.

France. In the central or long sentence prisons the administration has been engaged for some years past, and within the limits of the financial provision made by Government, on the work of fitting up sufficient cells to enable prisoners to be completely isolated at night (the Auburn system). There is ground for hope that in a not distant future the number of cells thus constructed will correspond with the requirements of the

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system. During the day occupations of all kinds, work, exercise, &c., are carried on in association, under the safeguards indicated in connexion with the seventh question, viz., the keeping apart of certain classes of prisoners.

The law of 5th June 1875 provides:—

(1.) That prisoners awaiting trial shall for the future be kept in solitary confinement day and night.

(2.) That prisoners sentenced to a year's imprisonment or less shall be kept in solitary confinement, and shall serve their term in the departmental houses of correction.

(3.) That prisoners sentenced to more than a year's imprisonment may, at their own request, be placed in separate confinement.

Solitary confinement (*emprisonnement individuel*) is thus compulsory under the law for the first two categories of prisoners cited above, while it is optional for the third category, and left to the discretion of the authority administering a particular prison, who only authorises it in so far as it is held to be advisable, either in the prisoner's own interest, to save him from the danger of contamination, or on public grounds.

Article 8 of the same law provides that the new regimen is to be brought into operation *pari passu* with the transformation of associated into cellular prisons. This transformation has been a slow process up to the present, and there are, as a matter of fact, only 26 cellular prisons in France. The reason is that the departmental authorities, owners of the land, buildings, &c., devoted to houses of correction, and charged with the financial burden incurred in their support, recoiled before an expenditure which works of reconstruction or adaptation would have involved, an expenditure which had not, under the law of 1875, the compulsory character now imparted to it by a new law of 4th February 1893.

Every year the directors of cellular prisons submit to the Minister of the Interior, who refers the documents to the Superior Council for examination, reports on the moral, disciplinary, and sanitary effects of the solitary or separate system. These reports go to show that good results have been obtained.

Germany—Prussia.

Germany—Prussia.

As to prisons under the Minister of the Interior.—In imprisonment other than solitary ("Gemeinsame Haft"), prisoners are not kept separate during their labour and church service. Silence is enforced.

"Zuchthaus" and "Gefängniss" imprisonment may be performed in solitary confinement, either for the whole period or for a portion of the term of their sentence, provided that the prisoner is always kept apart from the other prisoners.

Solitary confinement may not exceed three years without the consent of the prisoner (par. 22 of the criminal code).

Closed "solitary seats" ("Geschlossene Einzelsitze") in church and school are not provided in the modern cell prisons.

The younger prisoners and those who have not previously undergone frequent sentences are, in preference, kept in solitary confinement.

The governor of the prison decides which prisoners are to be kept in solitary confinement and for what length of time.

As to prisons under the Minister of Justice.—In confinement other than solitary, prisoners are not separated during work, exercise in the open air, or church service. Silence is not enforced.

Punishment by imprisonment may be carried out by solitary confinement (Einzelhaft) for the whole term, as well as for a part of the term of sentence. Where the conditions of the place allow, the imprisonment usually begins with solitary confinement.

Punishment by solitary confinement is accomplished by putting the prisoner into a special cell and keeping him there without any intercourse either by day or night with other prisoners. The separation of prisoners can also be carried out by the prevention of any communication between them during the time of open air exercise, during attendance at the chapel service and at school, and during any other occupation taking place outside the cell.

Decision as to whether solitary confinement is to be employed rests with the director of the prison.

In the case of prisoners who have the right of expressing a wish to work out their sentence in solitary confinement, and who do express it, this wish, if feasible, is to be carried out. Solitary confinement may in no case endure longer than three years,

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without the consent of the prisoner. The consent is to be registered in a minute book, which is kept as a record.

Solitary confinement is forbidden if it is feared that it may be dangerous to the prisoner either bodily or mentally.

The superintendent of the prison must let the doctor know when the solitary confinement is to last longer than three months, and hear from him whether he has any scruples regarding the advisability of enforcing it.

Every prisoner in solitary confinement must be visited several times daily.

Among the visits are counted in those of the officers of the institution, of the members of the committee of inspection, of the overseer and foreman, of the relations and acquaintances of the prisoner, as well as those of other persons who receive admission to the prisoner.

Austria.

Austria.

Ordinarily there is no separation, excepting for prisoners condemned to solitary imprisonment and for the juvenile prisoners, who are kept most carefully apart from the adults at all times. There are distinct places at chapel, only the "solitary" prisoners being kept at a distance from one another and others. Silence is not enforced excepting when talking interferes with work, and for the "solitary" prisoners, and after certain hours at night. Juvenile prisoners are encouraged to talk and amuse themselves under the observation of warders.

There are special arrangements for carrying out solitary imprisonment which is a common punishment under the Criminal Code, and a still more common disciplinary penalty in the prisons themselves. No prisoner may be kept more than three years in solitary confinement, and only prisoners who appear healthy enough in mind and body may undergo this kind of punishment. When the period of punishment is short, and the prisoner has already spent three months in solitary confinement, every two further days counts for three to end his term. Reports are made to the Procurator-General in the usual way.

Hungary.

Hungary.

Prisoners sentenced to confinement, with or without hard labour, for a longer period than one year, and prisoners sentenced to confinement in a gaol (Gefängniss) for three years or more, are kept day and night in solitary confinement during the first year of their imprisonment.

If sentenced for a shorter period of time, the solitary confinement lasts during the first third part of the period for which the prisoner has been sentenced.

There is no separation of the prisoners during the hours of instruction, during divine service, and the time of relaxation in the open air.

The gaol (Gefängniss) prisoners who have not been tried are separated from the convicts already sentenced, the males from the females, accomplices from each other, and, if there is sufficient room, the prisoners who have not been tried are all kept in solitary seclusion. This separation is, as far as feasible, also observed during the night as well as during the hours of work and exercise.

Silence is enforced during the hours of instruction and at night. During hours of work conversation is allowed so far as is necessitated by the requirements of the work on which the prisoners are engaged.

Belgium.

Belgium.

The system is one of complete separation day and night, so that the prisoners as a general rule do not see each other and in no case can they establish communications with each other, but the members of the administrative and discipline staff as well as of the *comités de patronage* visit them frequently.

(*a.*) Work must always be executed by a man alone without the continual or frequent companionship of another person; foremen and special warders direct the work and are charged with the selection of it for prisoners. As to the domestic service of the prison it is provided for by the warders, the cook, the baker, the stoker, and the laundryman, with whom are associated one or more prisoners who are not allowed under any pretext to hold any communication with one another, so that the discharge of this duty, as of that of

cleaning, &c., entrusted to prisoners, takes place without infringing the principle of individual separation.

(*b.*) The prisoners exercise in separate exercise-yards. *Vide* the reply to Question 14.

(*c.*) The chapel is arranged so that the prisoners of both sexes have ready access to it from their respective quarters, and so that each prisoner can attend the services, seeing and hearing the officiating priest and being seen by him without violating the essential principle of the system. The chapel is divided into stalls so arranged that each prisoner can walk straight into or out of his seat without disturbing his fellow prisoners, and without being able to withdraw himself from the warder's eye.

Silence is obligatory.

Solitary confinement as a punishment may be inflicted by the director after hearing what the prisoner has to say, with the following restrictions: when the offence is of a nature to entail a severe punishment and seclusion in a special cell or a dark cell for more than three or four days* a report is made to the administrative commission, and in case of urgency to the president, who prescribes the method and duration of the punishment, provided, however, that the cellular confinement does not in ordinary cases exceed one month, and two months in the case of a recidivist.

This punishment, with a statement of the reasons for it, is entered in the punishment book and in the record which is kept of each prisoner's conduct.

SWEDEN.

Sweden.

It has already been stated that a prisoner sentenced to penal servitude for two years or a shorter term has to be confined to a cell during the whole duration of the punishment. With regard to prisoners under longer sentences the maximum period of cellular confinement at the beginning of the punishment was, before the 1st of January 1893, one year, and the minimum time six months, inasmuch as it was prescribed by the Royal Ordinance of the 30th of May 1873 that whosoever is sentenced to penal servitude for a certain time exceeding two years shall, at the beginning of the punishment, be kept in cellular confinement during a sixth of the duration of the punishment, but not less than six nor more than twelve months. During the rest of their time of punishment prisoners of this latter kind were allowed to work together in common workshops separated only at night and during unemployed hours in sleeping cells. The aforesaid Ordinance has, however, lately been annulled by the law of the 29th of July 1892, which has been in force since the beginning of 1893. By this law the maximum time of complete cellular separation has been fixed at *three years*.

The wording of the first clauses of this law is as follows:—

1. "Whosoever is sentenced to penal servitude for four years or shorter time shall, if possible, be kept in cellular confinement during the time of punishment. A prisoner, thus kept in cellular confinement, shall have a deduction of one-fourth made from the time of punishment. . . . . .

2. "Whosoever is sentenced to penal servitude for a certain time exceeding four years shall, if possible, be kept in cellular confinement during three years from the beginning of the time of punishment.

"For the time during which such a prisoner is confined to a cell there shall be a deduction from the remaining time of punishment of one-third of the time of cellular confinement. . . . . .

3. "Whosoever is sentenced to penal servitude for life shall, if possible, be kept in cellular confinement during three years."

* * * * * * *

As a result of this law the number of prisoners placed in association has been limited to a rather small minority as it is only those under longer sentences than four years who hereafter are to be removed to the association establishments. These prisoners, moreover, are comparatively few, because the long terms have been considerably modified in consequence of the law of the 20th of June 1890, above referred to.

The leading idea of the reforms thus brought about has been to shorten the long terms of punishment as far as practical, but at the same time to increase the efficiency of the penalties inflicted by making them more deterrent and also more reformatory.

* According as a secondary or a central prison is in question.

The separation is as completely applied as it possibly can be. Prisoners sentenced to penal servitude who are sound in mind and body are not, under any pretext whatever, allowed to perform any labour outside their cells during their time of solitary confinement. They are entirely separated during open air exercise. The schoolrooms are fitted up with a sufficient number of cell-boxes and even during divine service the isolation of the prisoners is maintained. The chaplain delivers his sermon from the central hall while the prisoners remain in their cells the doors of which are opened ajar and fastened from outside by means of hasps and staples. The prisoners are not allowed to sing during the service, but they can follow the precentor in their hymn books. Every prison has an organ. The chapel of the Långhalmen central prison has this year been furnished with cell-boxes. It has now sitting accommodation for 186 prisoners under cellular confinement.

The "silent system" has not been adopted in the associate establishments, as being practically unrealisable. Where the association system is unavoidable, the evil influences of indiscriminate talking are, however, counteracted to a certain extent through isolation at night by means of sleeping cells. There are at present only two establishments upon the association plan with common dormitories, but these are to be rebuilt and furnished with sleeping cells as soon as possible.

Concerning cellular confinement, with or without occupation, as a disciplinary punishment imposed upon association prisoners, *vide* answer to Question 10. Such punishment has proved both efficient and necessary.

NORWAY.

Norway.

In the common prisons the inmates under sentence labour in association, but are forbidden to speak to each other except when the work necessitates it.

In the hours of rest in the workshops and during the time they are taking exercise prisoners are not allowed to speak to one another unless the governor has given a special permission.

In the common dormitories (in institutions for males) they are, however, allowed to converse. In these dormitories they are at nights each locked up in a separate compartment or "box." In the prisons for females the women pass the night in cells.

During divine service and in the schools the inmates of the common prisons are in association.

For further particulars compare preceding reply to query No. 7.

In connexion with the foregoing it must be observed that convicts imprisoned in the penitentiary cannot, without their own consent, be kept in solitary confinement for a longer period than three years.

In the common prisons, at the commencement and close of their term of sentence, the prisoners pass a short time (how long it rests with the governor to decide) in solitary confinement. Prisoners by their own wish, or from motives of security, may also be placed in the cells, according to the decision of the governor. A report on prisoners that have occupied the cells shall be forwarded annually to the Department of Justice.

For those prisoners sentenced to simple imprisonment the maximum terms, according to the penal code, are:—

In cases of arrest - - - - -	240 days.
In cases of imprisonment on gaol allowance - - -	120 days.
In cases of imprisonment on bread and water - - -	30 days.

With respect to the prisoners being placed in the cells for breach of discipline *vide* reply to the tenth question, and reference may also be made generally to the reply to the seventh question.

SWITZERLAND.

Switzerland.

In modern prisons all prisoners undergo cellular confinement day and night during the initial stage of their sentence, and even longer if they are dangerous. During the day they work in their cells. Once admitted to the class above they can enter workshops where the law of silence is observed. All return to their cells for meals, and separation is also observed in exercise and in chapel.

The duration of cellular confinement is fixed by the regulations, but it varies with different individuals. The decision as to the promotion of a prisoner from the penal

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stage to the stage above rests with the director and his superior officers. This promotion generally takes place after some months of cellular confinement, when there is some assurance that the prisoner can, without danger, be put to associated labour. The register in which an account of a prisoner's behaviour is kept gives the reason for his promotion, and this register is at the disposition of the watch committee.

ITALY.

Italy.

Italian penal establishments are distinguished from one another by the kind of punishment to be expiated in them, and one prison seldom serves for several kinds of punishment.

During the first period of their term, those condemned to convict labour for a long term and to solitary confinement are kept continuously apart in separate cells; this separation is absolute and complete as well for work as for exercise and in attendance at chapel. During the second period they work together, but silence is enforced.

Those undergoing simple imprisonment and those under arrest work together, and may talk, but are separated during the night.

According to the Italian Penal Code solitary confinement is considered as an increased punishment, may last seven years for convicts on long terms, and is limited to one-sixth of their total term for those condemned to simple imprisonment, but may not surpass six years or be less than six months.

In consequence penalties of a less duration than three years are relatively severer than those for longer terms.

As a disciplinary punishment (*see* also Answer No. 10) solitary confinement may be inflicted up to six months.

Statistics and reports as to solitary confinement are not yet of much value, as the new regulations only came into force in 1890.

It might, however, be observed that solitary confinement is more likely to have a prejudicial effect on those prisoners who come from the south, as their characters are usually more lively and impressionable than is the case with those from northern countries. Cases of madness and of death from consumption have been more frequently noted among prisoners in solitary confinement, when enforced idleness is often caused by the difficulty of obtaining sufficient work for single individuals in places that are often far removed from industrial centres.

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17. The scale of dietary, by whom framed, and who has power to alter it?

AMERICA, STATE OF NEW YORK.

America, State of New York.

The warden of the prison frames and has the power to alter the scale.

FRANCE.

France.

The dietary is fixed by the Minister of the Interior, who alone has power to alter it. It is set out in certain charge books (combining both general regulations and specifications in detail of what these regulations actually require) which have been drawn up in view of the possible handing over to a contractor of the domestic services (including labour) of any particular prison.

The dietary is of course the same whether in the hands of the State itself or of a contractor.

GERMANY—PRUSSIA.

Germany—Prussia.

As to prisons under the Minister of the Interior.—The regulations respecting dietary are issued by the Minister, and can only be altered by him.

As to prisons under the Minister of Justice.—The Minister issues instructions as to dietary of the prisoners. These instructions can only be altered by him.

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AUSTRIA.

Austria.

The governor and the doctor decide on the scale of dietary, and the doctor must go through the kitchen once a week to inspect, and attend some meal every day. Every prisoner receives fresh water three times a day. The dietary of the Graz prison may be taken as an average specimen:—

1¼ lbs. to 2 lbs of bread (rye) daily.
A basin of a special Austrian soup at 6 a.m.
At 1 p.m. a vegetable soup and a second dish consisting of a kind of macaroni with garlic sauce (1⅛ lb. weight), or potatoes and other similar edibles.
On Sundays and Church holidays, meat soup, boiled beef (140 grammes), and vegetables are served.
And on Thursdays, meat soup with macaroni, boiled beef, and vegetables.

HUNGARY.

Hungary.

Prisoners confined in prison with or without hard labour are allowed soup, vegetables, bread; three times a week meat, and twice a week plain farinaceous puddings; four days a week they are given four meals a day, three days a week three meals.

In gaols (Gefängniss) prisoners are allowed bread in the morning, at noon soup and vegetables, and twice a week meat.

The scale of dietary is framed by the Minister of Justice in accordance with the report of the medical council, and it is the Minister of Justice who has the power of altering it.

The chief Public Prosecutor (Ober-Staatsanwalt) has, however, the power to increase the rations of food in exceptional cases if required by the medical officer.

BELGIUM.

Belgium.

The scale of dietary is framed and may be altered by the King and by the Minister of Justice.

SWEDEN.

Sweden.

The dietaries adopted in Swedish penal establishments are framed by the Royal Prisons Board in co-operation with the medical adviser attached to the Board, but they have to be submitted to the sanction of the King. The dietaries are based upon scientific principles. The present medical adviser of the Royal Prisons Board is Professor of Physiology at the Royal Medical School at Stockholm. Before the proposed dietaries are approved they are also examined by the directors of the Royal Medical Department.

NORWAY.

Norway.

At the penal institutions the convicts receive the food necessary for their nourishment according to a regulation concerning their diet issued by the Department of Justice Any changes in this dietary are also to be determined by the Department of Justice.

On the representation of the prison doctor, in cases of illness, such changes may be made in the regulation diet as he may deem necessary for the patient.

In the district prisons prisoners undergoing imprisonment on bread and water have a daily allowance of 7·50 grains soft bread, or half the quantity hard bread, a sufficiency of fresh water, and the necessary salt.

A prisoner under sentence of imprisonment or ordinary gaol allowance is given wholesome and sufficient food according to a dietary fixed by the sheriff with special regard to ordinary fare in that part of the country. In case of illness the doctor may prescribe such alterations in the prison dietary as he finds strictly necessary. The prisoners under arrest, if not content with ordinary gaol allowance may find themselves in food, but it must not exceed the limits of moderation.

SWITZERLAND.

Switzerland.

The dietary of prisoners varies much with different cantons and the importance that is attached to penitentiary education. Where moral reformation is not held to be the chief end of imprisonment, the diet affords little change and is insufficient to make up

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for the loss sustained by the bodily organs in performing penal labour. Meat figures rarely in the bill of fare (in some prisons the prisoners only get it twice a year), so that one finds prisoners who have been long subjected to such a diet attacked with anæmia in a more or less degree. But on rising to class of better organised penitentiaries, the dietary improves and azotic substances enter in a large proportion. The number of meals is three.

Breakfast in most prisons consists of a soup of wheatmeal or oatmeal, and the ordinary allowance is from ¾ to 1 litre. In French Switzerland prisoners receive from ½ to ¾ of a litre of café au lait. At Lenzbourg (Argau) breakfast is composed on alternate days of soup and café au lait.

Dinner consists, once or oftener a week, of soup (from ¾ to 1 litre) prepared with bread, vegetables, roots or leaves (foliacés) according to the season, and meat. In preparing this thick soup there is allowed from 250 to 500 grammes of butcher's meat per man per week. In some prisons (Lenzbourg and Zurich) the allowance of meat is divided among several of the week's dinners. It is cut into small pieces and is served with and in the soup; in some cases it is given as a separate ration. At Lausanne the ½ lb. of meat is supplemented by ¼ lb. of raw lard. At Geneva 250 grammes of boiled beef are given on Sundays, and on Thursdays the same quantity of chopped up pork, with potatoes. This thick soup is served out in certain prisons on Thursdays and Sundays, in others on Tuesdays and Fridays, so that these two more substantial and nutritive meals fall in the middle of the working days.

The thin soup is prepared with bread, the seeds of leguminous plants and vegetables in season, among which potatoes play too often a preponderating rôle.

Supper consists of soup prepared with rice, oatmeal, or barley meal, wheatmeal, maize, with or without the addition of potatoes or macaroni.

The quantity of bread allowed to each prisoner varies from 750 to 800 grammes a day. Cold water is the usual drink.

As a general rule prisoners in good health receive no wine. In some establishments prisoners who have reached the superior penitentiary stage are authorised to have served to them, at their own charges, milk or a supplementary and exceptional ration of solid food.

Prisoners engaged on laborious tasks receive a supplementary ration of milk (at (Zurich and Neuchâtel), and in very exceptional cases of wine (at Lenzbourg).

The choice and combination of the articles of food which make up the bill of fare for the three daily meals are rarely so regulated that the prisoner's diet is as varied as possible, and that the food taken in the 24 hours contain azotic and non-azotic nutritive elements in their proper proportion. A badly nourished man is little disposed to undergo the reformatory influence of the best penitentiary education.

Italy.

Italy.

Prisoners in "tribunal" prisons receive daily a ration of 2nd quality white bread, weighing 600 grammes, a ¼ litre of wine, and a soup to be selected by the director from among the various kinds enumerated in a table which forms part of the general prison regulations, and may not be altered arbitrarily.

Prisoners in penitentiaries receive a ration of bread of ordinary quality (the flour having been mixed with 15 per cent. of bran), a ¼ litre of wine, and a similar soup to the above-mentioned.

Two relaxations are allowed—(1) on public holidays the prisoners receive a portion of baked macaroni or of stewed meat in place of the flesh broth, or bread or vegetable soup, served out on ordinary days; (2) the prisoners can purchase extra rations or dainties, *e.g.*, coffee, out of their earnings. Tobacco may be thus purchased in "tribunal" but not in convict prisons.

Unconvicted prisoners are allowed to receive food from outside at their own or their friends' expense. A similar privilege is in certain circumstances accorded to those undergoing a sentence of less than six months.

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18. The provisions for instruction and for religious service?

America, State of New York.

America, State of New York.

In State prisons the chaplain must visit the convicts in their cells, and give them moral and religious instruction at least one hour in each week-day, and devote the afternoon of each Sunday to such instruction; furnish a bible to a convict if requested by him; visit daily the sick in the hospital, and each cell in the prison weekly; make a quarterly report to the warden of the number of convicts that have been instructed, the progress they have made, and the branches in which they have received instruction. Chapel service every Sunday forenoon.

Appendix I.

In penitentiaries, evening schools are held for all who wish to attend, provided their conduct is good.

Religious services are held only on Sunday, and the chaplain visits the prisoners in hospital, and those who are ill in their cells.

France.

France.

As to juveniles.—(1.) Juveniles have to attend on Sundays and saints' days the services of the religion to which they belong, and they receive from the chaplain religious instruction at least once a week in addition to their Sunday lesson.

A priest at the head of an establishment of correctional education, and thus the officer who decrees punishment, has to delegate to another the rite of confession.

So far as possible, a special chaplain is attached to every institution containing over 100 children; where the number is less, religious education is entrusted to the curé of the parish or his *locum tenens*.

(2.) For primary education, every juvenile has to attend school for an hour daily. At harvest time, however, those who are engaged on pressing work in the fields need only attend school on Sundays.

The instruction comprises reading, writing, the first four rules of arithmetic, and weights and measures; to which *may* be added mental arithmetic, mensuration, free-hand drawing, and the elements of French history and geography.

The schoolmasters have to keep careful note of their pupils' progress, and show their registers to the inspectors-general. The duties of schoolmaster are held to be compatible with that of every office in an institution, save that of simple warder.

The heads of establishments have to keep the Minister of the Interior informed of the method of instruction they propose to introduce.

(3.) For technical education, juveniles (boys; and girls from agricultural districts) are trained chiefly in agriculture and kindred industries, *e.g.*, that of wheelwright.

The maximum time for manual labour is 10 hours a day, and work is forbidden on Sundays and fête days. Elementary courses of agriculture and horticulture are given where there are practical facilities for such work; and, speaking generally, the aim is to take a child through the whole range of agricultural work, so as to discharge him completely equipped for the profession.

The directors of colonies may be authorised by the Minister to provide sedentary occupation for children less fitted for agricultural than industrial work. Only occupations which constitute an apprenticeship to an actual trade are admitted, and such require first the approval of the préfet and the Minister.

Directors of colonies, with the sanction of the Minister of the Interior, may let well conducted children out on hire to do agricultural work for private individuals, but only in restricted numbers. They can only do so in the case of industrial work when there are good public or really urgent grounds, and the préfet's approval has been obtained.

Juveniles out on hire are under a special guardian and on discharge are presented with half their earnings.

Establishments where industrial labour is authorised may only make articles for the use of the institution itself.

(General Regulations of 10th April, 1869.)

As to short sentence prisons.—An organised system of primary instruction is obligatory in the chief short sentence prisons (*maisons de concentration*) and is permissive in the rest. The duty is intrusted either to a special schoolmaster, or to the chief warder or other person selected. All illiterate prisoners under 40 years of age, able only to read or but imperfectly to write, are compelled to receive instruction for an hour a day at least.

Addresses may be delivered to the prisoners, for their instruction or edification, by specially selected officials or by laymen. The names of the latter require the approval of the Minister of the Interior on the proposition of the préfet, the subject of their address having been previously communicated to the director of the penitentiary district in which a particular prison is situated, and submitted to the préfet.

Prisoners are to be read to in a loud voice on Sundays and saints' days and during the evenings if no work is carried on.

There must be in every prison a library composed of books borne on the official catalogue. In establishments where work is regularly carried on prisoners are allowed books once a week at least. Prisoners not engaged on work, notably those awaiting trial, may have a book whenever they ask for it.

Religious services in the various classes of short sentence prisons are undertaken by ministers of the various faiths recognised by the State and which the prisoners may profess. These chaplains are nominated by the competent authority of the religious body in question, but the appointment requires the confirmation of the Minister of the Interior on the proposition of the préfet. The chaplains receive pay.

The services are the usual ones of the particular sect and are held at the hours fixed by order of the préfet.

The priest or minister has besides to visit all prisoners, whether sick or not, who may ask for him. In no case can he be a member of the watch committee of the prison.

No prisoner is obliged to attend religious worship if he declares that he objects.

Ministrants to assist in the service may be selected by the director or chief warder from among the prisoners, with the consent of the latter, and on the proposition of the officiating chaplain.

(Decree of 11th November 1885, articles 87 to 93.)

As to long sentence prisons.—The arrangements for religious services are to all intents and purposes the same as those described above in connexion with short sentence prisons.

Instruction is not given to prisoners indiscriminately; it is obligatory for the younger prisoners, but in the case of the older criminals it is allowed as a reward for good conduct and industry. The primary instruction given comprises reading, writing, elementary grammar and arithmetic, and weights and measures. This may be extended to meet the requirements of adults on the authority of the Minister of the Interior. In order, however, that education may be moral as well as secular in its character, the chaplain is expected to co-operate with the schoolmaster. The period of instruction should be as a general rule two hours, but may be fixed by the director acting on the advice of the chaplain and schoolmaster, and subject to the approval of the préfet and the Minister of the Interior. The reading of good books, either to prisoners in association or by prisoners in separation, is encouraged.

The schoolmaster, who must have a satisfactory diploma, forms part of the regular staff of a prison. He ranks next to the accountant, with whom he competes for promotion. His spare time should be devoted to clerical or other duties connected with the prison.

The instruction of female prisoners is entrusted exclusively to schoolmistresses.

Quarterly and annual reports showing the progress should be sent to the Minister of the Interior.

(Order of 25th December 1819, M. de Gasparin's Report of 1st February 1837, Circular of 24th April 1840.)

GERMANY—PRUSSIA.

Germany—Prussia.

As to prisons under the Minister of the Interior.—In the larger and middle-sized prisons a service is held every Sunday and Saints' day, and once during the week, for Christian prisoners according to the rites of their faith. Opportunity is given during every quarter to receive the Holy Communion.

For Jews a service is held on the Sabbath and on the more important Jewish feast days.

The prisoners are obliged to attend the church services.

Prisoners under 30 years of age take part as a rule in school instruction, if their sentence is of more than three months' duration.

As to prisons under the Minister of Justice.—No prisoner may be denied religious consolation. Care must be taken for the appointment of a pastor and the conduct of regular services in all prisons which contain on an average at least 10 prisoners holding the same Christian creed.

As a rule public service is held every four weeks in prisons whose inmates number under 50 of the same creed, in prisons containing more than 50, every fortnight, and in those prisons having chaplains attached to them, every week.

Prisoners detained for trial may only go to public service by the express sanction of the judge. Prisoners undergoing punishment must attend the regular service, unless they are ill, or are excused on special grounds by the overseer.

Political prisoners are free not to attend public worship.

Opportunity is granted to prisoners to attend Holy Communion; no prisoner must be forced to do so.

Special devotional exercises can be held in certain appointed places for Jewish prisoners and on Jewish holy days.

In establishments for young prisoners, they all without exception receive religious teaching and instruction in these subjects which are taught in the national schools.

The Minister of Justice must arrange for each prison whether, besides giving religious instruction, a school should be organised in certain prisons for the reception of grown-up prisoners.

All prisoners in custody in these prisons are bound to receive their share of instruction, who still need religious or secular teaching, and who have not passed their 30th year. Older prisoners may, if they wish, also participate in attending the school.

AUSTRIA.

Austria.

In order to improve the general moral standard of the prisoners, and to help them to gain a livelihood on discharge, school-teaching is compulsory for all Austrian prisoners up to their 35th year (in the case of females up to 30 years of age). Every prisoner must be examined orally as to his state of education 24 hours after reaching the prison, and a report is made by the teacher and by the chaplain to the governor. Some prisoners are taught literary subjects, even up to their 50th year. Education includes the ordinary subjects of a primary school, and drawing, music in certain cases, and agriculture; and teachers are obliged to attach more importance to the strictly practical views of education than on its more general tendencies. The general course of teaching is carried out as much as possible in ascending grades, according to the three disciplinary classes, which usually correspond with the amount of time the pupil has passed in the prison. There are usually two school hours a day for each different class, and in some hopeful cases pupils are excused hard labour in order to attend more hours at school. Lectures are held on subjects of practical interest and utility every Sunday and Church holiday. Examinations are held by strangers every six months, and money prizes awarded to the most industrious pupils. Warders are present to keep order during school hours, as well as the teacher.

A religious service is held twice on Sundays, forenoon and afternoon, and morning prayers are read in chapel every week day as well, at all of which every prisoner must attend, unless specially excused for sickness, &c. Religious teaching forms as much a part of the ordinary schooling as in a primary school. Different chaplains attend for the numerous different sects in Austria, but, as Catholics are in a vast majority, prisoners of other beliefs are usually placed in one or two prisons specially adapted for this purpose.

HUNGARY.

Hungary.

Instruction is obligatory for all prisoners sentenced to confinement, with or without hard labour, under 30 years of age, except in the case of educated prisoners, and of those who are mentally incapable.

Prisoners above the age of 30 years may on their own wish or on the order of the director also take part in the instruction.

Instruction is given during five to eight hours weekly in two classes.

Moral and religious instruction is given to the prisoners by the chaplains of their respective confessions during one hour weekly, and besides this sermons are delivered on Sundays and holidays.

BELGIUM.

Belgium.

Schools are attached to the central prisons and to the more important secondary prisons. By the regulations all prisoners, unless excused by the director on cause shown, must as a general rule attend these schools, where the masters give them primary instruction; moreover the prisoners are read to in a loud voice, the readings being accompanied by familiar explanations and practical observations.

There are chaplains in all prisons for all recognised forms of belief, and every facility is given to prisoners to enable them to discharge their religious duties.

Sweden.

Appendix I. Sweden.

It is the duty of a prison chaplain (according to the rules of the 3rd of June 1846), "to fill with fervour and zeal, in a truly Christian spirit, his holy vocation, to lead to "repentance those who have fallen, to awaken in them an earnest desire to live a "better life and to inspire them with the hope of salvation and with faith in the "covenants of grace." In addition to such pastoral functions as belong to the office of every minister of the Gospel, viz., the preaching of the word of God and the administering of the holy sacraments, it is an important duty incumbent upon the chaplain to exercise his influence by visits to the prisoners in their cells. The chaplain has therefore (according to the rules) "to visit every prisoner immediately after his "arrival at the prison, or as soon as he possibly can do so, in order to inquire into the "state of mind of the prisoner, his knowledge of Christianity, and former conditions of "life." The chaplain has also to keep a special church register and a journal showing the daily number of visits to prisoners under cellular confinement and his discharge of other pastoral duties. Divine service has to be held in every prison on Sundays and feast days at such hours as are usual in churches.

School instruction is given in all the central prisons by resident schoolmasters; by female teachers in penal establishments for women. Prisoners under 35 years of age are as a rule obliged to attend school. At the chief central prisons the schoolmasters have also to insert biographical notices concerning every prisoner in a special book for this purpose.

Norway.

Norway.

At the penal institutions divine service is held for the prisoners every Sunday and holy day, and there is reading from the Bible, or a religious lecture, once a week on some other day.

Divine service must be attended by all the prisoners, but it is left to the discretion of the governor, after consulting with the chaplain, to allow a prisoner exemption from this rule for a shorter or longer period.

The prisoners receive religious instruction, are taught their mother tongue, writing, arithmetic, and some branches of natural science, as also history, geography, and singing. In the ordinary instruction every prisoner must, as a rule, take part. At the common prisons, however, only those that have not completed their 35th year are compelled to attend school. But the latter may be permitted to attend by the governor should they so wish.

In the district prisons, with the exception of the large district prison at Christiana, divine service is as a rule not held, though the prisoners are visited by the chaplain. Instruction is generally imparted to the prisoners under 15 years of age as also to other convicts who are sentenced to long tems of imprisonment if, in consequence of a neglected education, or from other causes, instruction be desired; and it is imparted by a teacher specially appointed for this purpose, and, as a rule, to each prisoner separately.

Switzerland.

Switzerland.

Organised schools are to be found in the penitentiaries of S. Jaques (S. Gall), Lenzbourg (Argau), and Neuchâtel. In several other establishments lessons are given by the chaplain. There are even cases where the duty is entrusted to a prisoner if he is a schoolmaster by profession, or if he shows aptitude and possesses the necessary knowledge for the work. In Zurich prison, the school which has for some time been closed, will be re-opened shortly. Instruction is almost or entirely neglected in the prisons of some cantons, whose system is antiquated, and in several houses of correction where association by day and night still obtains.

In establishments where there are schools all the prisoners, save those excused on account of age (about 45 to 50 years), and those undergoing cellular confinement, attend class, where they receive from four to six hours' instruction a week. Prisoners in the cellular stage are visited by the schoolmaster in their cells, and there commence their course of instruction.

In well organised penitentiaries, the amount of a prisoner's education is ascertained on his entry. The result of this examination shows the necessity of maintaining three classes, corresponding with the three standards of primary education. In the first class the instruction is elementary, and the prisoner is led on by easy stages in the second class to the branches of technical education, which are dealt with in the third.

Appendix I.

In the programme of the best organised penitentiaries there even figure mathematics, physics, and the technical arts, so far as these sciences find their application in crafts and manufactures; then come modern languages, French in German prisons, and German in Roumansch-speaking Switzerland (Neuchâtel). Sometimes prisoners are allowed to learn English, and often drawing.

Progress differs much with different individuals. Some distinguish themselves by their zeal and power of assimilation, while others advance but slowly. The organ of thought has lost its force by disuse. The sense of memory is often defective, and the result is a want of energy which renders a man indifferent. Nevertheless, progress is very satisfactory, as a general rule, and particularly so in the case of the young, for whom this supplementary and tardy education has a new importance on their discharge.

Ministers of the Reformed and Roman Catholic faiths act as chaplains in all prisons. In well organised establishments, where the number of prisoners of both faiths is sufficiently large, two ministers are charged with the religious duties belonging to their respective faiths. The rabbi residing nearest to a prison is invited to visit the few of his co-religionists who may be confined there. In establishments whose organisation is defective the chaplains confine themselves, as a rule, to the celebration of the religious service. In proportion as the category of prisons is reached, whose aim is moral reformation, these officers will be found to visit the prisoners regularly, to console and advise them, to direct the religious instruction of young offenders, and generally to fulfil in regard to them all the duties of their calling.

In some prisons the distribution of books from the library falls on the chaplain.

Italy.

Italy.

Education in non-religious subjects is compulsory for prisoners under the age of 25 years, and for every inmate of houses of correction and reformatories. The instructor is either a schoolmaster or the chaplain.

Prisoners who behave well may be admitted to the prison school, even after attaining the age of 25.

Persons awaiting trial, under the age of 21, are admitted to the school, with the consent of the proper judicial authority.

As a rule, in the prison schools, the ordinary elementary course of the public schools of Italy is followed, and lectures are given by the chaplain and schoolmaster.

Minors, in the houses of correction and reformatories, are taught also drawing, music, and gymnastics.

Religious service is performed in every penitentiary by a chaplain, who celebrates mass every saints' day; gives instruction in the catechism and morality; and lectures on moral and educational subjects, as well as visiting the sick and those undergoing disciplinary punishment, and those who are about to quit the prison. The chaplain also controls the assignment of good and bad marks as far as regards the moral character of the prisoners.

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19. Is the reformation of prisoners attempted by marks, by remission or gradations of punishment within the prison, by gratuities, or how otherwise?

America, State of New York.

America, State of New York.

There is an elaborate system of marks and gradations in use in the State Reformatory at Elmira.*

France.

France.

With a view to reform prisoners and to encourage them to work and behave well the prison administration has at its command the following means:—

(1.) Pardon, or the remission of a portion of a prisoner's sentence. This is granted by the President of the Republic, on the proposition of the Minister of Justice, the prisoners having been singled out by the Minister of the Interior as deserving some degree of mercy.

* *See* account of Elmira on page 526.

(2.) Conditional discharge (law of 14th August 1885).

(3.) The employment of a prisoner as overseer or clerk in the manufacturing or other department of a prison, whether carried on by contract or not. As in the case of offences, any distinction gained by a prisoner is entered in the register showing his character, which serves to guide the Minister of the Interior in any action he may take under the first head.

(4.) An increase, by way of reward, in the portion of his earnings which a prisoner may claim, an increase which enables him to purchase supplementary rations.

(5.) The granting of extra privileges or money to prisoners who have already reached the maximum sum they may claim of the value of their earnings.

GERMANY—PRUSSIA.

Germany—Prussia.

As to prisons under the Minister of the Interior.—No such system as the mark system exists.

As to prisons under the Minister of Justice.—The system of marks for indicating the gradations of reformation does not exist.

AUSTRIA.

Austria.

Marks have not been adopted in Austria to help in classifying prisoners and their conduct, but the system of three disciplinary classes, as previously described, with rapid or slow promotion from one to the other, is in use. Besides, the system of money reward or pay, described in the replies to questions 12 and 13, with liberty to use half of this money for daily comforts in food or otherwise, and the other half to be a small capital sum on discharge, is thought a sufficient inducement to industry. The decision on these points is taken by the governor as a result of examination of the prisoner's work.

HUNGARY.

Hungary.

Prisoners who have furnished decided proofs of good conduct and moral improvement may be distinguished by marks to be attached to their clothes.

Prisoners of good conduct may also spend a certain part of the remuneration due to them for the work they have performed during the time they are in prison.

BELGIUM.

Belgium.

The marks system does not obtain in Belgium. The administrative commissions are authorised to submit to the Minister of Justice the proposals for conditional liberation, for pardon, or for reduction of punishment, in favour of prisoners who distinguish themselves by their good conduct, or who, in consequence of peculiar circumstances, seem such as should be recommended to the royal mercy or liberated conditionally. Prisoners receive a portion of the money earned by their work, but this portion cannot be increased by good conduct on their part, or with a view to improve their morale. The other means employed to stimulate zeal and effect a reformation are the following:—Admission to certain confidential duties, the domestic service of the prison, and various exceptional kinds of work, extensions of the privileges of visits and correspondence, permission to use tobacco, either as snuff or to smoke, provided that in the latter case smoking is limited to the period of outdoor exercise, the granting of certain means of relaxation and recreation, *e.g.*, gifts of books, tools, and various objects.

SWEDEN.

Sweden.

From what has been stated above with reference to separation (*vide* reply to question 15), it will be easily understood that in the penal system now adopted in Sweden there is no room for "marks" or other forms of the progressive system. During a previous period, or before the extension of the separate system, a certain progressive classification of the prisoners in association with regard to their behaviour was introduced, but this classification has now been given up as not equal to its purpose. Neither has the Swedish prisoner the opportunity of earning the remission of any portion of the original sentence on account of good behaviour and industry.

The Director-General of Prisons and Parliament have, however, directed the attention of the Government to the question of conditional liberation, and the Government has recently asked for the opinion of the Royal Prisons Board upon this subject.

In this connexion attention may be drawn to a penal reform of great importance which was effected by the new regulations concerning the earnings of prisoners in the central penal establishments (given the 24th of October 1890). The first clauses of these regulations are as follows:—

§1. "A prisoner who in any of the central penal establishments is passing his term of penal servitude has *no right* to any share of the profits arising from the labour he is performing, but as an encouragement and as a reward for industry and well-done work a gratuity may be given to him.

§2. "The gratuities are paid in proportion to industry and skill, according to a scale fixed by the Prisons Board, with the proviso that no prisoner shall receive more than 30 öre (=about 4*d.*) per working day, unless he be a foreman or have exhibited special zeal and skill, in which case he may receive at most 40 öre (=about 5½*d.*) per working day."

The prisoners are allowed to spend at most one-half of their gratuities to buy certain quantities of bread, milk, margarine, cheese, &c. (but *no* tobacco in any form), as an augmentation of the prison diet, and for other expenses allowed by the rules of the prison, *e.g.*, postage, the support of near relatives outside the prison, &c. The other half, on the contrary, the prisoners may not dispose of, but it is paid in on their account into the Post Savings Bank, together with such part of the disposable half as has not been spent for the purposes mentioned above. The savings of the prisoner are, however, not wholly at his command, even after his release. Even *then* he is not allowed to take out from the bank more than a certain sum per month, depending upon the amount of his earnings, viz., 10 crowns (= 11*s.* 2*d.*), if the savings do not amount to 100 crowns, 15 crowns, if they amount to 100 crowns but not to 150 crowns, and so on. Savings not amounting to 20 crowns the prisoners may dispose of without restriction.

The savings of a prisoner are forfeited to the State if he has made himself guilty of crime or certain grave offences within a penal establishment, and also after his liberation if he is reconvicted on account of crime, or sentenced to forced labour for vagrancy. Hence the right of the prisoner to dispose of his earnings is only conditional.

These regulations have proved very useful, chiefly because they counteract the dissipation of the savings of discharged prisoners. They are also efficient preventives against other evil habits prevailing among habitual criminals after their release from the prisons, apart from their disciplinary effect in general.

Prisoners in local gaols receive one-third of the profits of their work.

Amongst other methods adopted in Sweden for the reformation of the prison population, special importance is attached to the regular visitation of the prisoners when kept in cellular confinement, since it belongs to a right administration of the separate system to prevent separation from becoming isolation. The Royal Prisons Board, therefore, does all in its power to impress upon the prison officials the necessity of visiting the prisoners in their cells. Governors, deputy governors, chaplains, medical officers (*vide* also reply to question 20), are all bound by their instructions to see the prisoners as often as possible. Governors and deputy governors have by recent circulars from the Royal Prisons Board been ordered to keep special journals showing the number of visits made by them to prisoners in solitary confinement.

Private societies for the regular visitation of prisoners have also been formed. These societies are composed of such judicious ladies or gentlemen as possess the necessary qualifications to work for the reformation of prisoners in a Christian spirit. Rules have been fixed by the Royal Prisons Board for the work of these societies with due regard to the demands of prison discipline. Societies of this kind which are active in penal establishments for males are exclusively composed of gentlemen.

The general principles of the penal system now in operation in Sweden are accordingly: complete separation, strict observance of all the prison regulations, steady work (encouraged by moderate, partly conditional gratuities), good reading, sound religious influence, and a judicious aid of discharged prisoners.

NORWAY.

Norway

In all penal institutions there is a progressive classification, or system of progressive stages, intended to give the convicts the possibility—if they diligently and seriously

Appendix I.

try to fulfil their duties and take their punishment in a proper manner—of improving their condition by degrees.

In each grade or class there is prescribed a minimum period, which, without exception, must be passed in that grade. These minima are longer for recidivists than for convicts that have never previously been in a penal institution. In all the grades, with the sole exception of the first, the convicts are allowed money for their labour, which can rise to 12 öre (1½*d.*) per working day. The money saved is generally placed in a savings bank and accumulates until the convict regains his liberty. The money may not be used by the convict during imprisonment for his own wants, but, on application from the convict, the Governor may permit a sum not exceeding half the savings to be paid to relations of the convict who may be in want.

On being promoted to a higher grade the convict obtains certain privileges as an increase in his payment for work accrues, and he is allowed instruction in various branches, more extensive opportunities for correspondence, receiving visits from friends, being allowed copy and drawing books, the permission to have the portraits of his family in his cell, as also various useful and serviceable objects besides those appointed in the regulations, &c. Convicts in the very highest class may also be allowed other and more extensive privileges, so long as they are compatible with the due order of the institution.

"Marks" are not used.

In the district prisons those prisoners that are employed on public works are allowed wages, and the money thus earned by them may be used either to buy things that they are permitted to have in the prison or in some other way or other.

Switzerland.

itzerland. The system of progressive classification necessitates the entry in a register of good or bad marks, indicating the conduct of a prisoner, his application to work, his due observance of the rules, &c. Promotion, and subsequently provisional discharge, rest upon the number of marks gained. Generally speaking, where the system of provisional discharge obtains the number of free pardons (grâces) has diminished.

Italy.

Italy. The whole Italian prison system has for its chief aim the progressive reform of the prisoners. As the Code lays down that the punishment, *more severe at first*, should diminish in severity by the passage from solitary confinement to life in common, and from the penitentiary to the "intermediate" prison, leading up finally to conditional freedom, so the Italian prison regulations lay down a classification of prisoners in categories according to the different stages of their punishment, and the passage from one category to another, always diminishing gradually the severity of treatment according to the prisoners' conduct and their perseverance in self-improvement, in order to give the prisoners themselves an interest in their own improvement and to make them co-operate in the reform attempted.

To secure the end aimed at, the regulations provide for retrogression in the different categories, and for advancement as a reward.

Passage from one category to another is determined by the assignment of good or bad marks for good or bad conduct during the course of every month.

The rewards held out to those belonging to the class of "probationers" are the following:—

(1.) Praise given by the director in the presence of an official, of the commandant, or of the chief warder;
(2.) Permission to procure books;
(3.) Permission to send assistance in money, &c., to their own families, or also to the families of the persons against whom the offence may have been committed;
(4.) Free gift of letter paper and stamps, but not oftener than once in three months.

For prisoners in the "ordinary" class:—

(1.) Permission to have a light burning longer than usual in their cells or cubicles;
(2.) Admission to the prison school;
(3.) Permission to write more frequently and at greater length than usual to their families.

Appendix I.

For prisoners in the "deserving" class:
(1.) Prolongation of the hours of exercise and rest;
(2.) Permission to receive more frequent visits from their families, and in a separate room;
(3.) Increase of wage by one-tenth;
(4.) Special recommendation to charitable societies;
(5.) Recommendation to the King's mercy.

Prisoners in solitary confinement, who belong to the "deserving" class, may be admitted to the "intermediary" industrial or agricultural penitentiaries when they have undergone one-half of their sentence; and they may attain conditional liberty after undergoing three-quarters. Under similar circumstances, those condemned to simple imprisonment may be given conditional liberty after having undergone one-half of their sentence.

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20. The arrangements for medical inspection and treatment.

America, State of New York.

America, State of New York. The physician of a State prison must reside within one mile of the prison, and attend daily, and at all times hold himself in readiness to discharge his duties; examine weekly the cells, and ascertain if they are kept in a proper state of cleanliness and ventilation, and report the same in writing to the warden; take charge of the hospital, and attend the convicts there or in their cells, and examine daily the quality and state of the provisions supplied to the prisoners. He is not allowed to engage in private practice.

Physicians at other prisons can engage in private practice, but are required to visit the prisons daily, and must be always within call.

France.

France. *In short sentence prisons* the medical service of the prisons comprises—
(1) visits to sick prisoners;
(2) their treatment, and that of the prison staff;
(3) surgical operations, except the most serious ones;
(4) superintendence over the preparation of food and drugs;
(5) periodical inspection (at least once a fortnight) of the different buildings connected with the prison;
(6) visits to prisoners of either sex about to be transferred, with the duty of pointing out to the chief warder those whose transfer should be delayed;
(7) the keeping of medical records, &c.

The medical officer is nominated by the Minister of the Interior, his substitute by the préfet or sous préfet. He cannot hold the office of mayor in the district, nor be a member of the watch committee of the prison.

He has to visit the prison every day, and to see once a week at least, in presence of the chief warder, such prisoners awaiting trial as may be kept in separation, and prisoners who are undergoing solitary confinement or punishment. His prescriptions have to be in writing and signed by him, and those relating to infirmary cases have to be entered in a special register. They are handed by the chief warder to the chief contractor or to the official compounder.

Save in the case of infectious diseases sick prisoners are treated in the prison infirmary. But should it be impossible to establish an infirmary in any prison, invalids may be transferred to a hospital, with the consent of a magistrate or judge, if the prisoner be awaiting trial, or of the préfet or sous préfet if he be a condemned prisoner or debtor. These cases have to be carefully entered in the medical officer's register, and are treated in the hospital in a special ward.

The medical officer is, of course, consulted with reference to prisoners whom it is proposed to employ as nurses.

Sick prisoners have special bedding, food, and clothing; with a view to avoid infection every prisoner, whether ill or not, has his own drinking vessel and towel.

The medical officer has to make an annual report on the sanitary condition of the prison population, and the causes and characters of the diseases which have attacked prisoners. This report is addressed to the préfet, who sends it on to the central administration with the obs rvations of the director.

(Decree of 11th November 1885, Articles 74 to 86.)

In long sentence prisons the system is the same in essential details as that described above, but is naturally more elaborate. There are in each prison one or two medical officers and one or two compounders, according to the size of the prison. A prison is held to require the service of a second medical officer when its mean general population exceeds 1,000, or its mean infirmary population exceeds 80. Where the prison is situated in a town the medical officers and the compounder need not actually reside within the prison, but in a prison situated in the country one medical officer at least and the compounder must reside in the prison.

There are one or two head nurses selected from among the warders or sisters of some religious order, whose assistants are chosen, as in short sentence prisons, from among the prisoners.

The following are points where the system in long sentence prisons seems more highly organised than in short sentence prisons :—

(1.) Serious surgical operations are only undertaken after consultation between the prison surgeon and a surgeon practising in the nearest town;
(2.) Two visits a day have to be paid to the infirmary;
(3.) Every prisoner has to be examined medically on reception, either on the day he comes in or the day after;
(4.) Prisoners who have a claim to see the medical officer, but who are not in the infirmary at specified hours, are collected into two groups :—(*a*) those who wish to consult him as new patients; (*b*) those who have already consulted him and are undergoing some light treatment;
(5.) The registers to be kept by the medical officer are more elaborate, and include one showing his recommendations in each case where a prisoner has made some complaint with regard to his health, or asked for a change of work supplementary rations, &c. ;
(6.) Similarly the compounder has to keep records showing the state of his store of medicines, &c., and the precise amount of each particular drug, &c. which he has dispensed.

(Circular of 5th June 1860.)

Germany—Prussia.

Germany—Prussia.

As to prisons under the Minister of the Interior.—In every prison a physician is provided to superintend the health and sanitary arrangements of the prison and to treat sick prisoners.

As to prisons under the Minister of Justice.—In every prison a physician is provided to superintend the sanitary arrangements of the prison and to attend to the sick prisoners.

Austria.

Austria.

Elaborate rules have been drawn up as to the duties of the prison doctors and their assistants, who must examine every prisoner at least once a week in passing through the workshops. Prisoners in solitary confinement must be visited at least once in three weeks, and special attention has to be paid to their mental condition. The doctor must keep a register of every lasting case that he treats.

Hungary.

Hungary.

Prisoners in case of illness receive careful medical attendance. If the medical officer requires it they are sent to the prison infirmary. Patients who suffer from contagious diseases are treated separately, and are isolated from each other.

Prisoners may at their own cost consult other medical men than those of the prison.

Patients are nursed by other prisoners designated by the medical officer and the director of the prison.

Belgium.

Belgium.

The medical service of the prisons is under the superintendence of the Inspector-General of the Army Medical Staff. There is in each prison at least one medical officer, charged with the care of all that concerns its hygienic condition as well as with the duty of attending to the sick. He has to make reports daily and every three months to the Inspector-General of the Army Medical Staff.

The medical officer attends at the prison daily, and even several times daily when his presence is required. He looks after the reception of medical stores, and is present at the monthly conferences. In case there is danger lest a sick prisoner may die of a serious illness, contagious or otherwise, or a serious illness breaks out, or a prisoner actually does die, the medical officer takes the prescribed measures, acting under conditions laid down by the regulations, but he may at his own discretion treat a particular case as urgent or not. Every three years he sends to the Minister of Justice a report on the work of his department during the triennial period.

So far as concerns the treatment of mental cases this is entrusted to three special medical officers, alienists by training, each having the care of a certain number of prisons, the total number of which is for this purpose divided into three divisions.

Sweden.

Sweden.

Every prison, central or local, has its special medical officer who has to attend on sick prisoners, and to see that the sanitary arrangements of the prison are in due order. It is the duty of the medical officer to visit all the prisoners at least once a week, and those who are sick daily, or as often as he considers necessary. There is in every prison a bath-room, where every prisoner is bathed on his arrival, and afterwards as often as is required to satisfy the claims of cleanliness and health.

On account of the extension of the separate system (in pursuance of the law of the 29th of July 1892), the Royal Prisons Board has, in a memorandum of the 20th of January 1893, directed the attention of the governors and medical officers of certain central prisons, to which prisoners under long sentences are sent, to the necessity of careful observation of the prisoners undergoing cellular confinement with regard to the influence of the same upon their health and state of mind. If the cellular confinement is found to exercise such pernicious influence upon the health of any prisoner as may make it necessary to suspend this kind of punishment, this is to be reported by the governor to the Royal Prisons Board, and the medical officer has to draw up a detailed description of the case in order that the Board may be able to take into consideration what measures are to be taken with regard to the prisoner in question.

The medical officers of the local gaols are, by the 24th clause of the regulations of these prisons, reminded of their duty to give attention to the influence of the cellular prison system upon the state of mind of the prisoners, and, if a prisoner is found by him to suffer from melancholia or any other mental disorder, to give such prescriptions as to the treatment of this prisoner as he may think fit.

There is no special criminal lunatic asylum. Insane prisoners are removed to the public lunatic asylums of the State.

Norway.

Norway.

The doctor attached to the penal institution has to see to everything that can be conducive to or improve the health of the convicts, as also the prevention of illness or its spread among them, and, with this object in view, must repeatedly inspect the sanitary conditions of the prison. Each convict on entering must be examined as regards the state of his health by the doctor. In case of illness the prisoner is treated according to the doctor's orders, and, if it be necessary, is placed in the hospital ward of the institution. Should it be found necessary to remove a prisoner to a hospital or madhouse, as a rule the consent of the Department of Justice must first be obtained.

The doctor must keep an account of the cases of sickness that occur, and yearly forward a report thereon to the Department of Justice. At the penitentiary a superior medical officer is appointed to control the sanitary conditions of the prison.

In the district prisons, in case of illness, the patient is treated by the prison doctor or by a physician called in, and if he cannot receive proper treatment in the prison he is placed in hospital.

Switzerland.

Switzerland.

The sick are excused work on the order of the medical officer of the prison. Slight ailments are treated in the prisoner's cell or in associated dormitories; those who are more seriously ill are placed under medical care in the infirmary, which is to be found in some prisons. This infirmary, looked after by the medical officer of the prison with a warder-nurse under him, leaves little to be desired, especially in establishments of a

APPENDIX I.

modern type. There are generally to be found attached to it a small dispensary, and all that is necessary for medical treatment.

In the antiquated houses of correction serious cases cannot be treated; they are transferred to hospitals.

Prisoners showing symptoms of mental alienation are taken to a lunatic asylum.

ITALY.

Italy. One or more physician-surgeons are attached to every Italian prison for reasons of health and sanitation. Visits are made daily to every sick prisoner, either in the infirmary or out of it; and the doctor must always be ready to be called in for sudden cases of sickness.

He visits frequently all the prisoners' quarters and the inmates, besides the food stores and the drug store, and has to see that sick prisoners are given their special diet.

There is no special provision in the regulations for methodical inspections. If necessary recourse is had to the provincial chief doctor attached to the prefecture.

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21. Is any special arrangement made for the study of insanity in prisons?

AMERICA, STATE OF NEW YORK.

erica, ate of ew York. Yes, at the Matteawan State hospital.

FRANCE.

rance. Prisoners awaiting trial, and short-sentence prisoners (*i.e.*, sentences up to 12 months) detained in departmental prisons are, when duly certified to be insane, placed in departmental lunatic asylums, where their maintenance is chargeable to the Minister of the Interior. They receive in these asylums the special treatment demanded by their condition, which could not be afforded them in prison infirmaries where there are neither the means nor the staff suited for dealing with mental cases.

For long-sentence prisoners who become insane, the administration has set apart a special section of the central prison at Gaillon (Eure), which is fully equipped to deal with them. With the exception of the medical officer at the head of this section, who may be called upon to make observation of any particular case, there exist no special arrangements for the study of insanity in prisons.

GERMANY—PRUSSIA.

Germany—Prussia. *As to prisons under the Minister of the Interior.*—In the Moabit prison in Berlin a ward is prepared for the reception of "Zuchthaus" prisoners who are suspected of being insane, in which they are watched and treated. If they prove to be insane, and irresponsible for their actions, they are exempted from punishment and confined in the ordinary lunatic asylums.

As to prisons under the Minister of Justice.—No special arrangements for the study of insanity exist under the administration of the Ministry of Justice. In the rare cases of necessity, use is made of the lunatic ward in the Berlin (Moabit) prison under the administration of the Ministry of the Interior.

AUSTRIA.

Austria. There are no special arrangements in lunacy matters, excepting that the doctors are bound to communicate with the authorities or family of any prisoner in whom insanity is suspected, for the purpose of collecting data to decide as to whether he should be transferred to a lunatic asylum; and such transfer takes place on the order of the governor as soon as it is decided by a council of doctors and officials that a prisoner is insane.

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HUNGARY.

Hungary. There is no special arrangement for the study of insanity in prisons.

BELGIUM.

Belgium. As stated in the last paragraph of the answer to Question No. 20.

SWEDEN.

Sweden. There is no special arrangement for the study of insanity in prisons.

NORWAY.

Norway. There is no special arrangement for the study of insanity in prisons.

SWITZERLAND.

Switzerla There is no special arrangement for the study of insanity in prisons, but the question has often been raised whether there should not be.

ITALY.

Italy. Mad prisoners are removed to judicial asylums, but there are no special provisions for the study of madness among Italian prisoners.

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22. What are the arrangements for the inspection of prisons? Is there any inspection save by officers appointed by the Government?

AMERICA, STATE OF NEW YORK.

America, State of New York. The superintendent of State prisons visits the prisons under his care once a month, and so do the Commissioners of Charities and Correction those under their charge. The members of the Prison Association of New York are delegated to visit prisons.

FRANCE.

France. As to the system of inspection, there are first the inspectors general, who, as pointed out in the answer to the first question, not only carry out the ordinary duties of inspection, but also on occasion sit as a consultative committee. Then officials of the central office of penitentiary administration may be called upon by the Minister of the Interior to undertake special missions of inquiry.

There are, further, certain watch committees (*commissions de surveillance*) whose duty it is to report upon questions connected with the sanitary condition, building and repairs, the internal regimen, labour, &c. of each prison. These committees are presided over by the préfet or sous-préfet; in towns where sits a court of appeal, the President-in-chief and the Procurator-General, and in other towns, the President of the Court of First Instance and the Procurator of the Republic have *ex officio* seats on the committee; the remaining numbers are chosen from among persons of position in the town.

Préfets, sous-préfets and mayors have in virtue of their office a right to control the various services of the prisons within their jurisdiction.

GERMANY—PRUSSIA.

Germany—Prussia. *As to prisons under the Minister of the Interior.*—The inspection of departmental prisons is made by the administrative president, who orders an inspection of the prisons in his department to be made every three months by a higher official.

APPENDIX I.

The supreme inspection of all prisons is made by the Minister of the Interior, who orders an inspection, as a rule, every three years by a commissioner.

As to prisons under the Minister of Justice.—The supervision of the prisons of a province or of a higher land court is in the hands of the Chief State Attorney, who, as a rule, makes a personal inspection every year or every second year, or delegates this duty to another State Attorney.

The supervision of all prisons under the jurisdiction of the Ministry of Justice is in the hands of the Minister, who entrusts the inspection to a commissioner whenever he considers it necessary.

AUSTRIA.

Austria.

There is no inspection save by Government officials, sent out periodically by the Procurator-General in whose district the prison lies, or by the Ministry of Justice in cases where circumstances seem to require a special commission of inquiry.

The Procurator-General must make a written report annually to the Ministry of Justice of all the prisons in his particular district, and is bound to visit them all at least once annually, and hear complaints from the prisoners and suggestions from the officials. He may decide matters himself or refer them to the Ministry as he deems best.

HUNGARY.

Prisons attached to the different tribunals are under the superintendence of the Public Prosecutors (Staatsanwalt); those attached to the district courts are under the superintendence of the judge of the district court. The chief Prosecutor (Oberstaatsanwalt) visits these prisons from time to time.

The Minister of Justice superintends the prisons and all houses of detention in general.

Prisons attached to the tribunals and district courts are also inspected by a municipal committee. This committee, consisting of the chief medical officer and four other members of the municipality, visits the said establishments four times a year and submits its report on the subject to the Minister of Justice.

Permanent committees are also attached to each tribunal, whose duty it is to make proposals for the transfer of convicts to the intermediary houses, or for their conditional discharge. This committee, therefore, necessarily superintends at the same time the general condition of the prisons in question.

BELGIUM.

Belgium.

The service of the inspection of prisons comprises three sections, the general inspection of prisons, the inspection of buildings, and the control of accounts, which are entrusted respectively to an inspector general, to an inspector of buildings, and to a comptroller of accounts. The objects of these different inspectors are as follows: *In the case of the first*, inspection has regard to general questions of penal repression and the various penitentiary systems which exist, to the reformation of prisoners, to the execution or otherwise of the law respecting conditional discharge, to the regimen of the prisoners, and to the proper carrying out of the duties entrusted to the administrative and discipline staff. *In the case of the second*, inspection has regard to the preparation of the programmes for new constructions, to the examination of the plans and estimates submitted by the Department, to agricultural, industrial and public work, and to the inspection of penitentiary buildings, both from the point of view of their preservation, as well as their appropriation for the needs of the service. *In the case of the third*, inspection has regard to the supervision and auditing of accounts.

There is no inspection save by officers appointed by the Government.

SWEDEN.

Sweden.

Inspections of the central prisons are annually made by the Director General of Prisons and by the two chief secretaries commissioned by the Royal Prisons Board to visit a certain number of penal establishments and to give a report of their inspections to the Director General.

APPENDIX I.

Local prisons (including Court-house and Hundred gaols) are also inspected by the same authorities almost yearly. These inspections are made at uncertain times and without previous communication with the prison officials in order that they may be unexpected. The local prisons are also placed under direct supervision of the provincial governments.

The Attorney-General of the Crown and the Solicitor-General and the Comptrollers and Auditors of the Diet are also entitled to visit the penal establishments of the kingdom, and to report thereupon to the Diet.

No other authorities than those mentioned above have any right of inspection with regard to prisons.

NORWAY.

Norway.

The inspection of the penal institution devolves on the Secretary for the Administration Commissioners of Prisons, or some other official belonging to the Administration of Prisons, and that of those prisons for shorter terms of imprisonment, not only on these functionaries, but also on the proper sheriff of the district in which prison is.

At the Penitentiary there is, moreover, an inspecting commission consisting of eight members, half the number nominated by the King and half chosen by the municipal authorities.

At the district prisons there are two to four municipal inspectors at each prison.

SWITZERLAND.

Switzerland.

There is no official inspection of prisons, except in the canton of Berne, which has now an inspector. Elsewhere the duty is entrusted to the watch committees (*commissions de surveillance*).

Persons of both sexes, unconnected with prison administration, are allowed to assist in ameliorating the conditions of prisoners. In cantons possessing modern prisons, there persons are authorised, in virtue of decrees of the legislative authority, to visit prisoners. Members of Prisoners' Aid Societies in particular are allowed free access to their clients. The number of these benevolent visits is not high, speaking relatively, even in cantons where prison reform has many supporters. It is held that such visits should only be allowed with many precautions.

There are modern prisons where the moral education of prisoners is in the hands of officials alone.

In female prisons there are more often found lady visitors, especially in towns which were visited by Elizabeth Fry, and where, at her instigation, societies of lady visitors were established with a view to ministering to females in prison, and finding places for them on discharge. Such a society exists at Zurich, and there the lady visitors give regular lessons to the female prisoners, and direct their religious instruction.

ITALY.

Italy.

Italian prisons are inspected once a year by the Government inspectors; inspections and inquiries are undertaken by the same inspectors whenever the needs of the service deem to require it. All inspections are carried out under the direct orders of the Ministry.

APPENDIX I.

ADDENDUM.

Elmira Reformatory, New York State.

The following particulars respecting the New York State Reformatory at Elmira have been extracted from the Report of that institution for the year 1893.

The Reformatory, the buildings of which are on an ambitious scale and ornamental in style, was opened in 1876 for the reception of youthful male felons who are committed there for the statutory term for their particular offence to undergo a process of training and reformation in place of the ordinary imprisonment.

The total number received during the 17 years was 6,551, the age of the inmates varies from 16 years to 30 years, the average age being 21 years. The average number in confinement during 1893 was 1,470. There were 1,378 inmates at the close of the year, with an average period of detention of 17 months. The total cost of maintenance for 1893 was $215,223. The trade earnings amounted to $53,458, leaving a net cost of $161,765.

The Reformatory is provided with 1,258 cells, so that about 400 were necessarily associated two in one room. To avoid still more overcrowding it had been found necessary to transfer 150 of the least promising inmates to the State prisons. This course had been found to act as an incentive to troublesome conduct on the part of inmates in order to secure their transfer to the prison, where an abatement of their sentence might be earned with less exertion on their part.

The prisoners committed to the Reformatory are felons; 45 per cent. of them had previously been in contact with the restraining agencies of the law, 68 per cent. were illiterate, 75 per cent. were without regular occupation, 92 per cent. were without the benefits of good home surroundings. The object of the Reformatory is, as far as practicable, to place the prisoner in "conditions parallel with those of free life," there to work out his institutional career.

The moral inducements to reformation consist of (1) division into grades with differing degrees of comfort and social standing, (2) a wage-earning mark system, (3) the personal influence of the Reformatory staff. Between 70 and 80 per cent. are said to respond to the efforts made for their good. For the remainder compulsion is found necessary either by means of forfeiture of marks, degradation of rank, or personal chastisement. Thirty-four different trades had been taught during the year, and it is claimed that 78 per cent. of the discharged inmates went straight to the trade learned in the Reformatory. Two evenings a week are devoted to education, and 20 of the best educated amongst the inmates assist in this work. Lectures and concerts are given periodically. There is a gymnasium, and 1,175 of the able-bodied inmates were formed into a regiment to go through a course of military drill and training. Prisoners can, at the discretion of the managers, be released on parole, to be brought back again if found to be drifting into crime, but the release is made absolute after six months' satisfactory trial. The total number "paroled" during the 17 years was 3,723. Of these 259 were brought back, 110 were paroled a second time, and 10 a third time. It is claimed that probably about 80 per cent. of the prisoners are reformed, that is "the discharged inmate returns to society not more, but probably less, likely to fall "into crime than the virtuous of the class to which he belongs."

APPENDIX II.

Papers relating to Prison Accommodation.

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APPENDIX II.

(i.)

ABSTRACT of ACCOMMODATION for PRISONERS in the LOCAL PRISONS on the 31st March 1894, as shown in the REPORTS of the PRISON COMMISSIONERS.

Names of Prisons.	Number of certified Cells.			Number of Rooms.			Names of Prisons.	Number of certified Cells.			Number of Rooms.		
	Males.	Females.	Total.	For Males.	For Females.	Total.		Males.	Females.	Total.	For Males.	For Females.	Total.
Bedford	144	21	165	5	1	6	Maidstone	211	66	277	5	2	7
Birmingham	499	118	617	7	4	11	Newcastle-on-Tyne	276	101	377	8	2	10
Bodmin	106	16	122	4	1	5	Newgate	137	6	143	—	—	—
Brecon	52	13	65	1	1	2	Northallerton	136	54	190	3	2	5
Bristol	191	62	253	3	2	5	Northampton	185	30	215	3	1	4
Cambridge	110	11	121	3	1	4	Norwich	151	13	164	5	2	7
Canterbury	186	18	204	4	1	5	Nottingham	199	27	226	3	2	5
Cardiff	217	94	311	2	2	4	Oxford	135	26	161	2	1	3
Carlisle	115	53	168	3	1	4	Pentonville	1,176	—	1,176	—	—	—
Carmarthen	65	13	78	2	2	4	Plymouth	68	26	94	2	1	3
Carnarvon	51	20	71	1	1	2	Portsmouth	140	32	172	2	1	3
Chelmsford	306	38	344	4	3	7	Preston	381	167	548	3	2	5
Derby	318	51	369	3	1	4	Reading	192	29	221	5	1	6
Devizes	168	10	198	2	1	3	Ruthin	78	6	84	2	1	3
Dorchester	148	19	167	3	1	4	St. Albans	104	15	119	3	1	4
Durham	566	168	734	6	3	9	Shepton Mallet	135	39	174	2	3	5
Exeter	246	59	305	4	3	7	Shrewsbury	180	28	208	4	3	7
Gloucester	261	55	316	3	4	7	Stafford	608	152	760	8	8	16
Hereford	87	18	105	3	1	4	Strangeways	818	377	1,195	11	5	16
Holloway	411	448	859	4	6	10	Swansea	160	52	212	3	5	8
Hull	326	125	451	6	3	9	Usk	145	49	194	3	2	5
Ipswich	147	19	166	2	2	4	Wakefield	915	210	1,125	13	9	22
Kendal	53	15	68	3	1	4	Wandsworth	1,158	—	1,158	10	—	10
Knutsford	492	121	613	5	2	7	Warwick	357	50	407	6	6	12
Lancaster	152	26	178	4	—	4	Winchester	375	64	439	5	2	7
Leeds	428	164	592	7	5	12	Worcester	322	71	393	4	3	7
Leicester	234	36	270	2	1	3	Wormwood Scrubs	1,054	362	1,416	3	4	7
Lewes	288	74	362	4	3	7	York	152	14	166	3	7	10
Lincoln	236	49	285	3	1	4	Totals	17,298	4,457	21,755	230	144	374
Liverpool	747	437	1,184	6	10	16							

(ii.)

RETURN of the NUMBER of PRISONERS removed from METROPOLITAN PRISONS to the following PRISONS to prevent Overcrowding during the five years ended 31st July 1894.

Year ended 31st July.	Winchester.	Reading.	Chelmsford.	Lewes.
1890	10	27	75	25
1891	75	25	60	37
1892	—	—	87	50
1893	—	20	126	64
1894	25	13	145	77
Totals	110	85	493	253

APPENDIX II.

(iii.)

Paper handed in by the Rev. W. D. Morrison (Questions 2927 to 2950).

TABLE I.

CAPACITY and STATE of the LONDON LOCAL PRISONS for the years ending March:—

Name of Prison.	1889.		1890.		1891.		1892.		1893.		For the 5 years.	For the 5 years.	For the 5 years.
	No. of ordinary certified Cells.	Maximum No. of Prisoners.	No. of ordinary certified Cells.	Maximum No. of Prisoners.	No. of ordinary certified Cells.	Maximum No. of Prisoners.	No. of ordinary certified Cells.	Maximum No. of Prisoners.	No. of ordinary certified Cells.	Maximum No. of Prisoners.	Average Cell Accommodation.	Average Maximum No. of Prisoners.	Average No. of Prisoners in excess of Cell Accommodation.
Holloway	739	821	731	757	397	768	397	419	532	433	559	639	80
Pentonville	1,136	1,165	1,136	1,171	1,136	1,165	1,136	1,185	1,136	1,183	1,136	1,174	38
Wandsworth	1,115	1,301	1,101	1,131	1,101	1,165	1,101	1,033	1,124	1,175	1,108	1,161	53
Wormwood Scrubs.	—	—	—	—	1,053	922	1,029	1,034	1,029	1,048	*1,037	*1,001	—
Total Number of prisoners.	2,990	3,287	2,968	3,059	3,687	4,020	3,663	3,671	3,821	3,839			

* For 3 years.

TABLE II.

CAPACITY and STATE of WANDSWORTH PRISON (male side) 1872–76, five years.

Year.	Certified Cells.	Prisoners, Maximum of.
1872	742	576
1873	742	613
1874	742	693
1875	742	717
1876	742	686
	3,710	3,285

Annual average of ordinary certified cells:—

Annual	742
Maximum of prisoners	657
Excess of cells	85

Explanatory Note.

These two returns are extracted from the Judicial Statistics for England and Wales. Table I. represents the amount of ordinary certified cell accommodation for male prisoners in the London local prisons for the five years ending March 1893. It also represents the maximum number of male prisoners in these local prisons during the five years ended March 1893. It will be seen from this Table that the average maximum number of prisoners exceeded the number of ordinary separate certified cells.

Table II. exhibits the amount of ordinary separate certified cell accommodation for male prisoners and the maximum number of male prisoners in Wandsworth Prison under the county authorities for the five years 1872-76. It will be seen from Table II. that ordinary separate certified cell accommodation exceeded the maximum yearly average of male prisoners to the extent of 85 cells.

Table II. represents the manner in which a local prison should be administered so as to avoid placing more than one prisoner in one cell. According to Table I., on the other hand, even after making allowance for hospital cases, the placing of two or more prisoners in the same cell cannot be avoided. This is owing to the circumstance that there are fewer ordinary certified cells than prisoners; and also to the circumstance that a certain proportion of the cells are only partially available.

TABLE III.

Suggested FORM for showing PRISON ACCOMMODATION.

Name of Prison.	Daily Average.	Maximum Number for the Year.	Maximum Number of Five Preceding Years.	Ordinary Certified Cell Accommodation.

APPENDIX III.

Statistical Tables relating to the Classification of Prisoners, Juvenile Offenders, Re-committals Recidivism, and the connexion between Crime and its Causes.

Page

(i.) Numbers of prisoners on 15th February 1895, classed as epileptic, feeble-minded, inebriates and drunkards, and juveniles - - - - - - - - - - - - 531

(ii.) Numbers of prisoners on 6th March 1894, classified according to length of sentence - - - 532

(iii.) Return of young offenders in local prisons during each of the years 1890–1894, &c.; and of the number of convicts in custody on 6th July 1894, who had not served their minimum term, and of those who had served beyond it - - - - - - - - - - 533

(iv.) Paper handed in by Sir E. Du Cane.—Return showing young offenders of various ages in custody on 3rd March 1894 - - - - - - - - - - 533

(v.) Papers handed in by Major Knox.—Two tables showing length of sentences; and re-committals to Leeds Prison; and diagrams showing variations of committals between 1880 and 1894; average length of sentences for each year, 1880–1894; per-centage of previous committals to committals, 1884–1894; and per-centage of first re-committals to committals, 1884–1894 - - - - - 533–4

(vi.) Papers handed in by the Rev. G. P. Merrick.—Giving the results of personal investigations into the careers of various classes of offenders; burglars, pickpockets, thieves, and cases of fraud, indecency, and embezzlement - - - - - - - - - 534

(vii.) Papers handed in by the Rev. W. D. Morrison.—Eight tables and diagrams relating to the physical and social condition of prisoners; the relation between juvenile offenders and criminals generally; between juvenile offences and density of population; between offences generally and density of population; between offences and pauperism; between pauperism and illegitimacy; and the physical and mental condition of children in industrial and other schools - - 537

(viii.) Papers handed in by Mr. Troup.—Tables and diagrams showing average prison population, and proportion to general population for the last four quinquennial periods; indictable offences for the same periods; re-convictions and sentences for larceny in particular districts; proportion of females sentenced for indictable offences in 1893 at each period of age; proportion of young offenders among persons tried for indictable offences in 1893; proportion of number of persons of each period of age convicted of indictable offences to total population at that age for 1893; number of persons at each period of age tried at the Courts of Assize in France in 1891; comparison of age at which maximum of crime is reached in England and France, and the ratios of increase or decrease; the predominance of crimes against property among crimes generally, and the fluctuations of offences against the person, crimes against morals, and malicious injuries to property, from 1874 to 1893 - - - - - - - - - - 539

(i.)

APPENDIX III.

RETURN of PRISONERS in CUSTODY on 15th February 1895, who may be classed as (*a*) EPILEPTIC; (*b*) FEEBLE-MINDED; (*c*) INEBRIATES; (*d*) DRUNKARDS; (*e*) JUVENILES.

Local Prisons.

Prison.	Total Number of Prisoners in Custody.		Number of Prisoners who are								Number of Prisoners who are						Remarks.
			Epileptic.		Feeble-minded.		Inebriates, *i.e.*, who require Special Treatment as such.		Habitual Drunkards, *i.e.*, who have been Convicted six times and upwards for Drunkenness.		Under 14 Years of Age.		14 and under 16 Years of Age.		16 and under 18 Years of Age.		
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	
Bedford	27	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Birmingham	334	55	1	—	—	—	5	3	10	4	—	—	3	—	11	4	
Bodmin	56	6	—	—	—	—	—	—	—	—	—	—	2	—	—	—	
Brecon	14	1	—	—	—	—	—	1	—	—	—	—	—	—	—	—	
Bristol	126	23	—	—	6	—	—	—	2	4	—	—	1	—	3	1	
Cambridge	73	9	—	—	8	1	—	—	—	—	—	—	—	—	5	—	
Canterbury	104	8	—	—	—	—	—	—	3	—	—	—	—	—	2	—	
Cardiff	153	52	1	—	2	1	1	16	—	—	—	—	—	—	3	2	
Carlisle	60	10	—	—	3	—	—	—	5	4	—	—	—	—	2	—	
Carmarthen	48	3	—	—	—	1	—	—	—	—	—	—	—	—	2	—	
Carnarvon	32	2	—	—	2	1	—	—	2	1	—	—	—	—	—	1	
Chelmsford	190	2	—	—	1	—	—	—	—	—	—	—	—	—	2	—	
Derby	127	17	2	—	—	—	—	1	11	3	—	—	1	—	2	—	
Devizes	71	4	—	—	—	—	—	—	—	—	—	—	—	—	3	—	
Dorchester	65	4	—	—	—	—	—	—	2	—	—	—	—	—	—	—	
Durham	317	72	2	—	4	—	—	—	12	18	—	—	5	—	13	2	
Exeter	123	11	—	—	5	—	2	3	—	—	—	—	—	—	—	—	
Gloucester	65	4	—	—	—	—	—	—	3	1	1	—	1	—	2	—	
Hereford	38	6	—	—	1	1	—	2	1	—	—	—	—	—	1	—	
Holloway	308	237	—	6	8	12	—	13	—	35	1	1	5	5	22	3	
Hull	189	20	—	—	—	—	—	—	8	4	1	—	1	—	5	—	
Ipswich	72	7	—	—	1	—	—	—	—	—	—	—	1	—	3	—	
Knutsford	258	48	—	—	—	—	—	—	31	8	—	—	2	—	5	1	
Lancaster	64	11	—	—	—	—	1	1	2	1	—	—	—	—	2	—	
Leeds	349	91	3	2	3	1	14	11	—	2	—	—	4	—	20	1	
Leicester	110	5	—	—	7	—	2	—	—	—	—	—	—	—	4	—	
Lewes	223	10	—	—	3	—	—	—	3	1	—	—	—	—	4	1	
Lincoln	136	13	—	—	—	—	—	—	4	—	—	—	—	—	—	—	
Liverpool	603	320	3	1	5	5	1	—	49	65	—	—	4	1	40	4	
Maidstone	143	20	2	—	3	—	—	—	—	—	—	—	—	—	3	—	
Newcastle	175	54	1	1	1	1	—	—	8	15	—	—	—	—	5	1	
Northallerton	79	14	—	—	—	—	—	—	3	1	—	—	1	—	2	—	
Northampton	93	5	—	—	—	—	—	—	1	—	1	—	1	—	3	—	
Norwich	87	12	2	—	1	—	—	—	3	—	—	—	1	—	1	—	
Nottingham	117	16	2	1	—	1	—	—	4	1	—	—	—	—	7	—	
Oxford	50	5	1	1	5	1	—	—	1	—	—	—	—	—	2	—	
Pentonville	1,042	—	6	—	5	—	2	—	9	—	—	—	14	—	59	—	
Plymouth	41	11	—	—	—	—	—	—	—	1	—	—	—	1	2	—	
Portsmouth	75	9	—	—	—	—	—	—	1	—	—	—	2	—	1	—	
Preston	278	77	—	—	—	—	1	—	38	19	—	—	2	—	13	1	
Reading	154	10	—	—	4	—	—	—	3	—	—	—	—	—	6	—	
Ruthin	24	2	—	—	—	—	—	—	1	—	—	—	—	—	1	—	
St. Albans	51	6	2	—	2	—	—	—	2	—	1	—	—	—	2	—	
Shepton Mallet	51	10	—	—	4	2	—	—	2	—	—	—	1	—	2	—	
Shrewsbury	76	13	—	2	2	1	—	1	5	3	—	—	—	—	2	—	
Stafford	281	40	2	—	4	—	1	—	12	3	—	—	2	1	7	2	

APPENDIX III.

Local Prisons—continued.

Prison.	Total Number of Prisoners in Custody.		Number of Prisoners who are								Number of Prisoners who are						Remarks.
			Epileptic.		Feeble-minded.		Inebriates, *i.e.*, who require Special Treatment as such.		Habitual Drunkards, *i.e.*, who have been Convicted six times and upwards for Drunkenness.		Under 14 Years of Age.		14 and under 16 Years of Age.		16 and under 18 Years of Age.		
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	
Strangeways	692	289	3	1	1	1	—	—	80	74	—	—	4	2	19	6	
Swansea	1	16	—	—	—	—	—	4	6	—	—	—	1	—	—	—	
Usk	55	9	—	—	—	—	—	—	2	1	1	—	—	—	—	—	
Wakefield	408	74	10	—	11	1	10	7	13	3	—	—	3	—	9	3	
Wandsworth	912	—	6	—	7	—	—	—	7	—	—	—	3	—	46	—	
Warwick	55	10	—	1	2	—	—	—	1	—	—	—	—	—	3	1	
Winchester	305	16	2	—	9	1	—	—		1	—	—	3	—	9	—	
Worcester	132	11	1	—	1	—	—	—	5	1	4	—	13	—	27	—	
Wormwood Scrubs	895	231	6	—	5	1	—	—	13	9	—	—	1	—	42	2	
York	61	10	—	—	—	—	8	—	1	1	—	—	—	—	5	—	
Totals	10,821	2,022	58	16	126	33	48	63	375	284	10	1	82	10	434	36	Number of prisoners in local prisons not falling within the classes specified: males, 9,688; females, 1,677.
			Male - - - 607								Male - - 526						
			Female - - 396								Female - 47						

Convict Prisons.

Aylesbury	146	—	—	—	1	—	—	—	3	—	—	—	—	—	—	—	
Borstal	241	—	—	—	6	—	—	—	10	—	—	—	—	—	—	—	
Dartmoor	1,057	—	10	—	25	—	—	—	71	—	—	—	—	—	—	—	
Parkhurst	679	—	8	—	18	—	—	—	20	—	—	—	—	—	—	—	
Portland	1,069	—	1	—	20	—	—	—	33	—	—	—	—	—	1	—	Number of prisoners in convict prisons not falling within the classes specified: males, 2,965; females, 172.
Woking (*females*)	—	212	—	1	—	10	—	20	—	8	—	—	—	1	—	—	
Totals	3,192	212	19	1	70	10	—	20	137	8	—	—	—	1	1	—	

(ii.)

RETURN showing the NUMBER of PRISONERS of the undermentioned CLASSES, and SENTENCES in LOCAL PRISONS on the 6th March 1894.

Sex.	Awaiting Trial or on Remand.	Under Sentence of Imprisonment.							Under Sentence of Penal Servitude.	Debtors and other Prisoners treated under the Rules for Debtors.	Surety Prisoners.	Others, including those sentenced to Death, Judgment respited, Insane, not sentenced, but awaiting Removal, &c.	Total.
		Over 18 Months.	18 Months, and over 12 Months.	12 Months, and over 6 Months.	6 Months, and over 3 Months.	3 Months, and over 8 Weeks.	8 Weeks, and over 4 Weeks.	4 Weeks, and under.					
Males	1,140	259	907	1,872	1,537	1,685	1,348	2,394	565	401	68	6	12,182
Females	221	8	95	181	194	290	318	989	49	12	42	1	2,400
Totals	1,361	267	1,002	2,053	1,731	1,975	1,666	3,383	614	413	110	7	14,582

Of the above prisoners:—

Those awaiting trial, or on remand, can have the option of employment while in prison, but cannot be compelled to work.

Misdemeanants of the first division, contempt of court prisoners, and debtors, may be permitted to work and follow their respective trades and professions under certain conditions, but are not compelled to work.

Surety prisoners, prisoners not sentenced to hard labour, may be given employment, but cannot be punished for neglect of work, except by alteration of diet.

Male prisoners over 16 sentenced to, and medically fit for, hard labour, must be employed on hard labour of the first class during at least one month of their sentence.

A certain proportion of all prisoners are non-effective for purposes of any kind of labour, on account of sickness, old age, &c., &c.

APPENDIX 35

(iii.)

RETURN of the number of PRISONERS in LOCAL PRISONS on the 3rd July 1894 of the following ages:—
Under 16 years of age - - - - - - - - - 105
16 years of age and under 21 - - - - - - - 2,088

RETURN of the Number of YOUNG OFFENDERS in LOCAL PRISONS during each of the five years ended 31st March 1894.

Year ended 31st March.	Age on Conviction.																		
	16 Years.			17 Years.			18 Years.			19 Years.			20 Years.			21 Years.			
	Not previously Convicted.	Previously Convicted.	Total.	Not previously Convicted.	Previously Convicted.	Total.	Not previously Convicted.	Previously Convicted.	Total.	Not previously Convicted.	Previously Convicted.	Total.	Not previously Convicted.	Previously Convicted.	Total.	Not previously Convicted.	Previously Convicted.	Total.	
1890	1,864	1,021	2,885	2,326	1,705	4,031	2,848	2,515	5,363	2,778	2,897	5,675	2,426	2,548	4,974	2,568	2,513	5,081	42
1891	1,703	899	2,602	2,082	1,539	3,621	2,793	2,317	5,110	2,689	2,410	5,099	2,240	2,230	4,470	2,297	2,486	4,783	43
1892	1,747	874	2,621	2,117	1,489	3,606	2,612	2,139	4,751	2,715	2,304	5,019	2,286	2,105	4,391	2,344	2,322	4,666	44
1893	1,790	981	2,701	2,108	1,554	3,662	2,800	2,499	5,299	2,821	2,509	5,330	2,546	2,233	4,779	2,347	2,436	4,783	45
1894	1,865	1,033	2,898	2,458	1,641	4,099	3,063	2,487	5,550	2,942	2,634	5,576	2,625	2,505	5,130	2,678	2,775	5,453	46

RETURN of the Number of CONVICTS in CUSTODY on 6th July 1894, showing those who have not yet served their Minimum Time, and those who are detained beyond their Minimum Time.

Total Number in Custody.	Number who have not yet served their Minimum Period.	Number who are detained beyond their Minimum Period.
3,596	3,428	168

(iv.)

Paper handed in by Sir E. Du Cane (Question 10,940.)

RETURN of the NUMBER of MALE PRISONERS in the following PRISONS on the 3rd March 1894 of the AGES specified.

Prison.	16 Years and under 17.	17 Years and under 18.	18 Years and under 19.	19 Years and under 20.	20 Years and under 21.
Birmingham	5	23	17	20	42
Holloway	13	25	19	17	17
Liverpool	16	29	50	44	33
Pentonville	28	47	68	61	49
Strangeways	10	16	43	41	39
Wandsworth	16	32	54	61	54
Wormwood Scrubs	9	23	40	53	61
Totals	97	195	291	297	295
	1,175				

NOTE.—These prisons may be taken as having about half of the male prisoner population of the ages specified.

(v.)

Papers handed in by Major Knox (Question 8236).

I.

TABLE showing LENGTH of DEFINITE SENTENCES exclusive of COURTS MARTIAL compiled from COMMISSIONERS' REPORT, 1893–94.

Females in italics.

		Per cent. of Total Committals.		
Definite Sentences exclusive of Courts Martial	One week and less	36·73	45·02	38·90
	Fourteen days and less	61·62	73·96	64·09
	One month and less	88·81	92·27	86·82
	Three months and less	98·27	95·50	96·22

APPENDIX III.

II.

TABLE showing NUMBERS of PERSONS RE-COMMITTED in H.M. PRISON, LEEDS, on 14th November 1894.

Females in italics.

In prison - - - - - -	346	*97*	443
Of whom there had been re-convicted - - -	231	*61*	292
Per-centage re-convicted - - - -	66·76	*62·88*	65·91

231 males were re-convicted 412 times. *61 females* „ „ *121* „ — 292 prisoners „ „ 533 „	Number of times re-convicted. 1	2	3	4	5	6	7	8	9	10 or more.	Total.
For drunkenness - - -	35	11	12	2	6	1	4	2	1	5	79
	9	*6*	*2*	*2*	*1*	*1*	*1*	*2*	*1*	*12*	*37*
	44	17	14	4	7	2	5	4	2	17	116
For crimes, *e.g.*, larceny - -	36	37	30	15	15	14	5	8	3	3	166
	9	*7*	*4*	*2*	*3*	*3*	*1*	*2*	*1*	*1*	*33*
	45	44	34	17	18	17	6	10	4	4	199
For offences, *e.g.*, vagrancy, assault	47	30	27	12	10	9	9	5	3	15	167
	1	*3*	*4*	*4*	*4*	*4*	*6*	*3*	*3*	*19*	*51*
	48	33	31	16	14	13	15	8	6	34	218

Showing following per-centage of re-committals, the first offence not necessarily the same as the second :—

For drunkenness - - -	19·17	*30·38*	21·76
„ crimes, *e.g.*, larceny - - -	40·30	*27·28*	37·34
„ offences as above - - -	40·53	*42·14*	40·90

For Diagrams (Tables III., IV., V., VI.) handed in by Major Knox see ☛

(vi.)

Papers handed in by the Rev. G. P. Merrick. (Question 1560), *giving the Results of personal Investigations into the Careers of various Classes of Offenders.*

A.

BURGLARS.

(600 cases.)

Their Ages.

Number of Offenders.	Age.	Number of Offenders.	Age.
	Years		Years
2	12	10	40
2	13	5	41
7	14	4	42
10	15	5	43
20	16	6	44
41	17	3	45
56	18	2	46
54	19	1	47
37	20	6	48
43	21	3	49
39	22	5	50
21	23	1	51
20	24	4	52
21	25	—	53
11	26	2	54
11	27	1	55
21	28	3	56
16	29	1	57
20	30	1	58
7	31	1	59
17	32	4	60
7	33	4	61
7	34	2	62
7	35	1	64
10	36	1	65
7	37	1	68
8	38	1	75
4	39		

BURGLARIES.

Number of men engaged in them.

(599 men; 398 burglaries.)

In 253 cases there was one man engaged.
In 98 cases there were two men engaged.
In 40 cases there were three men engaged.
In 5 cases there were four men engaged.
In 2 cases there were five men engaged.

BURGLARS' GAINS.

488 men were engaged in 372 burglaries.
The average gain to each man was 12*l.* 18*s.* 8*d.*
The average amount of depredation in each case was 16*l.* 19*s.* 3½*d.*

BURGLARS.

Their trades or callings.

(551 men.)

Trade or Calling.	Number of Offenders.	Trade or Calling.	Number of Offenders.
Agents - -	6	Messenger -	1
Bricklayers -	7	Machinist - -	1
Barmen - -	4	Milkman - -	1
Bakers - -	4	Manager -	1
Barbers - -	3	Needle-woman -	1
Bookbinders -	4	No trades - -	4
Box makers -	4	Painters - -	21
Boys without trades.	5	Porters - -	11
		Printers - -	9
Butchers - -	4	Potmen - -	4
Brush maker -	1	Plumbers -	3
Carmen - -	12	Packers - -	2
Cooks - -	7	Plasterers -	2
Carpenters - -	7	Polishers - -	2
Clerks - -	5	Publicans -	2
Cabinet-makers -	2	Pipe maker -	1
Coopers - -	2	Pianoforte maker	1
Charwoman -	1	Rope makers -	3
Coachmen -	2	Shoemakers -	11
Dealers - -	15	Stokers - -	13
Dressmakers -	2	Sailors - -	8
Decorators -	2	Stablemen -	5
Druggist - -	1	Servants - -	5
Engineers -	5	Sawyers - -	2
Factory hands -	6	Shop boys - -	2
Fitters - -	3	Shop assistants -	2
Florists - -	2	Smiths - -	2
Furriers - -	2	Soldiers - -	3
Fishmonger -	1	Tailors - -	18
Gasfitters -	3	Tinmen - -	3
Hawkers - -	19	Tutor - -	1
Jeweller -	1	Travellers - -	5
Labourers - -	261	Waiters - -	4
Laundresses -	5	Waitress - -	1
Leather-dressers -	2	Wheelwright -	1
Masons - -	2	Wood turner -	1
Musician - -	1	Watch maker -	1

B.

The TRADES of 422 PICKPOCKETS.

Trade or Calling.	Number of Offenders.	Trade or Calling.	Number of Offenders.
Agents - -	4	Mantle and dress makers.	4
Barmen - -	7	Milkman - -	1
Bricklayers -	6	Musician -	1
Bootmakers -	17	Machinist - -	1
Barbers - -	4	Needlewomen -	2
Box makers -	3	Painters - -	16
Billiard marker -	1	Printers - -	12
Bakers - -	2	Porters - -	8
Conductor -	1	Polishers -	3
Clerks - -	11	Pianoforte makers	2
Carpenters -	6	Plasterer -	1
Cabinet makers -	4	Stokers - -	13
Carmen - -	2	Sailors - -	6
Cooks - -	2	Servants - -	5
Cabman - -	1	Stablemen -	3
Decorator -	1	Soldiers - -	3
Druggist - -	1	Stevedores -	2
Dealers - -	15	Steward - -	1
Engine-driver -	1	Salesman -	1
Firemen - -	6	Tailors - -	34
Fitters - -	3	Tinmen - -	2
Glass blower -	1	Travellers -	3
Hawkers - -	22	Upholsteress -	1
Factory hands -	5	Weaver - -	1
Jeweller - -	1	Watchman -	1
Labourers -	150	Woodlayer -	1
Laundresses -	17		

PICKPOCKETS.

Their Depredations.

The 364 cases which were investigated brought to each man or woman engaged in them about 4*l.* 11*s.* 9½*d.* per pocket.

THE AGES OF PICKPOCKETS.

(443 Cases.)

Number of Offenders.	Age.	Number of Offenders.	Age.
2	13	7	37
3	14	6	38
1	15	5	39
7	16	9	40
19	17	4	41
30	18	6	42
30	19	2	43
23	20	3	44
32	21	2	45
29	22	1	46
19	23	3	47
26	24	2	48
13	25	2	50
27	26	1	51
14	27	1	52
25	28	2	53
9	29	2	54
11	30	3	55
9	31	1	56
13	32	1	60
5	33	6	61
9	34	1	62
3	35	1	64
12	36	1	66

The youngest were 13 and the oldest was 66.

C.

APPENDIX III.

THIEVES.

Their Ages.

(1,023 Cases.)

Number of Offenders.	Age.	Number of Offenders.	Age.
1	10	25	42
1	13	16	43
3	14	5	44
14	15	17	45
16	16	8	46
32	17	9	47
55	18	10	48
49	19	7	49
46	20	11	50
51	21	9	51
38	22	11	52
35	23	3	53
36	24	9	54
39	25	4	55
34	26	5	56
24	27	6	57
46	28	8	58
27	29	1	59
37	30	8	60
16	31	7	61
33	32	7	62
22	33	5	63
20	34	5	64
18	35	2	65
23	36	4	66
17	37	5	67
24	38	1	68
14	39	3	69
19	40	1	70
18	41	3	72

The youngest was 10, the eldest 72.

THIEVES.

Their Trades or Callings.

(969 Cases.)

Trade or Calling.	Number of Offenders.	Trade or Calling.	Number of Offenders.
Artists - -	2	Dressmakers -	13
Agents -	13	Decorators - -	4
Actor - -	1	Druggist - -	1
Barmen -	10	Draftsman -	1
Bricklayers -	10	Engineers - -	5
Butchers - -	8	Errand boys -	2
Bakers - -	5	Electrician - -	1
Bailiff - -	1	Factory hands -	9
Barbers - -	4	Furriers - -	4
Brass drawers -	2	Fitters - -	3
Builder - -	1	Farriers - -	3
Bookseller -	1	Frame maker -	1
Bookbinder -	1	Fish curers -	2
Bookmaker -	1	Florist -	1
Box maker -	1	Greengrocers -	5
Bag maker -	1	Grocers - -	6
Broker - -	1	Gas fitters - -	3
Billiard marker -	1	Hawkers -	37
Carmen - -	49	Hatter - -	1
Clerks - -	26	Harness maker -	1
Charwomen -	16	Horse dealer -	1
Carpenters -	11	Jewellers - -	6
Cabinet makers -	5	Journalists -	3
Cabmen - -	5	Labourers - -	293
Coachmen -	3	Laundresses -	33
Conductors -	2	Gardeners - -	11
Coffee house keeper.	1	Machinists -	6
		Milkmen - -	5
Coach maker -	1	Musicians -	2
Dealers - -	67	Miner - -	1

APPENDIX III.

Trade or Calling.	Number of Offenders.	Trade or Calling.	Number of Offenders.
Modeller	1	Stokers	10
Merchant	1	Smiths	6
Needlewomen	7	Students	4
Painters	23	Soldiers	3
Printers	9	Surveyor	1
Porters	5	Stevedores	2
Postmen	4	Stickmakers	2
Plumbers	3	Stonemason	1
Packers	3	Surveyor	1
Publicans	2	Solicitor	1
Paper hangers	2	Steward	1
Photographers	2	Upholsterer	1
Publisher	1	Tailors	18
Platelayer	1	Travellers	7
Policeman	1	Tinmen	2
Servants	52	Wheelwright	1
Shoemakers	21	Wardrobe dealer	1
Salesmen	15	Watchmen	2
Stablemen	15	Watchmakers	4
Sailors	13	Waiters	6

THIEVES.

Their Depredations.

The product of 925 cases was about 50*l.* 10*s.* 6½*d.* on an average for each offender.

D.

FRAUDS.

Ages of Offenders.

(341 Cases.)

Number of Offenders.	Age.	Number of Offenders.	Age.
1	14	5	42
2	15	5	43
1	16	8	44
3	17	8	45
6	18	5	46
7	19	5	47
7	20	5	48
6	21	5	49
7	22	5	50
11	23	8	51
13	24	2	52
10	25	2	53
16	26	2	54
14	27	3	55
12	28	2	56
12	29	2	57
19	30	3	59
7	31	6	60
21	32	1	61
10	33	3	62
9	34	1	63
12	35	2	64
9	36	2	65
6	37	1	66
9	38	2	69
8	39	1	70
12	40	2	74
6	41	1	78

These offenders must be in positions of trust, have extensive experience, matters which only come with

N

FRAUDS.

In 253 cases th
In 98 cases theroduced on an average 401*l.* 15*s.* 4½*d.* to
In 40 cases thereed in them:
In 5 cases there
In 2 cases there

FRAUDS.

(302 Cases.)

The trades of those who committed frauds are as follows:—

Trade or Calling.	Number of Offenders.	Trade or Calling.	Number of Offenders.
Agents	20	Merchants	7
Architects	2	Money lender	1
Artists	3	M.P.	1
Baker	1	Nurses	3
Barbers	2	Needlewoman	1
Broker	1	Painters	4
Builders	4	Postmen	2
Butcher	1	Packer	1
Bricklayer	1	Polisher	1
Clerks	49	Porter	1
Cooks	5	Page boy	1
Cabmen	3	Pawnbroker	1
Carpenters	3	Reciter	1
Compositors	2	Sailors	7
Conductor	1	Shoemakers	4
Cabinet-maker	1	Shopkeepers	8
Carman	1	Servants	10
Chemists	2	Surgeons	5
Dyer	1	Solicitors	3
Decorators	2	Secretaries	6
Dealers	17	Soldiers	3
Dressmakers	4	Shopmen	2
Drapers	4	Stockbrokers	2
Electrician	1	Surveyor	1
Errand boy	1	Sackmaker	1
Engineers	4	Stevedore	1
Farmer	1	Sailmaker	1
Grocer	1	Steward	1
Gasfitters	2	Student	1
Gardeners	2	Stoker	1
Governess	1	Telegraphist	1
Grooms	3	Tea broker	1
Firemen	3	Tinman	1
Hawkers	6	Tailors	7
Journalists	5	Travellers	21
Jeweller	1	Tutors	2
Labourers	21	Writer	1
Laundresses	2	Woodcutter	1
Manager	1		

CASES OF INDECENCY.

(101 Cases.)

Men.

Number of Offenders.	Age.	Number of Offenders.	Age.
	Years.		Years.
2	12	3	36
1	13	4	37
1	14	3	38
1	15	4	39
2	16	3	40
1	17	2	41
5	18	2	42
3	19	2	43
5	20	1	44
3	21	1	45
3	22	2	46
2	23	1	47
3	24	1	49
3	25	1	50
1	26	1	53
5	27	1	55
2	28	2	58
1	29	1	59
1	30	1	60
2	31	1	61
3	32	1	62
4	33	1	63
3	34	1	68
3	35	1	70

CASES OF INDECENCY.

(99 Cases.)

Trades of Offenders.

Trade or Calling.	No. of Offenders.	Trade or Calling.	No. of Offenders.
Agent	1	Labourers	29
Boys	3	Lighterman	1
Barman	1	Milkman	1
Bailiff	1	Manufacturer	1
Butcher	1	Painters	6
Carmen	2	Polishers	3
Clergyman	1	Printers	2
Carpet planner	1	Plumber	1
Coachmaker	1	Policeman	1
Bricklayer	1	Presser	1
Clerk	1	Plasterer	1
Collector	1	Sailors	2
Cook	1	Soldiers	2
Card blocker	1	Shoemakers	2
Chair caner	1	Shopmen	2
Chemist	1	Stoker	1
Carpenter	1	Stableman	1
Dealers	4	Trainer	1
Farrier	1	Tiler	1
Footman	1	Tinman	1
Gardener	1	Tailors	4
Hawkers	2	Travellers	3
Ironmonger	1	Warehouseman	1

F.

EMBEZZLEMENT.

Ages of Offenders.

(80 Cases.)

Number of Offenders.	Age.	Number of Offenders.	Age.
	Years.		Years.
1	15	4	35
1	16	3	37
3	18	1	38
3	19	4	40
1	20	3	41
3	21	3	42
1	22	1	43
3	23	2	44
3	24	2	45
4	25	1	46
3	26	1	47
3	27	1	50
2	28	1	51
4	29	2	52
1	30	1	54
1	31	1	56
7	32	1	57
3	33	1	61

The average amount of money embezzled was 158*l.* 7*s.* 10*d.* each man.

EMBEZZLEMENT.

Trades of Offenders.

(92 Cases.)

Trade or Calling.	No. of Offenders.	Trade or Calling.	No. of Offenders.
Agent	1	Dealer	1
Butcher	1	Farrier	1
Box maker	1	Labourer	1
Bakers	2	Milkmen	2
Barbers	2	Photographer	1
Barmen	5	Salesmen	3
Clerks	34	Servant	1
Carmen	7	Stockbroker	1
Cooks	2	Sweep	1
Carpenters	2	Travellers	8
Cabman	1	Tailor	1
Cheesemonger	1		

(vii.)

Papers handed in by the Rev. W. D. Morrison (Questions 3107, 3108, 3109, 3112, 3121).

TABLE I.

PARTICULARS of 100 MALE PRISONERS, aged last BIRTHDAY 16, 17, and 18, in WANDSWORTH PRISON between the 14th and 20th June 1894.

Living at Home.	Living in Lodgings.	One or both Parents dead.	Occupations.	
			Skilled Labour.	Unskilled Labour.
54 per cent.	46 per cent.	32 per cent.	23 per cent.	77 per cent.

HEIGHT.

Age last Birthday.	Average Height.			Per-centage of Prisoners below and above the average Height of General Population and Town Artizans.			
	General Population.	Artizans, Towns.	Prison.	Below General Population.	Above General Population.	Below Artizans, Towns.	Above Artizans, Towns.
	Inches.	Inches.	Inches.	Per cent.	Per cent.	Per cent.	Per cent.
16	64·31	63·85	63·25	92·30	7·70	53·85	46·15
17	66·24	64·70	63·50	94·74	5·26	76·32	23·68
18	66·96	65·60	63·08	89·80	10·26	77·55	22·45

WEIGHT.

Age last Birthday.	Average Weight.			Per-centage of Prisoners below and above the average Height of General Population and Town Artizans.			
	General Population.	Artizans, Towns.	Prison.	Below General Population.	Above General Population.	Below Artizans, Towns.	Above Artizans, Towns.
	lbs.	lbs.	lbs.	Per cent.	Per cent.	Per cent.	Per cent.
16	119·0	112·2	111·4	89·25	10·77	53·85	46·15
17	130·2	121·6	123·71	89·47	10·53	68·42	31·58
18	127·24	122·3	123·0	91·84	8·16	73·47	26·53

APPENDIX III.

TABLE II.

OCCUPATION of COMMITTALS for year ended March 1893, omitting Debtors and Military Cases.

Occupations.	Males.	Females.	Total.	Proportions per cent. 1892–3.		
				Males.	Females.	M. & F. to Total No.
No occupation	1,638	14,816	16,454	1·4	34·2	10·3
Domestic servants	963	2,612	3,575	0·8	6·0	2·2
Labourers, charwomen, needlewomen	76,118	12,444	88,562	64·9	28·7	55·1
Factory workers	4,327	4,048	8,375	3·7	9·3	5·2
Mechanics and skilled workers	21,045	690	21,735	18·0	1·6	13·6
Foremen and overlookers of labour	129	18	147	0·1	0·0	0·1
Shopmen, shopwomen, clerks, &c.	3,330	219	3,549	2·8	0·5	2·2
Shopkeepers and dealers	4,596	4,369	8,965	3·9	10·0	5·6
Professional employments	284	34	318	0·3	0·0	0·2
Sailors, marines, soldiers	4,699	—	4,699	4·0	—	2·9
Prostitutes	—	4,096	4,096	—	9·5	2·5
Occupations not ascertained	83	67	150	0·1	0·2	0·1
Total	117,212	43,413	160,625	100·0	100·0	100·0

PROPORTION of LABOURERS to POPULATION.

Number of Labourers in the general Population over 15 years of age.	General Population (Male) over 15 years of age.	Per-centage of Labourers to Population.
1,497,036	9,005,900	16·6 per cent.

No. of Labourers in the Prison Population.	Prison Population (Male).	Per-centage of Labourers (Prisoners) to Prison Population.
76,118	117,212	64·9 per cent.

For Tables III., IV., V., VI see ☛

TABLE VII.

RATIO of JUVENILE PRISONERS between 16 and 21 to the GENERAL POPULATION.

General male population between 16 and 21 in the year 1891, 1,412,030.

Prison male population between 16 and 21 for the year ending March 1892, 18,877.

Proportion of the prison population to the general population between the ages of 16 and 21, 13·36 per 1,000.

General male population between 21 and 30 in the year 1891, 2,324,933.

Prison male population between 21 and 30 for the year ended March 1892, 32,102.

Proportion of the prison population to the general population between the ages of 21 and 30, 13·80 per 1,000.

TABLE VIII.

RESULTS of an INQUIRY into the PHYSICAL and MENTAL CONDITION of 50,000 Children seen in 106 SCHOOLS by FRANCIS WARNER, M.D., read before the ROYAL STATISTICAL SOCIETY, 1893.

Schools grouped as "Resident and Day Schools," as to Social Class, and as to Nationalities, giving a General Analysis of the Conditions found among the Children. Per-centages are taken upon the number of children seen.

Groups of Schools. Number of Children seen.	Per-centage of Children noted.			Development Cases.			Nerve-cases.			Cases of Low Nutrition.			Reported Dull by the Teachers.			Eye Cases.		
	Boys.	Girls.	Both Sexes.	Boys.	Girls.	Total.	Boys.	Girls.	Total.	Boys.	Girls.	Total.	Boys.	Girls.	Total.	Boys.	Girls.	Total.
Poor Law Schools B. 5,884. G. 3,947. T. 9,831.	22·6	17·3	20·5	15·0	12·2	13·8	15·0	9·8	12·9	4·0	2·3	3·3	8·5	7·1	8·0	3·4	2·8	3·2
Certified Industrial B. 1,588. G. 407. T. 1,995.	31·4	22·3	29·6	20·7	15·2	19·6	20·8	14·0	19·4	2·5	6·8	3·4	14·0	11·5	13·5	3·4	4·9	3·7
Homes and Orphanages B. 774. G. 1,049. T. 1,823.	22·2	17·7	19·6	13·8	12·7	13·2	14·4	10·6	12·2	1·8	3·3	2·6	8·7	10·7	9·9	3·6	2·5	3·0
All the Resident Schools B. 8,246. G. 5,403. T. 13,649	24·1	17·7	21·6	16·0	12·4	14·6	16·1	10·3	13·6	3·5	2·8	3·2	9·7	8·1	9·0	3·4	2·9	3·2
Day Schools B. 18,638. G. 17,740. T. 36,378.	19·1	14·9	17·4	12·2	8·8	10·6	11·1	8·6	9·8	3·9	4·6	4·2	7·5	5·7	6·6	2·9	2·6	2·8
Day Schools of Upper Social Class. B. 5,281. G. 4,934. T. 10,215.	21·2	16·1	18·7	14·3	8·5	11·5	13·7	10·5	11·6	4·8	5·6	5·2	8·7	5·8	7·6	3·1	2·9	3·0
Poorer Day Schools B. 13,357. G. 12,806. T. 26,163.	18·3	14·4	16·4	11·4	8·9	10·2	10·5	7·7	9·1	3·6	4·2	3·9	7·1	5·7	6·0	2·8	2·5	2·7
English Schools B. 16,992. G. 15,875. T. 32,807.	19·2	14·9	17·1	12·5	9·0	10·8	10·9	8·5	9·7	3·9	4·7	4·3	7·8	5·7	6·8	2·3	2·6	2·7
Irish Schools, R.C. B. 1,694. G. 595. T. 2,289	34·5	19·3	30·5	22·4	12·9	19·9	25·6	11·9	22·1	4·9	5·8	5·5	14·3	9·7	13·1	4·8	4·5	4·7
Jew Schools B. 1,389. G. 1,572. T. 2,961.	17·7	13·8	15·7	8·8	6·8	7·5	11·1	8·3	9·6	3·0	2·4	2·7	4·6	5·6	5·1	3·8	2·7	3·0
All the Schools B. 26,884. G. 23,146. T. 50,027.	20·7	15·5	18·3	15·4	7·6	11·6	12·6	8·9	10·8	3·8	4·2	4·0	8·2	6·3	7·3	3·1	2·8	2·9

TABLE III.—RELATION between JUVENILE OFFENCES (COMMITMENTS to PRISON and INDUSTRIAL SCHOOLS) and DENSITY of POPULATION.

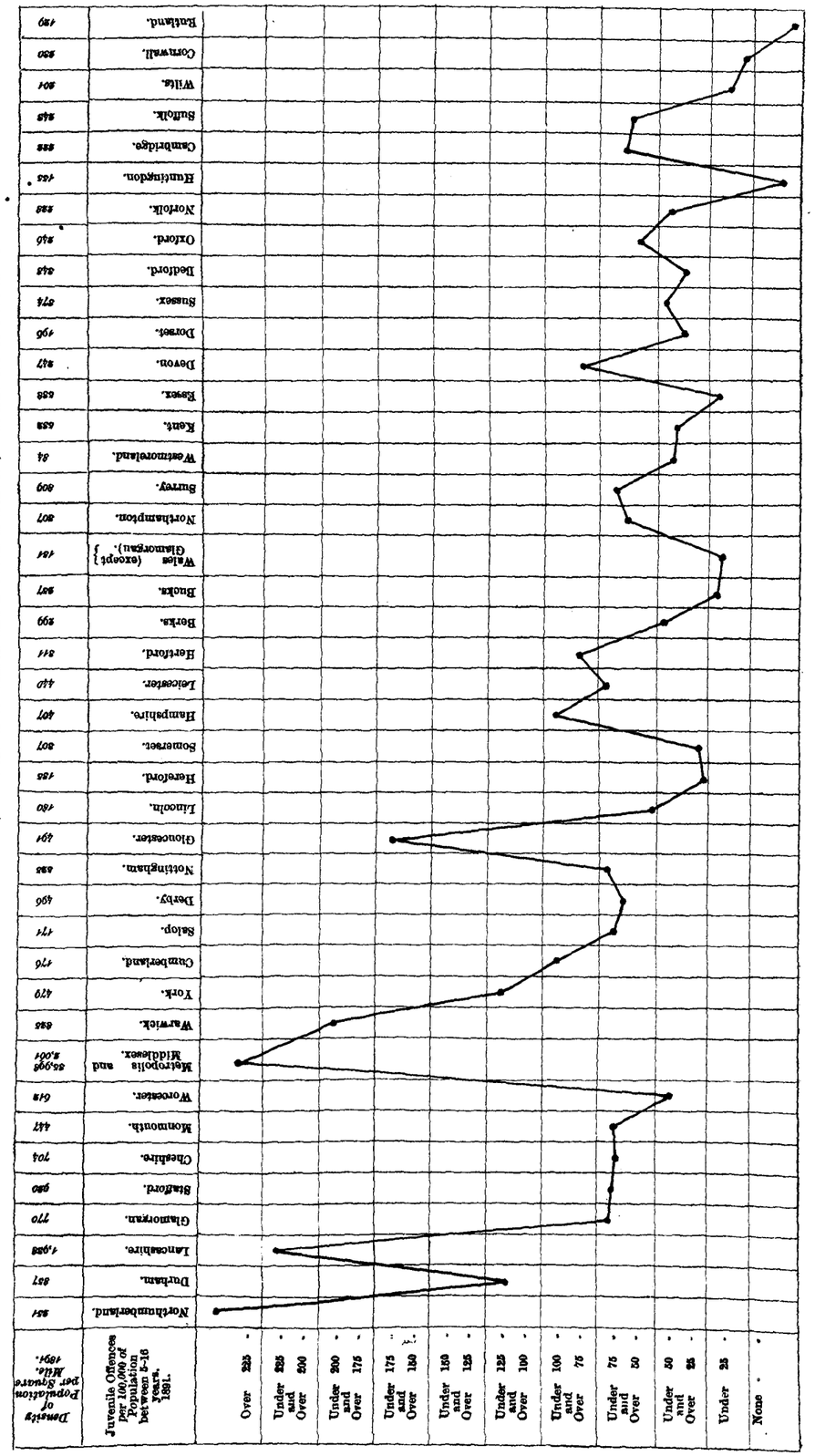


TABLE IV.—Relation between Offences (Trials) and Density of Population (Estimated).

Offences per 10,000 of Population aged 7 years and upwards, 1891.	*Density of Population per Square Mile. 1891.*
	Over 600
Under 600 and Over 550	*Under 600 and Over 350*
Under 550 and Over 500	*Under 550 and Over 300*
Under 500 and Over 450	*Under 500 and Over 450*
Under 450 and Over 400	*Under 450 and Over 400*
Under 400 and Over 350	*Under 400 and Over 350*
Under 350 and Over 300	*Under 350 and Over 300*
Under 300 and Over 250	*Under 300 and Over 250*
Under 250 and Over 200	*Under 250 and Over 200*
Under 200 and Over 150	*Under 200 and Over 150*
Under 150 and Over 100	*Under 150 and Over 100*
Under 100	*Under 100*

Offences ————————

Density of Population ————————

APPENDIX.

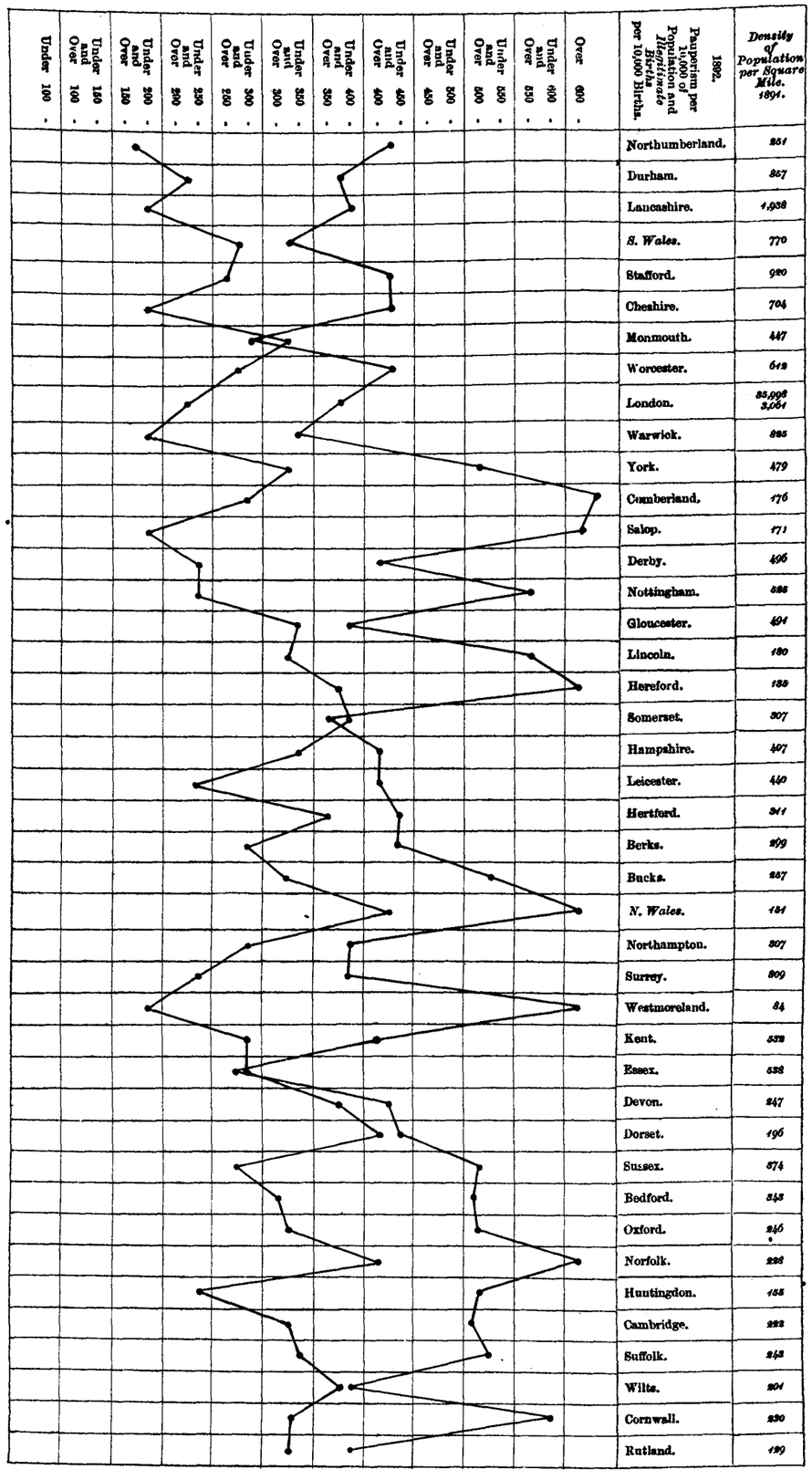
TABLE V.—RELATION between OFFENCES (TRIALS) and PAUPERISM (OUTDOOR and INDOOR).

Density of Population per Square Mile. 1891.	Offences per 10,000 of Population aged 7 Years and upwards. 1891. Pauperism. 1891.	Under 600 and Over 250	Under 250 and Over 200	Under 200 and Over 150	Under 150 and Over 100	Under 100 and Over 50	Under 50
231	Northumberland.						
887	Durham.						
1,268	Lancashire.						
770	Glamorgan.						
920	Stafford.						
704	Cheshire.						
447	Monmouth.						
612	Worcester.						
28,868 2,061	Metropolis and Middlesex.						
885	Warwick.						
479	York.						
176	Cumberland.						
171	Salop.						
496	Derby.						
825	Nottingham.						
491	Gloucester.						
180	Lincoln.						
135	Hereford.						
307	Somerset.						
407	Hampshire.						
440	Leicester.						
311	Hertford.						
290	Berks.						
227	Bucks.						
151	Wales (except Glamorgan).						
307	Northampton.						
309	Surrey.						
84	Westmoreland.						
838	Kent.						
538	Essex.						
247	Devon.						
196	Dorset.						
374	Sussex.						
345	Bedford.						
246	Oxford.						
228	Norfolk.						
135	Huntingdon.						
223	Cambridge.						
243	Suffolk.						
201	Wilts.						
230	Cornwall.						
139	Rutland.						

Offences ——————

Pauperism ——————

TABLE VI.—RELATION between PAUPERISM and ILLEGITIMACY.



1892. Pauperism per 10,000 of Population and *Illegitimate Births* per 10,000 Births.	*Density of Population per Square Mile.* 1891.
Northumberland.	251
Durham.	857
Lancashire.	1,938
S. Wales.	770
Stafford.	920
Cheshire.	704
Monmouth.	447
Worcester.	612
London.	35,998 3,061
Warwick.	825
York.	479
Cumberland.	176
Salop.	171
Derby.	496
Nottingham.	525
Gloucester.	491
Lincoln.	180
Hereford.	135
Somerset.	307
Hampshire.	407
Leicester.	440
Hertford.	311
Berks.	299
Bucks.	257
N. Wales.	151
Northampton.	307
Surrey.	809
Westmoreland.	84
Kent.	532
Essex.	538
Devon.	247
Dorset.	196
Sussex.	374
Bedford.	343
Oxford.	246
Norfolk.	228
Huntingdon.	155
Cambridge.	222
Suffolk.	243
Wilts.	201
Cornwall.	230
Rutland.	129

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Explanatory Note.

The preceding tables are intended to illustrate the extent to which the juvenile offender is a product of adverse individual parental economic and civic conditions. Table I. shows that a high per-centage of juvenile offenders are inferior to the general population, and also to town artizans in height and weight. In many cases it is owing to this condition of physical infirmity that these juveniles are driven into a criminal life. The physical condition of these juveniles is in substantial agremeent with Dr. Warner's inquiries concerning children committed to Industrial Schools.—*See* Table VIII.

Table I. also exhibits the parental condition of juvenile offenders. It shows that 32 per cent. of these offenders had one or both parents dead; that 46 per cent. of them were living in lodgings, and that 54 per cent. were living at home. It is, however, to be observed that the homes of the 54 per cent. were in a high proportion of cases, little better than homes in name owing to the disreputable character of the parents. Adverse parental circumstances is a second condition which produces juvenile crime.

Table I. also illustrates the economic condition of the juvenile offender. According to this table no less than 77 per cent. of the young offenders in Wandsworth Prison were unskilled labourers. This result agrees with Table II., which shows that 64·9 per cent. of the entire local prison population are unskilled labourers. As unskilled labourers only form 16·6 per cent. of the general population these statistics show that the ranks of unskilled labour contribute much more than their proper proportion to the prison population. Adverse industrial circumstances are accordingly a third condition in the production of juvenile crime.

Table III. is intended to show that on the whole juvenile offenders are most numerous where the population is most dense. In other words juvenile crime is to a large extent a product of town life. In this respect it follows the lines of crime in general, which as we see in Table IV. is also in the main a product of town life. The counties of Surrey, Kent, and Essex are the principal exceptions to this rule, and this exceptional position is largely owing to the fact that these counties contain a high per-centage of the well-to-do classes.

Table V., however, shows that adverse economic conditions as exhibited in the ratio of poor law relief do not necessarily produce a high rate of crime. It is possible that the more liberal administration of the poor law in the country than in towns may have some effect in keeping down the rate of crime in the country and of raising it in the towns. But it is more probable that the higher rate of juvenile and adult crime in the towns is in the main to be attributed to the more complex and less stable economic and social conditions of urban life.

Table VII. is intended to show that juveniles between 16 and 21, in proportion to their numbers in the general population, contribute almost as many offenders to the prisons as adults between 21 and 30.

W. D. Morrison.

(viii.)

Tables handed in by Mr. Troup.

(Questions 11,558, 11,567.)

A.

Table showing the Average Prison Population (Local and Convict Prisons) for each period of five years from 1874 to 1893, and the Proportion per 100,000 of the General Population.

—	Annual Average for each Period of Five Years.	Proportion per 100,000 of Population.
1874–78 - -	29,065	119
1879–83 - -	28,341	108
1884–88 - -	23,033	83
1889–93 - -	18,284	62

Appendix III.

Comparison of the Decrease of Prison Population and of Committals to Prison between 1883 and 1893.

Average daily prison population:—

1883 - - -	27,140
1893 - - - -	18,233
Decrease - - -	33 per cent.

Committals to prison:—

1883 - - -	164,142
1893 - - - -	158,498
Decrease - - -	3·5 per cent.

B.

Tables showing the Average Number of Persons tried for Indictable Offences in each period of five years from 1874 to 1893, and the Proportion per 100,000 of the Population.

Total Number tried for Indictable Offences, 1874–93.

—	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.
1874–78 - -	53,044	217
1879–83 - -	60,080	230
1884–88 - -	57,385	208
1889–93 - -	56,472	194

Class I.—Offences against the Person.

—	Crimes of Violence.		Crimes against Morality.	
	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.
1874–78 - -	1,329	7·54	691	2·84
1879–83 - -	1,581	6·07	750	2·89
1884–88 - -	1,581	5·74	1,291*	4·69
1889–93 - -	1,440	4·95	1,151*	3·96

* This increase is chiefly due to the new offences created by the Criminal Law Amendment Act, 1885.

Class II.—Offences against Property with Violence.

—	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.
1874–78 - -	1,420	5·82
1879–83 - -	1,834	7·04
1884–88 - -	1,887	6·86
1889–93 - -	1,883	6·47

The increase in the second as compared with the first period is caused in part by the fact that certain offences which had previously been erroneously classed as larceny were after 1878 classed as burglary or housebreaking.

APPENDIX III.

Class III.—Offences against Property without Violence.

—	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.
1874–78 - -	47·900	196
1879–83 - -	54·425	208
1884–88 - -	51·267	186
1889–93 - -	50·820	174

Class IV.—Malicious Injuries to Property.

—	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.
1874–78 - -	202	·83
1879–83 - -	254	·98
1884–88 - -	277	1·01
1889–93 - -	270	·93

Class V.—Forgery and Offences against the Currency.

—	Borgery.		Offences against the Currency.	
	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.
1874–78 -	180	·74	220	·90
1879–83 -	223	·85	300	1·16
1884–88 -	204	·74	306	1·11
1889–93 -	195	·67	151	·52

Class VI.—Other Offences not included in above Classes.

—	Annual Average for each Period of Five Years.	Proportion to 100,000 Population.
1874–78 - -	602	2·47
1879–83 - -	712	2·73
1884–88 - -	711	2·58
1889–93 - -	568	1·95

NOTE.—This class includes the offence of "attempting to commit suicide," the figures of which are as follows:—

—	Annual Average for each Period of Five Years.
1874–78 - -	76
1879–83 - -	88
1884–88 - -	131
1889–93 - -	142

C.

(1.) TABLE showing the NUMBER of PERSONS with four or more previous CONVICTIONS of LARCENY, who were CONVICTED of LARCENY at ASSIZES or QUARTER SESSIONS in the WEST RIDING of YORKSHIRE in 1893, and the average length of SENTENCE inflicted upon them at each CONVICTION.

—	Number of Sentences.	Average Length of Sentences.	Number of Sentences of Penal Servitude.
		Y. M. D.	
On first conviction -	100	0 2 15	—
On second „ -	100	0 5 11	1
On third „ -	100	0 7 9	4
On fourth „ -	100	1 9 11	18
On fifth „ -	100	1 7 3	21
On sixth to tenth conviction.	149	1 0 11	12
On eleventh to twentieth conviction.	17	*[0 3 28]	—

(2.) SIMILAR TABLE for the COUNTY of LANCASHIRE, including LIVERPOOL CITY SESSIONS.

—	Number of Sentences.	Average Length of Sentences.	Number of Sentences of Penal Servitude.
		Y. M. D.	
On first conviction -	154	0 2 8	—
On second „ -	154	0 5 27	3
On third „ -	154	0 11 6	12
On fourth „ -	154	1 2 8	17
On fifth „ -	154	1 7 24	27
On sixth to tenth conviction.	257	1 7 7	42
On eleventh to eighteenth conviction.	32	*[1 4 24]	5

* After the tenth conviction the number of sentences coming within this Table is too small to give a trustworthy average.

DIAGRAM Nº 1.- CRIMES GENERALLY AND CRIMES AGAINST PROPERTY.

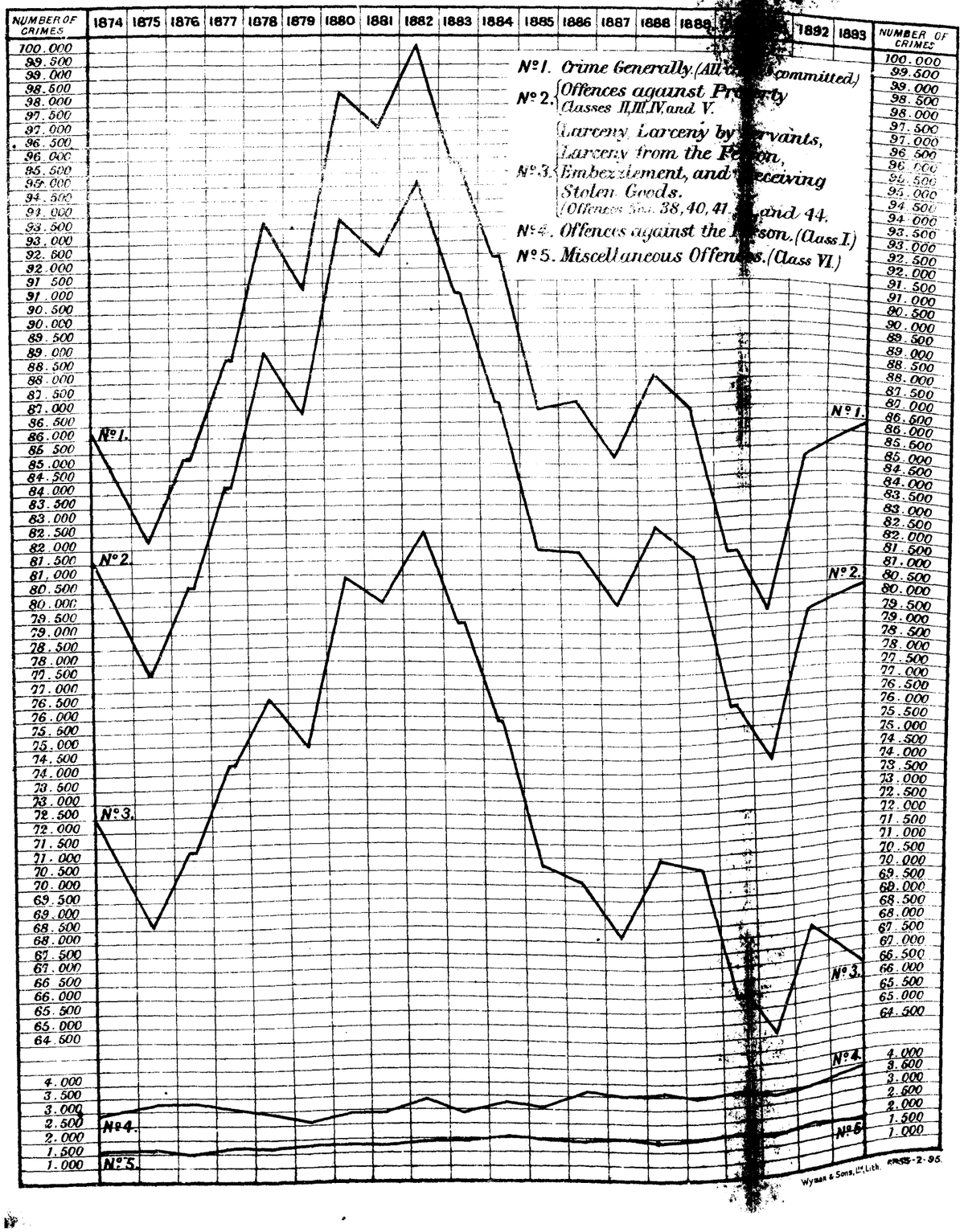
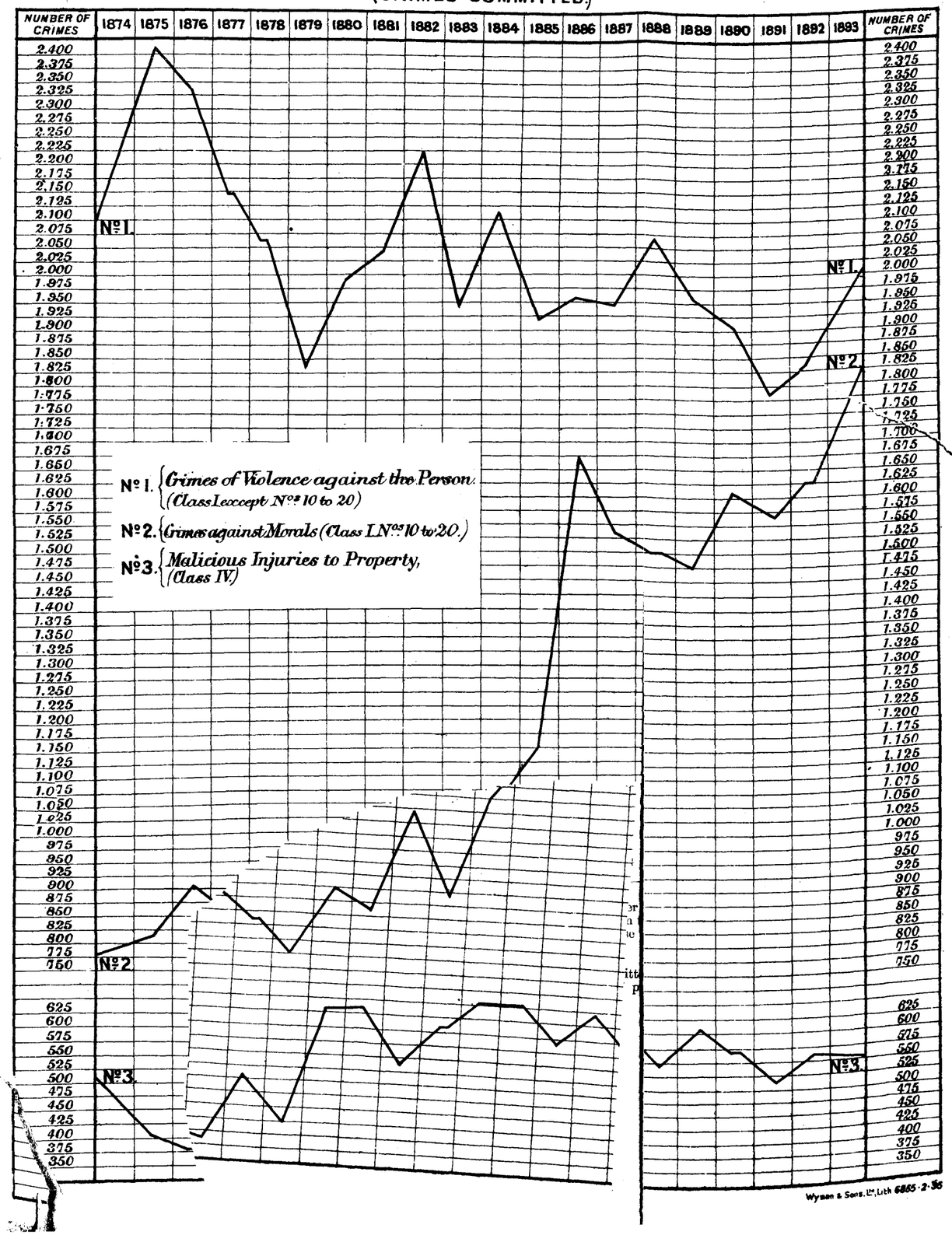


DIAGRAM No. 2.- OFFENCES AGAINST THE PERSON, AND MALICIOUS INJURIES TO PROPERTY.
(CRIMES COMMITTED.)



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D.

TABLE showing the PROPORTION of FEMALES among PRISONERS convicted in 1893 of INDICTABLE OFFENCES at each period of age.

—	Total Number of Persons convicted for Indictable Offences.	Number of Females convicted of Indictable Offences.	Per-centage of Females.
Under 12 -	2,009	145	7·32
12 to 16 - -	6,595	803	12·18
16 to 21 - -	9,298	1,346	14·48
21 to 30 - -	10,862	1,948	17·93
30 to 40 - -	7,824	1,701	21·74
40 to 50 - -	4,190	1,107	26·42
50 to 60 - -	1,879	501	26·66
Above 60 - -	1,178	236	20·03

E.

PROPORTION of YOUNG OFFENDERS in different classes of crime (*i.e.*, in persons tried for indictable offences in 1893).

—	Per-centage under 16.	Per-centage 16 to 21.
Class I.		
Crimes of violence - -	2·20	14·73
Crimes against morals -	4·87	20·58
Class II.		
Burglary, housebreaking, &c.	5·07	36·22
Robbery and extortion -	2·42	24·19
Class III. generally - -	21·72	21·17
Larceny from the person -	6·42	22·92
Larceny by a servant - -	13·38	27·69
Simple larceny - -	24·56	20·92
False pretences - - -	2·15	11·98
Class IV. generally - -	27·69	12·82
Class V.		
Forgery, &c. - - -	1·93	12·08
Coining, &c. - -	·61	23·78
Class VI. - - - -	—	9·49
Total - -	19·55	21·21

F.

TABLE showing the PROPORTION of NUMBER of PERSONS of each period of age convicted of INDICTABLE OFFENCES to total population at that age, for the year 1893.

—	Total Number of Persons convicted for Indictable Offences.	Proportion per 100,000 of Population of same Age.
Under 12 years - - -	2,009	24
12 to 16 „ - -	6,595	261
16 to 21 „ - - -	9,298	321
21 to 30 „ - - -	10,862	245
30 to 40 „ - - -	7,824	204
40 to 50 „ - -	4,190	143
50 to 60 „ - - -	1,879	92
Above 60 „ - -	1,178	56

G.

NUMBER of PERSONS at each period of age tried at the COURTS OF ASSIZE in FRANCE in 1891.

Age.	Number of Persons tried.
Under 16 - - - - -	35
16 to 21 - - - - -	597
21 to 30 - - - - -	1,326
30 to 40 - - - - - -	1,076
40 to 50 - - - - -	661
50 to 60 - - - - -	336
Above 60 - - - -	176

H.

NUMBER of PERSONS of each period of age convicted at ASSIZES or QUARTER SESSIONS in ENGLAND and tried by COURTS OF ASSIZE in FRANCE, and the proportions in each case to population.

—	Actual Figures.		Proportion per 100,000 Population of same Age.	
	England. — Assizes and Quarter Sessions, 1893.	France. — Assizes, 1891.	England.	France.
16 to 21 -	1,887	597	65	18
21 to 30 -	3,087	1,326	70	24
30 to 40 -	2,237	1,076	59	20
40 to 50 -	1,227	661	42	14
50 to 60 -	557	336	27	9
Above 60 -	451	176	21	4

As the English figures include a larger number of crimes than the French, it is only the point at which the maximum is reached and the ratio of increase or decrease that can be compared.

The figures relating to children below 16 are omitted, because they are affected by the difference of procedure.

See Diagrams 1 *and* 2.

APPENDIX IV.

Papers and Statistics relating to Prison Labour.

		Page
(i.)	Return showing the kinds of labour in use in 1893–4, and the numbers employed	543
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(vi.)	Return giving number of mat-makers employed during the years 1886–90, the names of the contractors, copies of the advertisements of contracts and of the form of tender, and memorandum on mat-making in prisons by Sir E. Du Cane, 1888	562
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(i.)

PRISON LABOUR.

Year ended 31st March, 1894.

	Kind of Labour.	Bedford. Population, $58\frac{148}{311}$. Number employed.	Birmingham. Population, 514. Number employed.	Bodmin. Population, $49\frac{116}{311}$. Number employed.	Brecon. Population, $19\frac{271}{311}$. Number employed.	Bristol. Population, $203\frac{220}{311}$. Number employed.
Non-productive.	Crank	$9\frac{142}{311}$	—	4	3	$24\frac{144}{311}$
	Treadwheel	—	—	$6\frac{31}{311}$	—	—
Productive	IN MANUFACTURES.					
	Grinding wheat, &c.	—	41	—	—	—
	Stone breaking	—	69	—	—	—
	Basket, brush, rug, mop, and nosebag makers	$7\frac{145}{311}$	2	—	—	—
	Coopers, joiners, smiths, and tinners	—	2	—	—	—
	Knitters and needlewomen	$\frac{71}{311}$	9	$\frac{16}{311}$	—	$1\frac{295}{311}$
	Mailbag makers	—	8	—	—	$7\frac{8}{311}$
	Matmakers	$\frac{9}{311}$	18	—	—	—
	Matting weavers	—	2	—	—	—
	Sorters, &c.	—	2	—	—	—
	Pickers—coir, oakum, wool, &c.	$13\frac{280}{311}$	119	$14\frac{46}{311}$	$4\frac{64}{311}$	$57\frac{64}{311}$
	Shoemakers, &c.	$\frac{222}{311}$	1	—	—	—
	Tailors, &c.	—	1	—	—	—
	Woodcutters	$\frac{24}{311}$	—	—	—	—
	IN BUILDINGS, &C.					
	Bricklayers or masons	$\frac{68}{311}$	3	—	—	$\frac{193}{311}$
	Carpenters or joiners	$\frac{112}{311}$	4	—	$\frac{8}{311}$	$\frac{256}{311}$
	Labourers	$1\frac{89}{311}$	11	$2\frac{12}{311}$	$\frac{186}{311}$	$4\frac{205}{311}$
	Plasterers	—	—	—	—	$\frac{10}{311}$
	Painters and glaziers	$\frac{155}{311}$	6	—	—	$\frac{80}{311}$
	Plumbers and gasfitters	—	—	—	—	$\frac{57}{311}$
	Smiths and fitters	—	4	—	—	$1\frac{41}{311}$
	Whitewashers	$\frac{240}{311}$	8	—	$\frac{112}{311}$	—
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Pumping water	—	—	—	$1\frac{156}{311}$	—
	Baking	1	3	1	—	1
	Cooking	$1\frac{264}{311}$	5	1	1	$2\frac{302}{311}$
	Cleaning and jobbing	$5\frac{72}{311}$	26	$2\frac{184}{311}$	$3\frac{27}{311}$	$9\frac{93}{311}$
	Gardeners	$\frac{216}{311}$	6	$1\frac{160}{311}$	$\frac{163}{311}$	$5\frac{240}{311}$
	Nursing and attending sick prisoners	$\frac{64}{311}$	1	$\frac{9}{311}$	—	$\frac{32}{311}$
	Washing	2	16	$1\frac{231}{311}$	$\frac{231}{311}$	8
	Repairing prison clothing	$\frac{306}{311}$	17	$2\frac{98}{311}$	$\frac{117}{311}$	$5\frac{301}{311}$
	„ „ shoes	$\frac{59}{311}$	2	$\frac{205}{311}$	—	$\frac{286}{311}$
	„ „ utensils	—	1	—	—	—
	„ „ books, &c.	$\frac{128}{311}$	1	$\frac{71}{311}$	—	—
	Stoking prison furnaces	$\frac{147}{311}$	4	$\frac{22}{311}$	$\frac{147}{311}$	—
	Total	$47\frac{300}{311}$	392	$37\frac{84}{311}$	$15\frac{243}{311}$	$132\frac{139}{311}$

APPENDIX IV.

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Cambridge. Population, 89 268/311.	Canterbury. Population, 134 178/311.	Cardiff. Population, 250 78/311.	Carlisle. Population, 86 116/311.	Carmarthen. Population, 40 178/311.
		Number employed.	Number employed.	Number employed.	Number employed.	Number employed.
Non-productive.	Crank	2 58/311	—	—	—	—
	Treadwheel	—	—	46 174/311	21 137/311	—
	In Manufactures.					
Productive	Coopers, joiners, smiths, and tinners	42/311	113/311	—	—	11/311
	Cotton, jute, linen, and woollen weavers	—	—	4 309/311	—	—
	Knitters and needlewomen	157/311	225/311	24 90/311	3 151/311	169/311
	Labourers, &c.	7/311	—	—	—	—
	Mailbag makers	—	18 24/311	—	—	—
	Pickers—coir, oakum, wool, &c.	8 208/311	24 176/311	59 41/311	23 232/311	6 117/311
	Sack and ship fender makers	—	—	—	104/311	—
	Woodcutters	27 73/311	—	—		—
	In Buildings, &c.					
	Bricklayers or masons	26/311	13/311	—	—	21/311
	Carpenters or joiners	80/311	1 21/311	66/311	42/311	18/311
	Labourers	1 235/311	7 245/311	14 209/311	3 213/311	204/311
	Painters and glaziers	96/311	104/311	1 92/311	30/311	178/311
	Plumbers and gasfitters	—	101/311	—	8/311	1/311
	Smiths and fitters	4/311	1 23/311	93/311	16/311	10/311
	Slaters	—	—	—	11/311	—
	Whitewashers	—	68/311	239/311	117/311	—
	Employments in the Service of the Prison.					
	Pumping water	14 183/311	31 53/311	—	—	14 281/311
	Baking	1	1	1	1	—
	Cooking	1	2	2 310/311	2	1
	Cleaning and jobbing work	5 126/311	8 65/311	14 275/311	7 247/311	6 188/311
	Gardeners	50/311	3 170/311	6 145/311	—	4/311
	Nursing and attending sick prisoners	—	163/311	4/311	65/311	18/311
	Washing	2 212/311	4 70/311	6 239/311	2 308/311	1
	Repairing prison clothing	2 71/311	2 28/311	6 6/311	1 309/311	1 91/311
	,, ,, shoes	183/311	246/311	273/311	264/311	26/311
	,, ,, utensils	4/311	170/311	—	—	59/311
	Stoking prison furnaces	186/311	127/311	1 196/311	1	1
	Total	69 83/311	109 27/311	132 293/311	71 38/311	34 89/311

APPENDIX IV

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Carnarvon. Population, 39 270/311.	Chelmsford. Population, 208.	Derby. Population, 177 126/311.	Devizes. Population, 57 307/311.	Dorchester. Population, 75 144/311.
		Number employed.	Number employed.	Number employed.	Number employed.	Number employed.
Non-productive.	Crank	6 4/311	—	—	—	—
	Treadwheel	—	—	—	35/311	7 226/311
	In Manufactures.					
Productive	Grinding wheat, &c.	—	23	33 171/311	13 202/311	3 53/311
	Brushmakers	5 286/311	—	—	—	—
	Coopers, joiners, smiths, and tinners	—	—	280/311	—	—
	Haltermakers	2 146/311	—	—	—	—
	Knitters and needlewomen		1	4 305/311	43/311	—
	Labourers, &c.	—	—	1	—	—
	Mailbag makers	—	16	6 264/311	—	9 180/311
	Pickers—coir, oakum, wool, &c.	10 178/311	85	41 206/311	10 99/311	22 68/311
	Tailors, &c.	—	1	65/311	—	—
	Woodcutters	3/311	—	6 276/311	1 244/311	—
	In Buildings.					
	Bricklayers or masons	—	1	213/311	97/311	—
	Carpenters or joiners	20/311	2	128/311	9/311	63/311
	Labourers	198/311	4	2 6/311	1 236/311	4 217/311
	Plasterers	—	—	16/311	—	—
	Painters and glaziers	16/311	1	226/311	252/311	223/311
	Plumbers and gasfitters	—	—	247/311	1/311	—
	Smiths and fitters	4/311	2	14/311	66/311	130/311
	Slaters	—	—	—	4/311	—
	Whitewashers	—	—	1 165/311	133/311	—
	Employments in the Service of the Prison.					
	Pumping water	—	—	—	1	—
	Baking	99/311	1	2	1	1
	Cooking	1 1/311	5	2	1	1
	Cleaning and jobbing work	2 186/311	15	10 310/311	6 236/311	5 102/311
	Gardeners	—	5	—	1 272/311	—
	Nursing and attending sick prisoners	76/311	1	1 183/311	3/311	228/311
	Washing	219/311	8	7 113/311	2 6/311	2 218/311
	Repairing prison clothing	141/311	6	2 127/311	1 88/311	1 167/311
	,, ,, shoes	41/311	1	261/311	116/311	42/311
	,, ,, utensils	—	3	47/311	27/311	2/311
	,, ,, books, &c.	—	—	261/311	—	7/311
	Stoking prison furnaces	61/311	1	216/311	149/311	157/311
	Total	31 118/311	182	131 60/311	45 143/311	61 201/311

APPENDIX IV.

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Durham. Population, 474,159. Number employed.	Exeter. Population, 144,440. Number employed.	Gloucester. Population, 76. Number employed.	Hereford. Population, 44,283. Number employed.	Holloway. Population, 705,998. Number employed.
Non-productive.	Treadwheel	—	1 1/61	—	—	—
	IN MANUFACTURES.					
	Grinding wheat, &c.	58 307/811	—	—	—	—
	Brushmakers	—	1	—	—	—
	Joiners, smiths, and tinners	1 122/811	—	—	—	—
	Cotton and linen weavers	18 181/811	—	—	—	—
	Glovemakers	—	1 201/811	—	—	—
	Knitters and needlewomen	31 288/811	1 277/811	—	—	12 346/811
	Mailbag makers	—	23 161/811	—	—	29 267/811
	Pickers—coir, hair, oakum, wool, &c.	109 274/811	31 244/811	16	9 11/811	108 217/811
	Sack and ship fender makers	3 203/811	—	—	—	—
	Sack menders	—	257/811	—	72/811	—
	Shoemakers, &c.	2 229/811	-	—	—	—
	Tailors, &c.	2 18/811	3 92/811	—	—	—
	Woodcutters	—	—	4	—	
	IN BUILDINGS, &c.					
Productive	Bricklayers or masons	1 300/811	205/811	—	—	—
	Carpenters or joiners	—	2 53/811	—	78/811	—
	Labourers	31 300/811	3 204/811	3	3 211/811	—
	Painters and glaziers	7 111/811	2 26/811	—	6/811	18/811
	Plumbers and gasfitters	61/811	30/811	—	—	—
	Smiths and fitters	218/811	263/811	—	7/811	—
	Whitewashers	—	2 200/811	1	60/811	1 124/811
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Pumping water	—	—	15	12 13/811	—
	Baking	2	1	1	187/811	—
	Cooking	4	3	1	1	11 288/811
	Cleaning and jobbing work	33 42/811	8 294/811	10	3 250/811	24 243/811
	Nursing and attending sick prisoners	2 118/811	265/811	—	4/811	1
	Washing	16	4 168/811	5	1 183/811	15 139/811
	Repairing prison clothing	15 300/811	3 59/811	3	1 16/811	7 86/811
	„ „ shoes	1 61/811	222/811	—	17/811	—
	„ „ utensils	130/811	1	—	—	—
	„ „ books, &c.	—	1	—	—	147/811
	Stoking prison furnaces	189/811	140/811	1	—	—
	Total	341 375/811	102 202/811	60	33 191/811	213 340/811

APPENDIX IV.

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Hull. Population, 220 9/811. Number employed.	Ipswich. Population, 78 213/811. Number employed.	Kendal. Population, 18 111/811. Number employed.	Knutsford. Population, 343 159/811. Number employed.	Lancaster. Population, 64 286/811. Number employed.
Non-productive.	Crank	—	—	—	—	7 31/811
	Treadwheel	—	14 102/811	—	—	—
	IN MANUFACTURES.					
	Grinding wheat, &c.	24 214/811	—	2 102/811	—	—
	Brushmakers	1 206/811	—	—	5 267/811	—
	Bookbinders	—	—	—	156/811	—
	Joiners, smiths, and tinners	—	—	—	95/811	—
	Cotton and linen weavers	—	—	—	28 4/811	—
	Knitters and needlewomen	6 33/811	—	—	33 242/811	258/811
	Labourers, &c.	—	—	—	7 31/811	—
	Mailbag makers	13 178/811	—	—	—	—
	Pickers—coir, oakum, silk, wool, &c.	25 103/811	17 143/811	6 287/811	90 185/811	25 16/811
	Shoemakers, &c.	1 12/811	—	—	6 86/811	—
	Slippermakers (listing)	4 97/811	—	—	—	—
	Tailors, &c.	1 28/811	—	—	13 98/811	—
	Woodcutters	—	10 111/811	—	63/811	—
	IN BUILDINGS, &c.					
	Bricklayers or masons	—	167/811	—	1 89/811	—
	Carpenters or joiners	216/811	243/811	11/811	186/811	43/811
Productive	Labourers	11 144/811	2 84/811	—	4 33/811	1 46/811
	Plasterers	—	—	—	18/811	—
	Painters and glaziers	113/811	204/811	—	1 39/811	107/811
	Plumbers and gasfitters	—	—	—	46/811	9/811
	Smiths and fitters	—	59/811	—	1 80/811	46/811
	Whitewashers	3 66/811	1 18/811	—	1 85/811	—
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Pumping water	24 214/811	—	113/811	26 108/811	108/811
	Baking	1	1	—	310/811	86/811
	Cooking	3 205/811	1	1 58/811	6 93/811	1 211/811
	Cleaning and jobbing work	11 309/811	5 309/811	1 186/811	20 108/811	7 49/811
	Gardeners	4 166/811	2 71/811	—	—	—
	Nursing and attending sick prisoners	244/811	—	—	1 256/811	30/811
	Washing	8 173/811	2 145/811	175/811	11 80/811	1 264/811
	Repairing prison clothing	5 126/811	2 152/811	100/811	9 237/811	1 248/811
	„ „ shoes	286/811	286/811	—	1 78/811	74/811
	„ „ utensils	—	137/811	—	1 37/811	19/811
	„ „ books, &c.	1	49/811	—	1 59/811	—
	Stoking prison furnaces	2	134/811	100/811	1 14/811	—
	Total	158 100/811	64 225/811	13 209/811	279 87/811	48 71/811

APPENDIX IV.

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Leeds. Population, 143$\frac{253}{311}$. Number employed.	Leicester. Population, 128$\frac{82}{311}$. Number employed.	Lewes. Population, 199$\frac{250}{311}$. Number employed.	Lincoln. Population, 165. Number employed.	Liverpool. Population, 1,016$\frac{280}{311}$. Number employed.
Non-productive.	Crank	—	28$\frac{152}{311}$	19$\frac{206}{311}$	—	—
Non-productive.	Treadwheel	—	—	—	4	
	IN MANUFACTURES.					
	Grinding wheat, &c.	72$\frac{253}{311}$	—	—	41	—
	Weaving mats with heavy loom	—	—	6$\frac{2}{311}$	—	—
	Brush, rug, and nosebag makers	—	—	4	—	3$\frac{3}{311}$
	Coopers, joiners, smiths, and tinners	$\frac{30}{311}$	—	—	—	4$\frac{91}{311}$
	Cotton and woollen weavers	53$\frac{190}{311}$	—	—	—	21$\frac{73}{311}$
	Gardeners	—	—	—	—	3$\frac{276}{311}$
	Housemaid kneeler makers	—	—	—	—	1$\frac{29}{311}$
	Knitters and needlewomen	14$\frac{194}{311}$	$\frac{15}{311}$	1$\frac{77}{311}$	2	85$\frac{256}{311}$
	Labourers, &c.	7	$\frac{310}{311}$	—	2	—
	Mailbag makers	—	$\frac{62}{311}$	—	—	26$\frac{143}{311}$
	Matmaking	—	—	6$\frac{151}{311}$	—	—
	Sorters, &c.	—	—	4	—	—
	Pickers—coir, oakum, wool, &c.	50$\frac{306}{311}$	43$\frac{246}{311}$	86$\frac{98}{311}$	50	362$\frac{95}{311}$
	Unpicking leather belting	1$\frac{11}{311}$	—	—	—	—
	Sackmakers	—	—	—	—	$\frac{280}{311}$
	Shoemakers, &c.	—	—	—	—	2$\frac{142}{311}$
	Tailors, &c.	2$\frac{120}{311}$	$\frac{12}{311}$	$\frac{307}{311}$	—	2$\frac{190}{311}$
	Twine spinners	—	—	—	—	19$\frac{17}{311}$
	Woodcutters	—	—	3$\frac{210}{311}$	2	—
	IN BUILDINGS, &c.					
Productive	Bricklayers or masons	2$\frac{61}{311}$	$\frac{5}{311}$	$\frac{124}{311}$	1	2$\frac{159}{311}$
Productive	Carpenters or joiners	2$\frac{26}{311}$	$\frac{61}{311}$	$\frac{305}{311}$	1	1$\frac{128}{311}$
Productive	Labourers	26$\frac{62}{311}$	3$\frac{245}{311}$	1$\frac{241}{311}$	6	9$\frac{256}{311}$
Productive	Plasterers	$\frac{161}{311}$	—	—	—	$\frac{126}{311}$
Productive	Painters and glaziers	2$\frac{35}{311}$	$\frac{193}{311}$	$\frac{101}{311}$	—	3$\frac{11}{311}$
Productive	Plumbers and gasfitters	$\frac{68}{311}$	—	—	—	$\frac{39}{311}$
Productive	Smiths and fitters	2$\frac{118}{311}$	$\frac{206}{311}$	—	—	2$\frac{167}{311}$
Productive	Whitewashers	$\frac{256}{311}$	$\frac{193}{311}$	—	—	—
Productive	Tinners	$\frac{43}{311}$	—	—	—	—
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Pumping water	—	$\frac{60}{311}$	—	—	70$\frac{148}{311}$
	Baking	3	1	2	1	3$\frac{276}{311}$
	Cooking	7	1$\frac{310}{311}$	2$\frac{50}{311}$	2	6$\frac{198}{311}$
	Cleaning and jobbing work	23$\frac{247}{311}$	8$\frac{209}{311}$	14$\frac{191}{311}$	11	45$\frac{225}{311}$
	Gardeners	—	—	3$\frac{73}{311}$	5	—
	Nursing and attending sick prisoner	4$\frac{253}{311}$	$\frac{24}{311}$	$\frac{5}{311}$	1	2$\frac{116}{311}$
	Washing	13$\frac{11}{311}$	4$\frac{164}{311}$	4$\frac{167}{311}$	6	25$\frac{102}{311}$
	Repairing prison clothing	18$\frac{288}{311}$	2$\frac{204}{311}$	3$\frac{119}{311}$	2	62$\frac{101}{311}$
	„ „ shoes	2$\frac{81}{311}$	1$\frac{31}{311}$	$\frac{286}{311}$	1	2$\frac{254}{311}$
	„ „ utensils	$\frac{271}{311}$	$\frac{8}{311}$	—	—	1$\frac{266}{311}$
	„ „ books, &c.	—	$\frac{121}{311}$	1	—	$\frac{310}{311}$
	Stoking prison furnaces	1$\frac{209}{311}$	$\frac{159}{311}$	2$\frac{32}{311}$	1	3$\frac{118}{311}$
	Total	314$\frac{287}{311}$	100$\frac{281}{311}$	170$\frac{45}{311}$	140	779$\frac{66}{311}$

APPENDIX IV.

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Maidstone. Population, 183$\frac{103}{311}$. Number employed.	Newcastle. Population, 291. Number employed.	North-allerton. Population, 126$\frac{177}{311}$. Number employed.	North-ampton. Population, 108$\frac{276}{311}$. Number employed.	Norwich. Population 112$\frac{282}{311}$. Number employed.
Non-productive.	Crank	—	37	—	—	—
Non-productive.	Treadwheel	2$\frac{87}{311}$	—	—	24$\frac{196}{311}$	$\frac{287}{311}$
	IN MANUFACTURES.					
	Grinding wheat, &c.	27$\frac{4}{311}$	—	28$\frac{55}{311}$	—	—
	Stone breaking	—	15	—	—	—
	Brushmaking	—	—	—	$\frac{153}{311}$	—
	Jute weavers	$\frac{206}{311}$	—	—	—	—
	Gardeners	4$\frac{42}{311}$	—	—	—	—
	Balling and splicing	7$\frac{72}{311}$	—	—	—	—
	Knitters and needlewomen	$\frac{194}{311}$	2	6$\frac{130}{311}$	$\frac{49}{311}$	$\frac{27}{311}$
	Labourers	2$\frac{45}{311}$	2	—	—	—
	Mailbag makers	—	—	—	5$\frac{25}{311}$	—
	Pickers—coir, cotton, hair, linoleum, oakum, &c.	16$\frac{175}{311}$	110	20$\frac{282}{311}$	24$\frac{37}{311}$	24$\frac{169}{311}$
	Sack and ship fender makers	6$\frac{178}{311}$	5	2$\frac{147}{311}$	—	2$\frac{196}{311}$
	Shoemakers, &c.	—	—	—	5$\frac{294}{311}$	—
	Tailors, &c.	—	—	$\frac{17}{311}$	—	—
	Washing	—	1	—	—	—
	Woodcutters	—	—	10$\frac{289}{311}$	9$\frac{268}{311}$	—
	IN BUILDINGS, &c.					
Productive	Bricklayers or masons	—	—	—	—	1$\frac{124}{311}$
Productive	Carpenters or joiners	—	1	1$\frac{217}{311}$	$\frac{32}{311}$	$\frac{210}{311}$
Productive	Labourers	24$\frac{210}{311}$	3	2$\frac{68}{311}$	1$\frac{39}{311}$	8$\frac{64}{311}$
Productive	Painters and glaziers	—	1	$\frac{132}{311}$	$\frac{54}{311}$	4$\frac{108}{311}$
Productive	Smiths and fitters	—	1	$\frac{240}{311}$	—	$\frac{81}{311}$
Productive	Whitewashers	$\frac{14}{311}$	—	$\frac{197}{311}$	$\frac{116}{311}$	$\frac{68}{311}$
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Pumping water	10$\frac{164}{311}$	—	3	—	21$\frac{228}{311}$
	Baking	2	2	1	1	1
	Cooking	2$\frac{310}{311}$	3	3	1	3
	Cleaning and jobbing work	13$\frac{134}{311}$	17	5	5$\frac{94}{311}$	6$\frac{156}{311}$
	Gardeners	—	—	$\frac{125}{311}$	—	—
	Nursing and attending sick prisoners	1$\frac{81}{311}$	4	$\frac{80}{311}$	$\frac{287}{311}$	$\frac{62}{311}$
	Washing	8$\frac{238}{311}$	8	4$\frac{289}{311}$	3$\frac{50}{311}$	3$\frac{136}{311}$
	Repairing prison clothing	7$\frac{238}{311}$	5	4$\frac{171}{311}$	1$\frac{258}{311}$	2$\frac{34}{311}$
	„ „ shoes	$\frac{276}{311}$	1	$\frac{178}{311}$	$\frac{276}{311}$	$\frac{268}{311}$
	„ „ utensils	$\frac{164}{311}$	1	—	$\frac{1}{311}$	—
	„ „ books, &c.	$\frac{60}{311}$	—	—	—	—
	Stoking prison furnaces	$\frac{184}{311}$	2	1$\frac{123}{311}$	—	—
	Total	140$\frac{90}{311}$	221	98$\frac{194}{311}$	86$\frac{68}{311}$	82$\frac{147}{311}$

APPENDIX IV.

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Nottingham. Population, 158 211/311.	Oxford. Population, 62 105/311.	Pentonville. Population, 1,090 87/311.	Plymouth. Population, 58 3/311.	Portsmouth. Population, 127 16/311.
		Number employed.	Number employed.	Number employed.	Number employed.	Number employed.
Non-productive.	Crank	20 86/311	4 93/311	—	18 29/311	3 185/311
	Treadwheel	—	8 78/311	—	—	—
	IN MANUFACTURES.					
	Grinding wheat, &c.	—	3 110/311	158 270/311	—	26 113/311
	Baking	—	—	13 163/311	—	—
	Mop and nosebag makers	—	—	—	—	22 231/311
	Bookbinders	—	—	1 106/311	—	—
	Coopers, joiners, smiths, and tinners	—	—	1 248/311	—	—
	Knitters and needlewomen	2 205/311	67/311	—	137/311	—
	Labourers, &c.	—	—	7	—	1
	Mailbag makers	—	—	9 139/311	—	—
	Pickers—coir, oakum, wool, &c.	25 42/311	11 248/311	392 249/311	10 67/311	29 157/311
	Sackmakers	—	—	6 6/311	—	—
	Shoemakers	—	—	6 87/311	—	—
	Tailors, &c.	—	—	7 183/311	—	—
	Woodcutters	6/311	1 102/311	—	—	—
	IN BUILDINGS, &c.					
	Bricklayers or masons	1 64/311	1 20/311	5 120/311	73/311	—
	Carpenters or joiners	3 10/311	70/311	4 47/311	2 11/311	2 11/311
	Labourers	19 286/311	1 155/311	16 231/311	2 109/311	1 58/311
	Plasterers	32/311	27/311	1 105/311	—	—
	Painters and glaziers	2 202/311	68/311	3 174/311	1 140/311	17/311
	Plumbers and gasfitters	6/311	13/311	4 91/311	22/311	—
	Smiths and fitters	30/311	94/311	5 265/311	69/311	30/311
	Slaters	—	14/311	36/311	11/311	—
	Whitewashers	40/311	1 96/311	—	—	—
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Baking	1	—	—	1	1
	Cooking	3	2 111/311	15 264/311	1	1
	Cleaning and jobbing work	12 180/311	5 260/311	51	6 207/311	7 53/311
	Gardeners	—	130/311	4 159/311	2 68/311	2 228/311
	Nursing and attending sick prisoners	174/311	134/311	3 208/311	4/311	185/311
	Washing	5 155/311	2 216/311	28 180/311	2 45/311	3 70/311
	Repairing prison clothing	6 13/311	1 78/311	36 58/311	2 41/311	3 130/311
	„ „ shoes	299/311	115/311	6 141/311	71/311	300/311
	„ „ utensils	85/311	107/311	9 46/311	—	—
	„ „ books, &c.	1	55/311	209/311	42/311	1
	Stoking prison furnaces	137/311	173/311	11 121/311	134/311	1
Productive						
	Total	104 85/311	47 264/311	814 83/311	50 81/311	107 54/311

APPENDIX IV.

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Preston. Population, 383 76/311.	Reading. Population, 165.	Ruthin. Population, 26 288/311.	St. Albans. Population, 80 191/311.	Shepton Mallet. Population, 85 247/311.
		Number employed.	Number employed.	Number employed.	Number employed.	Number employed.
Non-productive.	Crank	—	9 101/311	5 288/311	—	—
	Treadwheel	8 111/311	—	—	12 280/311	—
	IN MANUFACTURES.					
	Grinding wheat, &c.	63 39/311	4 206/311	—	—	—
	Brushmakers	—	—	2 70/311	—	—
	Bookbinders	1 104/311	—	—	—	—
	Box menders	—	—	—	55/311	—
	Coopers, joiners, smiths, and tinners	168/311	61/311	—	—	—
	Cotton weavers	17 226/311	—	—	—	8 146/311
	Halter makers	—	—	1 123/311	—	—
	Hammock makers	—	138/311	—	—	—
	Knitters and needlewomen	1 26/311	—	—	85/311	189/311
	Labourers, &c.	2	—	—	—	—
	Mailbag makers	18 269/311	—	—	—	—
	Pickers—coir, cotton, oakum, wool, &c.	122 128/311	55 281/311	3 170/311	21 26/311	32 81/311
	Sackmakers	—	26 17/311	—	—	—
	Sackmenders	—	—	—	2 118/311	—
	Shoemakers, &c.	249/311	—	—	—	—
	Tailors, &c.	1 201/311	—	—	—	—
	Washing	7 265/311	—	—	—	—
	Woodcutters	—	—	—	29/311	—
	Stonebreakers	—	—	—	—	10 134/311
Productive	IN BUILDINGS, &c.					
	Bricklayers or masons	118/311	76/311	—	38/311	8/311
	Carpenters or joiners	2 66/311	170/311	34/311	66/311	114/311
	Labourers	21 299/311	14 288/311	300/311	3 8/311	3 64/311
	Painters and glaziers	1 38/311	174/311	—	—	1 80/311
	Plumbers and gasfitters	30/311	31/311	—	8/311	8/311
	Smiths and fitters	1 204/311	87/311	—	69/311	121/311
	Slaters	4/311	—	—	—	—
	Whitewashers, &c.	—	—	58/311	72/311	244/311
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Pumping water	—	—	1 15/311	5 240/311	2 97/311
	Baking	2	1	—	1	1
	Cooking	3 310/311	2 166/311	1	2	1 117/311
	Cleaning and jobbing work	19 242/311	7 161/311	4 114/311	6 240/311	7 80/311
	Gardeners	—	1 9/311	58/311	4 70/311	187/311
	Nursing and attending sick prisoners	1 166/311	175/311	8/311	68/311	116/311
	Washing	11 212/311	4 295/311	304/311	2 204/311	2 66/311
	Repairing prison clothing	7 114/311	2 66/311	248/311	1 166/311	2 66/311
	„ „ shoes	1 166/311	275/311	—	92/311	80/311
	„ „ utensils	1 49/311	—	—	38/311	26/311
	„ „ books, &c.	56/311	1	—	4/311	—
	Stoking prison furnaces	149/311	1	—	144/311	1 1/311
	Total	323 201/311	135 248/311	22 118/311	65 204/311	70 174/311

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour	Shrewsbury. Population, 111 172/311. Number employed.	Stafford. Population, 411. Number employed.	Strangeways. Population, 1,115 278/311. Number employed.	Swansea. Population, 127 277/311. Number employed.	Usk. Population, 93 310/311. Number employed.
Non-productive.	Crank	16 90/311	—	—	—	—
Non-productive.	Treadwheel	—	—	8 289/311	10 134/311	5 289/311
	IN MANUFACTURES.					
	Grinding wheat, &c.	—	37	86 188/311	14 25/311	—
	Making mats with 5½ lb. beater	—	—	1 144/311	—	—
	Stone breaking	—	—	—	—	6 139/311
	Brush, rug, mop, and nosebag makers	—	86	9 308/311	—	—
	Coopers, joiners, smiths, and tinners	79/311	—	1 121/311	1/311	—
	Cotton weavers	—	—	—	5 157/311	—
	Kneeler makers	—	14	—	—	—
	Knitters and needlewomen	107/311	21	65 2/311	3 180/311	171/311
	Labourers, &c.	—	—	4	170/311	—
	Mailbag makers	3 249/311	2	25 150/311	4 295/311	—
	Pickers—coir, oakum, wool, &c.	37 138/311	47	558 269/311	38 280/311	37 126/311
	Shoemakers, &c.	—	7	4 163/311	7/311	—
	Slipper makers (listing)	—	5	—	—	—
	Tailors, &c.	—	2	6 213/311	—	—
	Washing	—	—	36 9/311	—	—
	Woodcutters	—	—	—	—	308/311
	IN BUILDINGS, &c.					
Productive	Bricklayers or masons	76/311	1	170/311	9/311	94/311
Productive	Carpenters or joiners	45/311	1	193/311	242/311	61/311
Productive	Labourers	2 38/311	18	8 95/311	6 173/311	1 54/311
Productive	Plasterers	—	—	—	—	164/311
Productive	Painters and glaziers	243/311	1	134/311	—	264/311
Productive	Plumbers and gasfitters	39/311	1	72/311	—	—
Productive	Smiths and fitters	99/311	—	1 131/311	10/311	76/311
Productive	Slaters	1/311	—	—	—	—
Productive	Whitewashers	1 9/311	—	—	—	—
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Pumping water	—	—	—	—	1 189/311
	Baking	1	4	3 305/311	—	—
	Cooking	1 161/311	3	9 126/311	3	2
	Cleaning and jobbing work	8 209/311	27	46 240/311	9 250/311	12 3/311
	Gardeners	—	—	—	1 144/311	248/311
	Nursing and attending sick prisoners	154/311	1	3	68/311	75/311
	Washing	4 50/311	12	20 72/311	4 140/311	3 182/311
	Repairing prison clothing	1 266/311	11	21 136/311	3 24/311	1 207/311
	„ „ shoes	103/311	2	2 186/311	206/311	206/311
	„ „ utensils	14/311	—	—	20/311	121/311
	„ „ books, &c.	—	1	4	—	23/311
	Stoking prison furnaces	1	3	2 171/311	1 167/311	140/311
	Total	82 186/311	307	934 172/311	104 306/311	78 68/311

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Wakefield. Population, 607 271/311. Number employed.	Wandsworth. Population, 1,079 231/311. Number employed.	Warwick. Population, 108 289/311. Number employed.	Winchester. Population, 322 136/311. Number employed.	Worcester. Population, 129 8/311. Number employed.
Non-productive.	Crank	—	79 308/311	3 114/311	—	—
	IN MANUFACTURES.					
	Grinding wheat, &c.	—	34 261/311	—	1 82/311	—
	Brush and nosebag makers	98/311	14 170/311	—	2 78/311	6 98/311
	Bookbinders	1 280/311	—	—	—	—
	Coopers, joiners, painters, smiths, and tinners	9 38/311	—	—	—	—
	Cotton, jute, linen, and woollen weavers	36 33/311	—	—	—	—
	Gardeners	5 47/311	—	—	—	—
	Hammock makers	—	93 87/311	—	—	—
	Hearthrug makers	—	—	—	—	1 109/311
	Knitters and needlewomen	2 20/311	9 83/311	—	4 30/311	208/311
	Labourers, &c.	4 107/311	—	—	6	—
	Mailbag makers	17 160/311	17 280/311	—	5 75/311	—
	Matmaking	184/311	—	—	—	7
	Matting weavers	1 26/311	—	—	—	1 169/311
	Sorters, &c.	4 163/311	—	—	—	4
	Legging makers	—	17 86/311	—	—	—
	Moulders	9 69/311	—	—	—	—
	Pickers—coir, oakum, wool, &c.	159 46/311	267 83/311	59 282/311	107 116/311	40 78/311
	Pouchmakers	—	99 134/311	—	—	—
	Sackmakers	—	3 272/311	—	—	—
	Shoemakers	2 305/311	2 82/311	—	—	—
	Tailors, &c.	12 253/311	9 149/311	—	6 4/311	—
	Woodcutters	—	169/311	3 269/311	70/311	—
	IN BUILDINGS, &c.					
Productive	Bricklayers or masons	37/311	4 312/311	36/311	79/311	6/311
Productive	Carpenters or joiners	273/311	5 214/311	18/311	1 78/311	288/311
Productive	Labourers	4 201/311	10 250/311	1 22/311	5 93/311	4 87/311
Productive	Plasterers	10/311	—	—	—	—
Productive	Painters and glaziers	1 95/311	8 187/311	104/311	258/311	32/311
Productive	Plumbers and gasfitters	60/311	2 111/311	8/311	64/311	—
Productive	Smiths and fitters	1 79/311	4 114/311	240/311	261/311	101/311
Productive	Whitewashers	—	2 309/311	—	1 10/311	—
Productive	Tinners	—	1 146/311	—	—	—
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.					
	Pumping water	58 291/311	35 185/311	6 15/311	53 264/311	15 148/311
	Baking	4	5 308/311	310/311	2	160/311
	Cooking	9 178/311	8 304/311	1 308/311	3	1 158/311
	Cleaning and jobbing work	74 291/311	53 17/311	9 266/311	17 207/311	10 287/311
	Gardeners	—	8 304/311	1 178/311	8 80/311	—
	Gasmakers	3 208/311	—	—	—	—
	Nursing and attending sick prisoners	8 285/311	4 139/311	—	2 6/311	26/311
	Washing	16 134/311	36 286/311	3 60/311	13 189/311	4 178/311
	Repairing prison clothing	16 95/311	41 98/311	1 68/311	5 277/311	3 211/311
	„ „ shoes	4	4 52/311	74/311	1 208/311	302/311
	„ „ utensils	—	39 189/311	—	264/311	—
	„ „ books, &c.	—	10 111/311	—	3	—
	Stoking prison furnaces	5 264/311	3 8/311	1	161/311	2
	Total	477 306/311	942 280/311	95 165/311	254 214/311	106 148/311

PRISON LABOUR—*continued.*

Year ended 31st March, 1894.

	Kind of Labour.	Wormwood Scrubbs. Population, $1,236\frac{59}{311}$. Number employed.	York. Population, $82\frac{6}{311}$. Number employed.
Non-productive.	Crank	$67\frac{240}{311}$	—
	Treadwheel	—	$18\frac{83}{311}$
	IN MANUFACTURES.		
Productive.	Bag making	$29\frac{231}{311}$	—
	Brush and rug makers	$29\frac{123}{311}$	—
	Joiners, smiths, and tinners	$21\frac{303}{311}$	—
	Hammock makers	$67\frac{65}{311}$	—
	Knitters and needlewomen	$90\frac{157}{311}$	$2\frac{38}{311}$
	Labourers, &c.	$5\frac{120}{311}$	—
	Mailbag makers	$194\frac{43}{311}$	—
	Matmakers	$22\frac{199}{311}$	—
	Pickers—coir, oakum, wool, &c.	$205\frac{50}{311}$	$6\frac{56}{311}$
	Sack and ship fender makers	$62\frac{227}{311}$	—
	Shoemakers, &c.	$28\frac{19}{311}$	—
	Tailors, &c.	$47\frac{138}{311}$	—
	Woodcutters	—	$16\frac{41}{311}$
	IN BUILDINGS, &c.		
	Bricklayers or masons	$8\frac{153}{311}$	$\frac{8}{311}$
	Carpenters or joiners	$5\frac{69}{311}$	$\frac{78}{311}$
	Labourers	$27\frac{80}{311}$	$\frac{258}{311}$
	Plasterers	$1\frac{24}{311}$	—
	Painters and glaziers	$6\frac{103}{311}$	$\frac{136}{311}$
	Plumbers and gasfitters	$\frac{270}{311}$	—
	Smiths and fitters	$6\frac{8}{311}$	$\frac{80}{311}$
	Stonebreakers	$\frac{64}{311}$	—
	Whitewashers	$2\frac{65}{311}$	$1\frac{68}{311}$
	EMPLOYMENTS IN THE SERVICE OF THE PRISON.		
	Baking	$6\frac{254}{311}$	$\frac{163}{311}$
	Cooking	$10\frac{168}{311}$	$2\frac{148}{311}$
	Cleaning and jobbing work	$89\frac{240}{311}$	$7\frac{21}{311}$
	Nursing and attending sick prisoners	$6\frac{290}{311}$	$\frac{10}{311}$
	Washing	$34\frac{34}{311}$	$4\frac{186}{311}$
	Repairing prison clothing	$39\frac{285}{311}$	$3\frac{237}{311}$
	„ „ shoes	$9\frac{90}{311}$	$\frac{242}{311}$
	„ „ utensils	$1\frac{250}{311}$	$\frac{42}{311}$
	„ „ books &c.	$2\frac{216}{311}$	—
	Stoking prison furnaces	$23\frac{176}{311}$	$\frac{146}{311}$
	Total	$1,155\frac{195}{311}$	$65\frac{201}{311}$

11,352 $\frac{28}{311}$	

Abstract of foregoing Table.

Total Population $14,617\frac{330}{311}$.

Kind of Labour.	Number employed.	
Crank	$370\frac{102}{311}$	Unproductive labour, $572\frac{166}{311}$.
Treadwheel	$202\frac{64}{311}$	
Baking	$13\frac{168}{311}$	Productive labour, $7,905\frac{149}{311}$.
Balling and splicing	$7\frac{72}{311}$	
Bookbinders	$5\frac{24}{311}$	
Box menders	$\frac{55}{311}$	
Brush, mop, and rug makers	$236\frac{273}{311}$	
Coopers, joiners, &c.	$46\frac{244}{311}$	
Cotton and linen weavers	$184\frac{72}{311}$	
Grinding wheat	$799\frac{113}{311}$	
Halter makers	$3\frac{267}{311}$	
Hammock makers	$160\frac{285}{311}$	
Jute weavers	$\frac{206}{311}$	
Knitters and needlewomen	$452\frac{36}{311}$	
Labourers	$52\frac{258}{311}$	
Legging makers	$17\frac{86}{311}$	
Mailbag makers	$463\frac{158}{311}$	
Mat makers	$56\frac{19}{311}$	
Moulders	$9\frac{69}{311}$	
Leather and belting pickers	$1\frac{11}{311}$	
Matting weavers	$10\frac{196}{311}$	
Pickers of coir, oakum, wool, &c.	$3,995\frac{112}{311}$	
Pouch makers	$99\frac{134}{311}$	
Sack and ship fender makers	$120\frac{84}{311}$	
Sack menders	$3\frac{131}{311}$	
Shoe makers	$71\frac{202}{311}$	
Slipper makers (listing)	$9\frac{97}{311}$	
Stone breakers	$100\frac{273}{311}$	
Sorters, &c.	$14\frac{163}{311}$	
Tailors, &c.	$121\frac{225}{311}$	
Twine spinners	$19\frac{87}{311}$	
Washing	$44\frac{267}{311}$	
Woodcutters	$101\frac{45}{311}$	
Glovemakers	$1\frac{201}{311}$	
Housemaid kneeler makers	$15\frac{29}{311}$	
Gardeners	$17\frac{102}{311}$	
Bricklayers or masons	$40\frac{310}{311}$	
Carpenters, joiners	$50\frac{199}{311}$	
Labourers	$385\frac{258}{311}$	
Plasterers	$2\frac{148}{311}$	
Painters and glaziers	$69\frac{242}{311}$	
Plumbers and gasfitters	$11\frac{233}{311}$	
Slaters	$\frac{81}{311}$	
Smiths and fitters	$46\frac{32}{311}$	
Stonebreakers	$\frac{64}{311}$	
Tinners	$1\frac{186}{311}$	
Whitewashers	$38\frac{46}{311}$	
Pumping water	$428\frac{77}{311}$	Domestic services of the prison, $2,873\frac{226}{311}$.
Baking	$78\frac{283}{311}$	
Cooking	$189\frac{185}{311}$	
Cleaning and jobbing work	$905\frac{139}{311}$	
Gardeners	$79\frac{87}{311}$	
Gasmakers	$3\frac{206}{311}$	
Nursing, &c.	$63\frac{90}{311}$	
Washing	$438\frac{195}{311}$	
Repairing prison clothing	$426\frac{95}{311}$	
„ „ shoes	$67\frac{43}{311}$	
„ „ utensils	$66\frac{102}{311}$	
„ „ books, &c.	$34\frac{173}{311}$	
Stoking furnaces	$92\frac{165}{311}$	

Total number employed 11,352 $\frac{28}{311}$.

Appendix IV.

(ii.)

Return of Open Spaces within Prison Boundaries, also of Prison Workshops, and Hand Looms and other Machines.

Prisons.	Total Area of Open Space within Prison Boundary.	Utmost Area which could possibly be used for Cultivation by Prisoners.	Area actually cultivated by Prisoners.	(1) No. of Authorised Permanent Workshops, and (2) No. of Prisoners who can be employed in them. (1) No. of Workshops.	(2) No. of Prisoners.	No. of Hand Looms or other Machines for Manufacturing Processes.	Remarks.
	A. R. P. YDS.	A. R. P. YDS.	A. R. P. YDS.				
Bedford	1 2 18 9	0 3 9 21	0 3 9 21	3	6	7	
Birmingham	7 1 32 0	1 3 27 0	1 3 27 0	3	14	10	
Bodmin	0 3 0 0	0 3 0 0	0 3 0 0	—	—	6	
Brecon	1 0 37 0	0 2 16 0	0 2 16 0	1	1	—	
Bristol	4 0 0 0	3 0 0 0	3 0 0 0	1	6	—	
Cambridge	1 0 28 0	0 2 22 0	0 2 22 0	2	2	1	
Canterbury	4 0 19 13	0 2 5 12	0 2 5 12	2	6	—	
Cardiff	9 2 18 0	3 1 35 0	3 1 35 0	1	6	6	
Carlisle	1 0 9 3	0 1 27 7	—	3	13	—	
Carmarthen	0 3 28 12	0 1 29 7	0 1 29 7	—	—	—	
Carnarvon	0 1 5 14	—	—	—	—	2	
Chelmsford	1 3 12 28	0 1 15 2	0 1 15 2	5	59	2	
Derby	1 3 27 7	0 2 5 15	—	2	7	1	
Devizes	3 3 7 15	1 1 27 0	0 3 22 0	1	9	—	
Dorchester	3 0 33 26	[1]1 0 9 22	0 0 23 22	3	3	—	
Durham	0 3 11 4	[2]0 3 11 4	—	—	—	10	
Exeter	2 0 0 0	1 1 0 0	0 3 0 0	1	6	—	
Gloucester	2 0 0 0	0 1 24 5	0 0 33 13	—	—	—	
Hereford	0 2 17 18	—	—	2	4	—	
Holloway	2 1 37 0	—	—	[3]1	18	—	
Hull	4 2 23 7	2 0 4 6	1 0 36 25	3	4	—	
Ipswich	1 2 0 0	0 2 2 15	0 2 2 15	3	7	11	
Knutsford	2 2 35 25	—	—	2	5	54	
Lancaster	0 2 13 16	—	—	—	—	—	
Leeds	1 0 25 4	—	—	1	15	66	
Leicester	1 3 1 15	0 1 9 11	0 1 9 11	1	1	—	
Lewes	5 0 37 0	4 2 23 0	4 2 0 0	3	62	63	
Lincoln	[4]5 3 28 0	3 3 28 0	2 0 0 0	3	9	3	
Liverpool	6 0 0 0	3 0 0 0	3 0 0 0	6	43	65	
Maidstone	7 0 0 0	6 0 0 0	6 0 0 0	1	12	6	
Newcastle	0 0 19 25	—	—	—	—	1	
Northallerton	1 2 39 20	0 1 34 21	0 1 34 21	5	22	—	
Northampton	1 3 8 8	1 0 23 0	1 0 23 0	2	9	6	
Norwich	[5]3 0 30 22	0 2 21 5	—	2	17	—	
Nottingham	4 1 38 19	2 1 6 0	1 2 7 24	1	5	—	
Oxford	1 2 8 0	0 0 39 18	0 0 39 18	1	4	6	
Pentonville	4 3 2 0	—	—	3	150	—	
Plymouth	1 1 17 0	0 3 30 0	0 3 30 0	—	—	—	
Portsmouth	3 0 0 0	2 2 0 0	2 2 0 0	2	7	—	
Preston	4 0 14 19	0 1 31 23	—	1	10	18	
Reading	2 0 19 1	0 3 25 19	0 3 25 19	1	7	—	
Ruthin	0 2 11 16	0 0 24 26	0 0 24 26	—	—	4	
St. Albans	1 2 0 0	1 2 0 0	1 2 0 0	3	10	—	
Shepton Mallet	1 0 11 0	0 2 28 28	0 1 9 0	2	2	4	
Shrewsbury	1 0 37 14	0 2 17 4	—	—	—	—	
Stafford	4 2 18 0	1 0 11 7	1 0 11 7	1	10	4	
Strangeways	1 3 0 0	—	—	6	12	19	
Swansea	0 3 37 12	0 3 27 19	0 3 9 22	3	3	6	
Usk	0 2 27 0	0 2 27 0	0 2 27 0	1	3	—	
Wakefield	9 0 0 0	5 1 0 0	4 0 0 0	6	151	93	
Wandsworth	[6]7 1 26 0	4 2 0 0	4 2 0 0	5	168	44	
Warwick	[7]2 2 28 0	2 2 28 0	2 2 25 0	5	5	—	
Winchester	7 0 0 0	3 1 0 0	3 1 0 0	[8]—	—	—	
Worcester	0 3 14 2	0 0 37 5	—	1	10	30	
Wormwood Scrubs	11 0 39 0	0 1 27 15	0 0 33 7	6	188	48	
York	0 2 31 6	—	—	1	60	3	
Aylesbury	[9]6 2 21 22	[9]3 3 38 10	—	1	16	—	
Borstal	7 3 0 0	3 2 0 0	2 2 0 0	2	20	—	
Dartmoor	2,011 0 0 0	[10]2 0 0 0	[10]932 0 0 0	[9]	556	25	
Dover	10 0 3 0	4 0 15 0	3 1 0 0	2	22	—	
Parkhurst	91 0 0 0	78 0 0 0	36 0 0 0	5	227	4	
Portland	6 2 0 0	—	—	3	96	6	
Woking	3 2 0 0	—	—	2	93	17	

[1] This includes plots let to Prison Officers.
[2] Bodies of executed prisoners are buried in this ground.
[3] There is also an engineer's shop, but it is used only by free workmen.
[4] Five acres additional outside prison wall let to a tenant.
[5] 7⅓ acres additional land outside boundary wall.
[6] Additional land outside boundary wall let on lease.
[7] 3 r. 36 p. additional land outside boundary wall.
[8] Workshops being built.
[9] Prison being reconstructed.
[10] 110 acres plantation and 959 acres in course of reclamation.

(iii.)

I.

Instructions relative to the use of the Scale of Weekly Tasks.

Prison Commission,
Home Office,
Whitehall, S.W.,
January 1886.

Herewith is forwarded a revised scale of weekly tasks, which represent the minimum amount of work of the several descriptions which a prisoner should perform, except in the cases of prisoners who are quite inexperienced in the several trades, who will require some allowance while acquiring the necessary knowledge of them.

Prisoners engaged on articles or work not named in the scale should be tasked proportionately.

By Order,
S. Padbury,
Store Accountant.

Appendix IV.

Enclosure to foregoing.

Weekly Tasks for Prisoners employed at the undermentioned Trades or Employments.

N.B.—It is to be understood that the figures in this scale represent the *minimum* quantities of the work expected from the prisoners, and that every effort is to be made to secure such increase as may be attainable. Due allowance, however, is to be made for inexperience on the part of the prisoners, for variations in the character of the work, and for other modifying circumstances. Other articles or work not named in this list to be tasked in proportion.

Description of Work.				Tailoring.	Shoemaking.	Needlework.
Uniform Clothing.		Great Coats.	No.	2	1	1
		Frock Coats.	No.	2	1	1
		Trousers, Cloth.	Prs.	4	1	1
		Waistcoats, Cloth.	No.	5	1	1
		Jackets, Tartan.	No.	4	1	1
		Trousers, Tartan.	Prs.	5	1	1
		Jackets, Serge.	No.	5	1	1
Male Prisoners' Clothing.		Caps.	No.	18	1	1
		Jackets.	No.	5	1	1
		Trousers.	Prs.	7	1	1
		Waistcoats.	No.	8	1	1
		Drawers, Flannel.	Prs.	12	1	1
		Vests, Flannel.	No.	12	1	1
Uniform Boots.		Boots, Male Of.	Prs.	3	1	1
		Boots, Female Of.	Prs.	4	1	1
		Slippers.	Prs.	6	1	1
		Slippers, Basil.	Prs.	10	1	1
Prisoners' Shoes.		Boots, Ankle.	Prs.	4	1	1
		Clogs.	Prs.	30	1	1
		Pattens.	Prs.	100	1	1
		Shoes, sewn.	Prs.	4	1	1
		Shoes, rivetted.	Prs.	10	1	1
Repairs.		Half-soled and heeled.	Prs.	12	1	1
		Half-soled and welted.	Prs.	8	1	1
		Heeled.	Prs.	54	1	1
Uniforms, Female Officers'.		Cloaks.	No.	2	1	1
		Dresses.	No.	2	1	1
		Mantles.	No.	4	1	1
Female Prisoners' Clothing, &c.		Caps, Day.	No.	12	1	1
		Cloaks, Hoods, (with Hoods).	No.	4	1	1
		Drawers, Cotton.	Prs.	8	1	1
		Jackets.	No.	3	1	1
		Petticoats.	No.	6	1	1
		Skirts.	No.	6	1	1
		Shifts.	No.	7	1	1
		Stays.	No.	6	1	1
		Shirts.	No.	5	1	1

Description of Work.				Knitting.	Bedding.	Picking.
Male.	Socks.		Prs.	4	1	1
	Socks, re-footed.		Prs.	6	1	1
	Socks, Repaired.		Prs.	60	1	1
Female.	Stockings.		Prs.	3	1	1
	Stockings, re-footed.		Prs.	6	1	1
	Stockings, re-paired.		Prs.	60	1	1
	Sheets.		No.	1	24	1
	Pillow Slips.		No.	1	18	1
	Pillows, filled, &c.		No.	1	48	1
	Mattresses.		No.	1	6	1
	Hammocks.		No.	1	5	1
	Cases, Pillow.		No.	1	48	1
	Cases, Bed.		No.	1	12	1
	Bed Furniture.		Sets.	1	3	1
	Bed Curtains.		Sets.	1	4	1
	Beds or Mattresses filled, &c.		No.	1	12	1
Male.	Coir.		Lbs.	1	1	7½
	Cotton (unprepared).		Lbs.	1	1	18
	Cotton (prepared).		Lbs.	1	1	40
	Hair (in Rope).		Lbs.	1	1	24
	Junk (Oakum).		Lbs.	1	1	9
	Wool (burring).		Lbs.	1	1	20
	Wool only. (Picking		Lbs.	1	1	50
Female.	Coir.		Lbs.	1	1	9
	Cotton (unprepared).		Lbs.	1	1	21
	Cotton (prepared).		Lbs.	1	1	50
	Hair (in Rope).		Lbs.	1	1	30
	Junk (Oakum).		Lbs.	1	1	15
	Wool (burring).		Lbs.	1	1	24
	Wool only. (picking		Lbs.	1	1	60

APPENDIX IV.

WEEKLY TASKS—*continued.*

Description of Work.	Mats and matmaking		Washing		Description of Work.	Weaving		Description of Work.	Sundries	
Mats, Fibre (on frames).	Sq. ft.	22	Doz. pcs.	1	Bed Rugs.	No.	20	Beds, Plank.	No.	5
Mats, Fibre (on Looms).	Sq. ft.	30	Doz.	1	Blankets.	No.	30	Brushes, Coir Yn.	No.	60
Mats, Yarn (on Frames).	Sq. ft.	24	Doz.	1	Calico, R. S., 36 in.	Yds.	50	Brushes, Coir Fibre.	No.	24
Mats, Yarn (on Looms).	Sq. ft.	0	Doz.	1	Calico, R. S., 60 in.	Yds.	96	Mops, complete.	No.	18
Mats, Skeleton (coarse).	Sq. ft.	72	Doz.	1	Calico, Plain.	Yds.	50	Sacks, Corn and Flour.	No.	36
Mats, Skeleton (fine).	Sq. ft.	54	Doz.	1	Canvas, Dandy.	Yds.	30	Slippers, List.	Prs. assorted.	30
Mats, Wool Borders.	Sq. ft.	24	Doz.	1	Canvas, Packing.	Yds.	60	Bags, Clothes'.	No.	18
Mats, Fancy Borders.	Sq. ft.	20	Doz.	1	Canvas, Packing, Power Loom.	Yds.	80	Bags, Canvas.	No.	36
Mats, Cab.	Sq. ft.	100	Doz.	1	Checked Linen.	Yds.	45	Firewood Chopping.	Cwt.	6
Mats, Binding.	No. assorted.	48	Doz.	1	Cloth.	Yds.	45	Firewood Chopping, cut into lengths.	Cwt.	30
Nosebags.	No.	4	Doz.	1	Dowlas.	Yds.	40	Firewood Chopping, making up.	Cwt.	30
Matting (coarse).	Sq. yds.	48	Doz. pcs.	1	Flannel, R. S.	Yds.	50	Stone breaking (according to quality).	Tons.	1½ to 4½
Matting (fine).	Sq. yds.	40	Doz. pcs.	1	Flannel, Plain.	Yds.	50			
Winding and Splicing Yarn (coarse).	Cwt.	44	Doz.	1	Flannel, Cleaning.	Yds.	60			
Winding and Splicing Yarn (fine).	Cwt.	3	Doz.	1	Hammock Cloth.	Yds.	100			
Cap, inclining iron-ing.	Doz.	18	Doz.	1	Handkerchiefs.	No.	60			
Blankets.	Doz.	6	Doz.	1	Huckaback.	Yds.	35			
Bed Cases.	Doz.	6	Doz.	1	Linsey.	Yds.	60			
Counterpanes.	Doz.	6	Doz.	1	Neckerchiefs.	No.	50			
Dresses.	Doz.	6	Doz.	1	Serge.	Yds.	50			
Flannels.	Doz.	24	Doz.	1	Shamhray.	Yds.	45			
Petticoats.	Doz.	14	Doz.	1	Sheeting, R. S., 40 in.	Yds.	60			
Sheets.	Doz.	7	Doz.	1	Shirting, R. S.	Yds.	45			
Shifts.	Doz.	12	Doz.	1	Shirting, B. S.	Yds.	50			
Shirts.	Doz.	10	Doz.	1						
Socks or Stockings.	Doz. prs.	30	Doz. pcs.	1						
Stockings, Cotton.	Doz. prs.	20	Doz. pcs.	1						
Stays.	Doz.	15	Doz.	1						
Table Cloths.	Doz.	15	Doz.	1						
Towels.	Doz.	30	Doz.	1						
Small Articles.	Doz.	36	Doz.	1						

APPENDIX IV.

II.

INSTRUCTIONS relative to the VALUATION of PRISONERS' LABOUR in LOCAL PRISONS.

Prison Department,
Home Office,
Whitehall, S.W

The Governor of Prison.

The Commissioners request that you will be good enough to observe the following instructions when filling in the "Return showing the Employment of the "Prisoners and the Value of their Earnings during the "year ending 31st March 18 ."

It must be borne in mind that it will be necessary to take account, not only of the labour expended on articles manufactured or work done, for which payment is received from the public, but also of that which is expended in work done for the Prison or other Government Departments, in which the value of the labour is not recovered.

"*In Manufactures, Buildings, &c.*"—Under this heading should be given the fair value of all labour performed during the year, either for private customers or for the public service, except work specified under the next heading, viz., "Employments in the Ordinary "Service of the Prison, Cooking, Cleaning, &c."

1. For prisoners employed solely in the production of articles for sale to private customers, the actual profit realised, as shown by the cash ledger, should be given, due abatement being made for the loss on tools, for incidental charges, &c.

2. For prisoners employed in industries in connexion with which sales are made to private customers *as well as to prisons and Government Departments*, the amount to be entered should be arrived at by adding to the actual profit of the cash ledger a proportionate sum for Government work, calculated at per prisoner *per annum* upon the rate to which the private work tells out, on the basis of the cash ledger results.

3. For industries confined solely to work done for prisons or Government departments, the amount to be entered should be based on the following rates per prisoner *per diem*.

	Rate per day.
	s. d.
Grinding wheat	According to quantity calculated at local price.
Making mats and matting for Public Departments	0 9½
Basket, brush, and mop making for Public Departments	1 8
Coopers, joiners, smiths, and tinners for Public Departments	2 6
Cotton, woollen, and other weavers for Public Departments	1 3
Knitters and needlewomen for Public Departments	1 0
Moulders for Public Departments	2 6
Printers and bookbinder for Public Departments	2 6
Sack and ship-fender makers and twine spinners for Public Departments	1 9
Shoemakers for Public Departments	1 9
Tailoring for Public Departments	1 9
Washing for do.	1 6
Woodcutters for do.	0 6

"*In Buildings, &c.*"—The rates at which the value of labour under this head will be estimated are as follows:—

FOR A DAY OF TEN WORKING HOURS.

	s. d.
Bricklayers or masons	2 6
Carpenters or joiners	2 6
Labourers	1 8
Plasterers	2 6
Painters and glaziers	2 2
Plumbers and gasfitters	2 6
Smiths and fitters	2 6
Slaters	2 6

In the event of the hours of work being less than 10 *per diem* the average number of hours worked *per diem* at each trade should be noted in pencil on the margin of the "Annual Return of the Employment and Earnings of Prisoners," and the amount carried out should have reference to the exact number of hours worked, *e.g*, if only five hours have been worked the rates would be only half those given in the table above.

Where special circumstances seem to the Governor to warrant any variation in the above rates, they should be altered accordingly, and an explanation given.

"*Employments in the Ordinary Service of the Prison, Cooking, Cleaning, &c.*"—The following kinds of work will be considered as "Employments in the Service of the Prison," and pending the issue of a comprehensive list of prices to be charged for labour in local prisons, the value of the various kinds of work will be calculated at the rates here specified:—

	Rate per day.
	s. d.
Pumping water for the service of the prison only.	According to quantity calculated at the local price.
Baking for the prisoners	1 9
Cooking for the prisoners	1 11
Cleaning and jobbing-work in and about the prison and prison yards and buildings (exclusive of building-work of any kind)	1 3
Nursing and attending sick prisoners	1 6
Washing prisoners' clothing	1 3
Repairing all kinds of prison clothing, shoes, utensils, books, &c.	1 3
Stoking prison furnaces	1 8

C. S. JOSEPH.

APPENDIX IV.

(iv.)

Papers handed in by Mr. Duncan.
(Question 4361.)

STATEMENT showing the INDUSTRIES carried on in LOCAL PRISONS under the late AUTHORITY during the Year ended 30th September 1876, as well as those in operation under the PRISON COMMISSIONERS during the Year ended 31st March 1893.

Industry.	1875-6.	1892-3.	Industry.	1875-6.	1892-3.
Bakers	—	14	Sack makers	19	34
Ballers and splicers	—	1	Ship-fender makers	26	28
Basket, brush, rug makers, &c.	39	221	Shoemakers	313	*50
Bookbinders	22	*1	Slipper makers (listing)	103	.3
Brickmakers	13	—	Sorters (yarn)	—	16
Coopers, joiners, smiths, &c.	32	*40	Stonebreakers, &c.	404	49
Cotton and woollen weavers	59	162	Sundry minor manufactures	85	—
Gardeners and labourers	135	*70	Tailors	289	*113
Wheat grinders	1,008	786	Twine spinners	10	22
Halter makers	4	3	Washers	9	47
Hammock makers	—	57	Woodcutters	120	101
Kneeler makers	—	39	Employed in buildings and repairs	494	606
Knitters and needlewomen	655	*418	Employed in domestic prison services.	2,859	.2,795
Legging makers	—	21			
Mailbag makers	—	729	Employments grouped together in the Labour Returns.	1,808	—
Mat and matting weavers	2,823	106	Non-productive (wheel, crank, &c.)	1,329	504
Moulders	—	9	Non-effectives (sick, debtors, awaiting trial, punishment, &c.).	2,107	3,114
Net makers	3	—			
Pea sorters	—	4	Numbers apparently omitted from the labour returns of the old authority.	540	—
Pickers (oakum, &c.)	3,678	3,597			
Pouch makers	—	114		18,986	13,874

* In instituting any comparison between 1875-6 and 1892-3, it will be necessary to take into account the fact that in the latter period certain additional workers were employed at the occupations marked who, in accordance with the system of classification now adopted, are included under the head "Domestic Prison Services."
These were 35 bookbinders, 28 carpenters, smiths, &c., 76 gardeners, 62 shoemakers, and 431 tailors, needlewomen, &c.
Owing, however, to the difference in the method of classification adopted by the old authority and the Commissioners respectively, no *close* comparison between the two periods can be made.
It must be borne in mind that the daily average in 1875-6, 18,986, had fallen in 1892-3 to 13,821.

(Question 4409.)

STATEMENT showing approximately how the PRISONERS in LOCAL PRISONS were employed during the Year ended 31st March 1894.

First Class Hard Labour:—

Treadwheel and cranks (non-productive).	573	
Grinding wheat (treadwheel and cranks).	799	
Pumping water (treadwheel and cranks).	428	
Picking oakum, &c., &c.,	1,924	
Stonebreaking	101	
		3,825

Second Class Hard Labour:—

Picking oakum, hair, wool, cotton, silk, &c.	2,073
Debtors, untried prisoners, sick, those under punishment, first-class misdemeanants, and others not told off at unlocking (non-effective).	3,261
Employed in the service of the prison cooking, baking, washing, cleaning, mending, &c.	2,450
Employed in manufactures for prisons	1,009
,, for War Office	28
,, ,, Admiralty	289
,, ,, Office of Works	16
,, ,, Post Office	624
,, on articles for sale	388
,, in buildings	650
	14,613

APPENDIX IV.

(v.)

Paper handed in by Mr. Charles Hall. (*Question* 4571).

H.M. PRISON, LEWES.

November 14, 1894.

A COMPARATIVE STATEMENT of the SYSTEMS in force at this PRISON with regard to INDUSTRIAL LABOUR under the late PRISON AUTHORITY and the present COMMISSIONERS.

Late Authority.	Commissioners of Prisons.
1. All prisoners on *first* conviction were, if sentenced to any lengthened term of imprisonment, placed at some form of industrial labour immediately they had been passed "fit" by the medical officer.* On re-conviction they were placed on the crank for one month.	1. Under existing rules† prisoners, whether re-convicted or not, are placed in separate confinement upon the crank or some similar form of labour for the first 28 days of their confinement.
2. Experienced practical instructors were provided, at salaries considerably in excess of the ordinary rate of pay of a warder.	2. At present warders, who have *picked up some* knowledge of a trade during their general superintendence of prisoners, are, as a rule, detailed to instruct prisoners.
3. The mark system in force enabled an industrious prisoner to earn at least eight marks (value ½*d.*) per day during the whole of his term of imprisonment, and for every mark earned beyond that number he was credited with an additional sum of money equivalent to double the amount he received for the first eight marks. *E.g.*—A prisoner earning 48 marks per week was credited with 3*d.*; but he required only an additional 24 marks to double this sum. A limit of 2*l.* (unless very special circumstances were apparent) was placed upon a prisoner's earnings, and on second conviction only two-thirds, and on third conviction one-third of his earnings were paid for. A fourth conviction stopped payment altogether unless a special grant were made. Letters, visits, and diets were regulated by marks, and all concessions were granted according to the number of marks earned.	3. The present stage system has a maximum of eight marks per diem only, which, so far as earnings and privileges are concerned, terminates in about seven months from the date of a prisoner's reception, and a maximum gratuity of 10*s.* only is allowed except under very special circumstances. No extra marks are now granted, and a minimum period of 84 days is now required before letters and visits are permitted. *Diets are regulated by* calendar months.
4. Materials were bought by the storekeeper under the directions of the Governor and visiting justices. The large wholesale houses in London were visited, materials inspected, and comparisons instituted according to price and quality. Manufactured goods were disposed of to wholesale and retail firms in the neighbourhood, and also in London and other large towns away. Exports to Australia and the Cape were not infrequent, and were on the whole a success. To ordinary customers credit was given for three months, with a discount of 2½ per cent. If longer credit were taken, no discount was allowed. The storekeeper visited each regular customer quarterly, collected what was due from him, and took his orders for further supplies. A regular intercourse was thus maintained between the customers and the prison authorities, and very great interest was taken by the local ratepapers in the success of the scheme.	Brokers are now engaged, who purchase at the dock sales what is now required in the way of yarn and fibre for *matmaking, whilst other materials* are included in the triennial contracts, and are purchased under these contracts when required. This practice was continued by the Commissioners for some time, with the exception that the collection of the accounts was abolished, and each tradesman requested to send his cheques *direct to the Governor.* At present, however, and for some time past, no orders, with the exception of those for firewood and nose bags, are executed for private customers; the labour of the prisoners being entirely devoted to supplies for *Government departments.*

CHARLES HALL,
1st Class Clerk, Lewes Prisons.

* But *see* section 19 and Schedule I., Reg. 34, of Prison Act, 1865.—J. G. L.
† This is in obedience to Section 37 of the Prisons Act, 1877.—J. G. L.

APPENDIX IV.

(vi.)

I.

STATEMENT showing the NUMBER of MATMAKERS employed during the Years ended 31st March 1886, 1887, 1888, 1889, and 1890.

Prisons.	Number of Matmakers, 1886.		Number of Matmakers, 1887.		Number of Matmakers, 1888.		Number of Matmakers, 1889.		Number of Matmakers, 1890.		Name of Contractor.
	For Sale and for Government Departments.	For Labour Contractors.	For Sale and for Government Departments.	For Labour Contractors.	For Sale and for Government Departments.	For Labour Contractors.	For Sale and for Government Departments.	For Labour Contractors.	For Sale and for Government Departments.	For Labour Contractors.	
Aylesbury	—	10·46	—	9·59	—	15·18	—	14·10	—	7·	Wheeler, Timpson, and Co., London.
Bedford	—	14·58	3·70	11·11	17·32	—	23·70	—	—	10·38	Ashley, Adkins, and Co., Bocking (1886, 1887, and 1890).
Birmingham	59·	—	56·	. .	22·	—	32·	—	33·	—	
Bodmin	—	19·	—	6·64	—	11·	—	13·90	—	9·31	Higgs and Co., Bodmin.
Brecon	—	—	—	—	—	—	—	—	—	—	
Bristol	—	10·50	—	16·	—	14·	—	10·	—	9·45	Hillier and Salisbury, Wells (1886 to July 1887). Shepherd, Bros., Abingdon (July 1887 to 1890).
Cambridge	—	—	—	—	—	—	—	—	—	—	
Canterbury	—	22·79	—	20·22	10·	6·25	3·85	11·	8·	3·55	J. Nash, Canterbury (1886, 1887, and 4 months in 1888). J. Clifford, Maidstone (4 months in 1888, 1889, and 1890).
Cardiff	—	15·83	—	17·76	3·64	—	5·87	—	4·95	—	Cross, Bros., Cardiff (1886 and 1887)
Carlisle	5·	1·	—	10·	—	8·48	—	7·40	—	7·27	J. Blain, Carlisle.
Carmarthen	1·88	—	2·23	—	1·54	—	1·05	—	1·84	—	
Carnarvon	11·18	—	11·07	—	7·84	—	1·06	8·64	—	6·59	Kennedy and Son, Manchester (1889 and 1890).
Chelmsford	—	36·	—	65·	—	59·	—	51·	—	48·	Ashley, Adkins and Co., Bocking.
Derby	—	—	—	—	—	—	—	—	—	—	
Devizes	—	15·88	—	14·06	—	13·34	—	8·72	—	10·81	C. Maggs, Melksham.
Dorchester	—	—	—	—	—	—	—	—	—	—	
Durham	12·10	—	10·82	—	3·46	—	2·34	—	3·82	—	
Exeter	22·09	—	13·31	—	16·74	—	13·28	—	8·64	—	
Gloucester	4·	—	2·	—	3·	—	9·	—	5·	—	
Hereford	7·25	—	10·09	—	9.72	—	9·03	—	6·54	—	
Holloway	—	21·50	—	2·32	—	5·76	—	19·13	—	7·63	Treloar and Sons, London (1886 and 1887). Goodacre and Sons, London (1888, 1889, and 1890).
Hull	·74	—	—	—	—	—	—	—	—	—	
Ipswich	—	—	—	—	—	—	—	—	—	—	
Kendal	1·52	—	4·11	—	3·46	—	2·66	—	·34	—	
Kirkdale	—	135·30	—	166·52	—	93·45	—	132·54	—	90·21	W. Goodacre and Sons, London.
Knutsford	—	31·	—	16·	—	54·16	—	55·74	—	45·38	J. Gill, Knutsford (1886, 1887, and to 29 Feb. 1888). Smethurst and Sons, Manchester (March 1888 to 1890).
Lancaster	—	31·63	—	24·43	—	16·14	—	9·94	—	5·59	J. Watson, Halton Lancaster.
Leeds	—	50·91	—	46·07	—	37·05	—	42·26	—	33·70	Smethurst and Sons, Manchester (1886, 1887, to July 1888.) Leveson and Co., Leeds (from August 1888 to March 1890).
Leicester	6·09	—	3·71	—	2·47	—	2·44	—	2·68	—	
Lewes	65·50	—	58·50	—	66·	—	45·	—	46·	—	
Lincoln	5·	—	4·	—	—	—	1·	—	—	—	
Liverpool	11·02	—	8·62	1·41	·94	8·36	—	2·06	—	—	Goodacre and Sons, London (1887 to June 1888).
Maidstone	—	15·86	—	18·12	—	16·73	—	11·18	—	6·28	J. Clifford, Maidstone.
Manchester	—	98·11	—	63·29	—	5·	—	—	—	—	R. Swain and Co., Manchester (1886, 1887, and 1888).
Millbank	—	—	2·	—	14·08	—	19·95	—	—	—	
Newcastle	5·	—	8·	—	6·	—	3·	—	3·	—	
Northallerton	3·	—	3·66	—	2·74	—	1·15	—	2·12	—	
Northampton	23·66	—	14·57	—	14·84	—	8·98	—	6·67	—	
Norwich	—	11·76	—	12·80	—	2·75	—	—	—	—	Ashley, Adkins, and Co., Bocking.
Nottingham	27·92	—	28·57	—	20·76	—	23·28	—	16·67	—	
Oxford	—	17·46	—	16·41	—	16·98	—	19·54	—	15·48	Shepherd, Bros., Abingdon.
Pentonville	—	86·55	—	111·51	—	106·86	—	53·32	—	53·87	Treloar and Sons, London.
Plymouth	1·29	—	·87	—	2·28	—	·80	—	2·67	—	
Portsmouth	—	—	15·63	—	5·	—	4·28	—	4·87	—	
Preston	—	74·05	—	61·24	—	57·42	—	41·38	—	41·12	W. Goodacre and Sons, London.
Reading	2·39	—	3·57	—	5·19	—	·81	—	1·82	—	
Ruthin	—	5·42	—	5·82	—	5·15	—	3·28	—	2·06	Kennedy and Son, Manchester.

APPENDIX IV.

Prisons.	Number of Matmakers, 1886.		Number of Matmakers, 1887.		Number of Matmakers, 1888.		Number of Matmakers, 1889.		Number of Matmakers, 1890.		Name of Contractor.
	For Sale and for Government Departments.	For Labour Contractors.	For Sale and for Government Departments.	For Labour Contractors.	For Sale and for Government Departments.	For Labour Contractors.	For Sale and for Government Departments.	For Labour Contractors.	For Sale and for Government Departments.	For Labour Contractors.	
St. Albans	6·12	—	—	20·13	—	24·27	—	18·66	—	10·81	Ashley, Adkins, and Co., Bocking (1887, 1888, 1889, and 1890).
Shepton Mallet	—	9·36	—	9·22	—	6·22	—	14·55	—	8·71	Hillier and Son, Wells, Somerset.
Shrewsbury	3·37	—	3·32	—	6·15	—	10·39	—	5·69	—	
Stafford	—	55·74	—	58·03	—	56·40	—	117·	—	119·	
Strangeways	95·60	—	91·84	—	20·42	68·32	—	96·61	—	96·51	R. Swain and Co., Manchester (1888, 1889, and 1890).
Swansea	9·84	—	8·87	—	6·32	—	6·37	—	3·68	—	
Usk	8·23	—	2·03	—	·01	—	·4	—	·45	—	
Wakefield	127·27	—	126·55	—	145·99	—	122·23	—	—	95·70	W. Goodacre and Sons, London (1890).
Wandsworth	—	263·45	—	272·65	—	250·48	—	231·63	—	205·69	W. Goodacre and Sons, London.
Warwick	—	37·	—	37·22	—	43·68	—	55·44	—	42·82	Leveson and Co., Leeds.
Winchester	21·12	—	15·82	—	10·64	—	4·63	—	2·51	—	
Worcester	37·	—	34·	—	37·	—	49·	—	32·33	—	
Wormwood Scrubs.	—	—	—	—	—	—	—	—	17·73	—	
York	6·	—	6·	—	4·	—	5·	—	4·	—	
Totals	590·12	1,091·14	553·46	1,113·57	470·45	1,002·43	413·45	1,049·02	225·02	992·90	

NOTE.—At the Matmakers' deputation to the Home Secretary, on 4th March 1891, some doubt was expressed, despite Mr. Matthews's assurance, whether the contracts for matmaking at prisons were or were not advertised. It may be useful to clear up this point, and to give specimens of the advertisements which were issued by the Prison Department.

1887.	1888.	1890.
	ADVERTISEMENTS.	
Tenders for Matmaking, &c.	*Tenders for Matmaking, &c.*	*Tenders for Matmaking, &c.*
Tenders will be received by the PRISON COMMISSIONERS, Home Office, Whitehall, London, S.W., until MONDAY, 30th May next, for the MATMAKING at the undermentioned Prisons, for a period of three years, viz.:— H. M. Prison, Preston. Do. Leeds. Do. Bristol. Do. Cardiff. Do. Chelmsford. Tenders must be made on proper forms, which may be obtained from the Governors of the Prisons named, or at the office of the Prison Commissioners, where any further information can be obtained.	TENDERS will be received by the PRISON COMMISSIONERS, Home Office, Whitehall, London, S.W., until WEDNESDAY, 1st February next, for the MATMAKING at the undermentioned prisons, for the period commencing 1st March 1888, and terminating 31st March 1890:— H. M. Prison, Carlisle. Do. Knutsford. Do. Oxford. Do. Shepton Mallet. Do. Warwick. Do. Pentonville. Tenders must be made on the proper form, which may be procured from the Governors of the Prisons named, or at the Office of the Prison Commissioners, where any further information can be obtained. Home Office, Whitehall, S.W., January 1888.	Tenders will be received by the PRISON COMMISSIONERS, Home Office, Whitehall, London, S.W., until WEDNESDAY, 19th March 1890, for the MATMAKING at the Prisons of Bristol, Carlisle, Chelmsford, Knutsford, Leeds, Oxford, Pentonville, Preston, Shepton Mallet, and Warwick, for the period commencing 1st April, 1890. Tender must be made on the proper forms, which may be procured from the Governors of the Prisons named, or at the Office of the Prison Commissioners, where any further information can be obtained. Home Office, Whitehall, S.W., 8th March 1890.
LISTS of NEWSPAPERS in which ADVERTISEMENTS appeared.		
Contract Journal. Times. Telegraph. Standard. Daily News. Morning Post. Preston Chronicle. Preston Pilot. Leeds Mercury. Yorkshire Post. Western Daily Press. Bristol Times and Mirror. Western Mail. Cardiff Times. Chelmsford Chronicle. Essex Herald.	Contract Journal. Times. Telegraph. Standard. Daily News. Morning Post. Carlisle Journal. Newcastle Chronicle. Knutsford Advertiser. Manchester Guardian. Oxford Chronicle. Bucks Herald. Shepton Mallet Journal. Western Morning News. Warwick Advertiser. Birmingham Daily Post.	Contract Journal. Times. Telegraph. Standard. Daily News. Morning Post. Western Daily Press. Newcastle Chronicle. Manchester Guardian. Manchester Courier. Leeds Mercury. Yorkshire Post. Bucks Herald. Bucks Advertiser. Birmingham Daily Post. Birmingham Daily Gazette.

APPENDIX IV.

A copy of the form of tender is subjoined:—

This Tender, issued to _____
of _____
is to be delivered to the Commissioners of Prisons, Home Office, Whitehall, S.W., by noon on Monday, the 18 , marked on the envelope,

"*Tender for Matmaking, &c.*"

without which the Tender may not be considered.

TENDER FOR MATMAKING, &c.,

at _____ PRISON.

I *or* we. hereby Tender to supply at the above Prison, free of all charge, such materials as may be required at such times, and in such quantities, as may be specified by the Governor of the Prison, and to take at the prices named by in the accompanying Schedule all the mats, mattings, or other articles made therefrom, subject to the conditions detailed within.

Me *or* us. This Tender may, at any time within one calendar month from the date hereof, be accepted for the period commencing July 18 , and terminating 31st March 18 , and in the event of default

My *or* our. I *or* we. Myself *or* ourselves. My *or* our. hold liable for all losses and damages arising from any neglect or delay on part, the same to be recoverable in a Court of Law.

This Tender, duly accepted, shall be, to all intents and purposes, a Contract binding upon both parties.

Dated this _____ *day of* _____ 18 .

Witness _____ *Signature* _____

Address _____ *Address* _____

(To be signed on page 3 also.)

Names, Addresses, and Occupations of two Referees.

I hereby, on behalf of the Commissioners of Prisons, accept the above Tender on the terms and conditions annexed.

WESTMINSTER, 18 .

Commissioner of Prisons.

CONDITIONS OF CONTRACT.

Delivery of materials, and removal of goods. 1. The material to be supplied, and the manufactured goods to be removed, as required by the Governor, at the Contractor's risk and cost.

Mode of payment. 2. The accounts for labour on goods made and delivered to be paid the Governor monthly without discount.

Termination of Contract on notice given, or on account of Insolvency. 3. This Contract shall cease at the end of the first year, or at any time thereafter, provided three months' notice for that purpose shall have been previously given, or forthwith, in the event of the Prison being closed, or the Contractor becoming insolvent.

No member of the House of Commons to share in this Contract. 4. No Member of the House of Commons shall be admitted to any part or share of this Contract, or to any benefit arising therefrom.

Power to accept any part of a Tender. 5. The Commissioners do not bind themselves to accept the highest or any tender; they reserve to themselves the power of accepting any part of a tender, and they do not guarantee any fixed amount of work.

NOTICE.

Any Contractor who shall himself, or through his Agent, bribe or treat, or attempt to bribe or treat, any person employed directly or indirectly, under the Commissioners of Prisons, shall, on proof of such offence, satisfactory to such Commissioners of Prisons, become disqualified to hold any future Contract under the Prison Department.

APPENDIX IV.

_____ PRISON.

Schedule referred to on page 1.

Description of Mats.		Rates. Regular sizes.	Rates. Special sizes.
Mats, Chain or Sinnet	Fine or Super, per square foot	-	-
	Ordinary, " "	-	-
Do. Coir Fibre	Common Brush " "	-	-
	Diamond do. " "	-	-
	Best do. " "	-	-
Do. Coir Yarn	Medium " "	-	-
	Doubles " "	-	-
	Extra Doubles " "	-	-
Do. Wool bordered	Plain " "	-	-
	Scalloped " "	-	-

Mattings.			Rate.
Coir Mattings,	Plain	10 to 12 score, at per square yard	-
Do.	do.	13 to 15 do. do.	-
Do.	Striped	10 to 12 do. do.	-
Do.	do.	13 to 15 do. do.	-
Do.	Checked (ordinary)	11 to 12 do. do.	-
Kneeling Mats	12″ × 11″,	at per doz.	-
Do.	13″ × 12″,	do.	-
Do.	14″ × 13″,	do.	-
Nose bags, Coir	18″ × 17″,	do.	-
Do.	21″ × 18″,	do.	-
Do.	22″ × 20″,	do.	-
Scrubbers, Coir	5″ × 2½″,	do.	-
Do.	6″ × 2¾″,	do.	-
Do.	7″ × 3″,	do.	-

Signature of Tenderer, _____

II.

MEMORANDUM ON MAT-MAKING IN PRISONS.

By Sir Edmund Du Cane, 1888.

It would be natural to suppose, from the agitation carried on by certain matmakers and dealers against the manufacture of mats and matting in prisons, that the prisons had intruded themselves into the mat-making business, and that, if prison labour was no longer employed in England in this branch of manufacture, the wages of the free persons employed in it and the profits of the dealers might be expected to rise.

How little foundation there is for these notions will appear by considering the facts and history of the manufacture. Mr. Goodacre, of the firm of that name, who has been a very long time connected with this business, states that the manufacture of coir mats was first begun by Messrs. Wildey (now Treloar) in 1834, it was adopted for prisoners in Kirkdale in 1838, and by Wakefield Prison in 1841. He says that at this early period the number of private makers must have been very small, and the production likewise.

When Pentonville Model Prison was opened in 1842, the employment of prisoners in the manufacture of articles for sale was one of the principal features of the new system, and the mat-making industry was adopted, among many others, such as tailoring, &c. Complaints were made by free workmen against prison competition, and the sale of prison made articles was discontinued in all industries except mat-making, which was excepted for the reason given in the following passage of the Report of the Commissioners of Pentonville Prison for the year 1850, which is in accordance with the statement above quoted, that at that time mat-making was almost entirely a prison industry:—

"Mat-making alone is turned to profit by outdoor sale; but from the inquiries we have made, we are led to believe that no particular interests are likely to be injuriously affected thereby."

The manufacture of mats and matting is carried on in three ways:—

(1.) The operator may work at a frame or hand-loom, making ordinary door mats.

(2.) He may work at a loom weaving matting in long lengths like a carpet; this method applies to matting for covering large spaces or great lengths.

(3.) Steam engines may be employed for weaving matting instead of manual labour. This method is the more general in the north of England, and was, till 1878, largely practised at Wakefield Prison.

In the south of England the free operators work principally at frames and looms, and, as they have to compete with machine work, it is intelligible that they should earn low wages, even if there were no other reason. But as it is work requiring very little skill, and which can be carried on by cripples, blind people, and women, as a matter of course wages must be low.

APPENDIX IV.

Every possible endeavour has been made to meet the views of the persons who of late years have complained that prison labour unfairly competes with free labour. In and before 1878 the number of prisoners in local prisons employed making mats was 2,823, and in 1874, 348 were employed in convict prisons. To the work done by this number of men should be added the work done by steam engine power in prisons. Since then the number of men employed in prisons has been gradually reduced to 1,472 in local prisons and none in convict prisons, and only one steam engine is employed, and that in making matting.

But even this number gives a very exaggerated idea of the competition by prison labour, because, from various causes arising out of the conditions under which work is carried on in prisons and the want of skill arising from the fluctuating population in them, it is estimated that they are equivalent only to one-fourth or one-fifth, and some say less, of the same number of free workmen.

These reductions in numbers have not, however, apparently made matmakers' wages any higher, and only temporarily checked the agitation. The reason is twofold, first, that, whilst prison mat-making has been diminished, other competitors have arisen in larger numbers to take its place. There are now 55 firms of private makers in England, of which 15 have been established within the last few years. There may be a few small makers besides these, and the older firms have naturally extended their work. The private manufacture of matting largely extended itself, even while the prison manufacture was in full vigour and the diminution in the number of prisoners employed has apparently resulted in bringing in additional free competition rather than in raising the wages of those who were in the trade before.

Matting made by power looms has since 1878 been sent to Europe direct from India. Germany commenced to export to England about 10 years ago, Belgium about six or seven years ago; France and Holland also manufacture mats now, though it is not known whether they export them. Mats are also made in our colonies, so that foreign countries and colonies not only cease to afford a market for English mats, but they send their mats over to England and to places which we formerly supplied. Persons have been sent over from America and from Belgium to obtain a knowledge of the trade with a view to introducing it into prisons in those countries. Blind institutions and other establishments, 41 in number, have undertaken the work for the same reason that the prisons do, viz., it is a trade easily learnt and requiring but little skill; and this, as already stated, would sufficiently explain why wages must be low in this trade, besides that the operatives have to compete with machines.

The mat trade has also to contend with the introduction of new materials, such as india-rubber, new sorts of floor cloth, cheap carpets, &c., and cheaper sorts of mat, such as the common brush or Melford mat, which is sold more largely than any other and at rather less than half the price of any mat of the kind made in prisons.

There is, therefore, not the smallest ground for supposing that either wages or profits would be increased by the cessation of mat-making in prisons.

In order to obtain the best prices we could for our mats and matting we some years ago took to selling them by auction. We found that the buyers who attended combined to keep down the price, so that we got less than when we sold at a fixed price. We, therefore, reverted to that system. We now endeavour to obtain the advantage of competition among the local and general dealers by obtaining tenders for all we can make during a fixed time, and contracting with the dealer who will give us the best prices. We believe that in this way we get the full market value of our work. The contractor supplies the raw material and has to pay for its carriage to and from the prison; he must therefore allow for this in his price, and also for the obvious disadvantage that unskilled labour, such as much of ours is, causes a waste of material. We also make for Government, which the agitators make no objection to.

(vii.)

WORKSHOPS AT WANDSWORTH PRISON.

The workshops at Wandsworth Prison were built by prison labour in 1889–90, at a cost of 1,175*l.*, to accommodate prisoners employed in the following trades:—Brushmaking, tailoring, shoemaking, and bookbinding, to keep the prisoners so employed in separation as much as possible, and at the same time under complete supervision of one or more officers.

The building is of brick, with an open slate roof, and is lighted by skylights in the roof. It is heated by hot-water coils in connexion with a small boiler. Fresh air is admitted under the coils, and the foul air is extracted by Buchan's induced current ventilation in the roof.

The temperature can be very equally maintained.

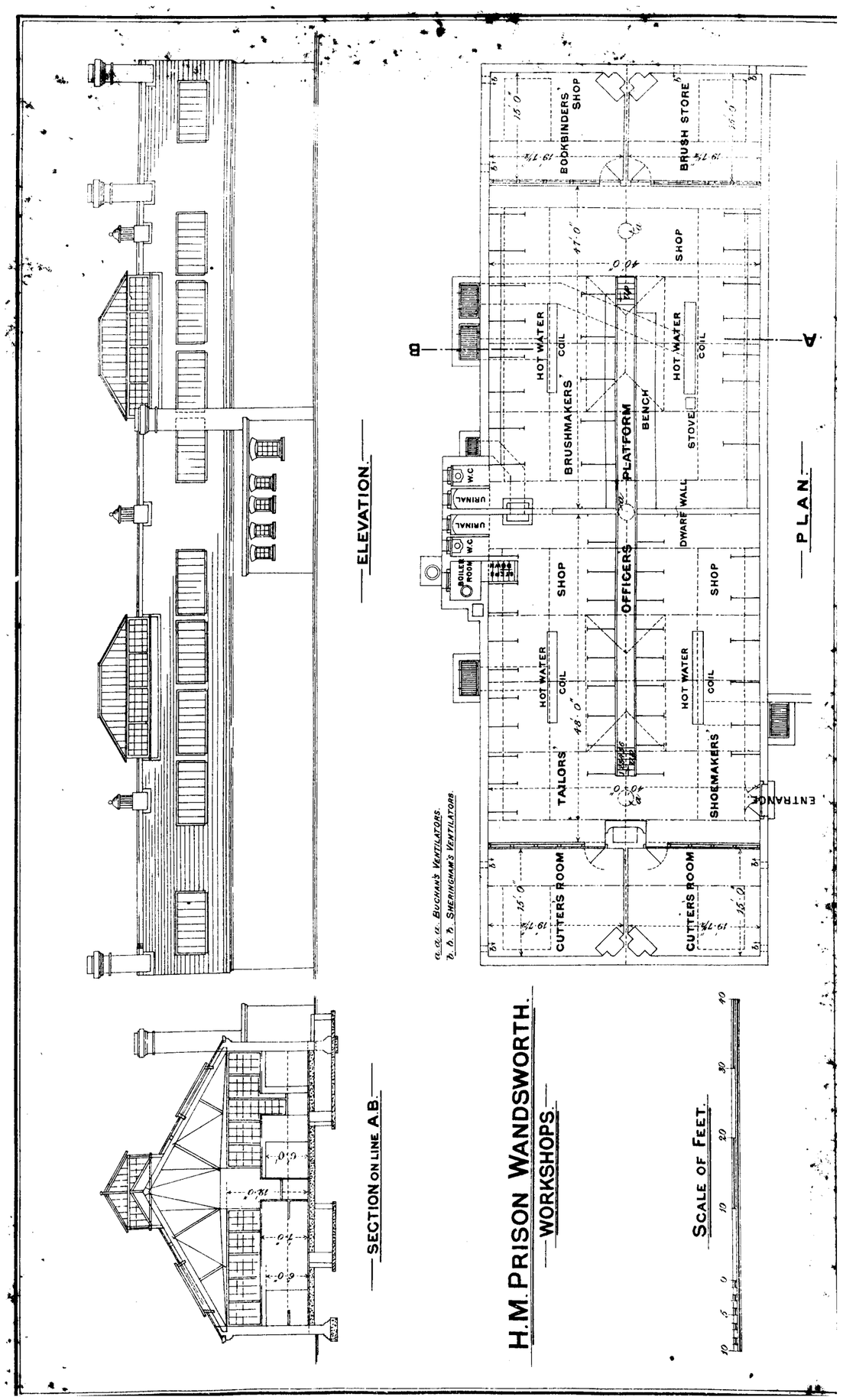
There is accommodation for 17 tailors, 15 shoemakers, and 25 brushmakers, working in separation, besides cutting rooms for tailors and shoemakers, and an enclosed place for bookbinders. These have glazed partitions, so that the supervision can be maintained from the centre of the building.

Much of the brushmaking work requires gas heaters, &c., and special provision has been made for the removal of the fumes which are produced in the manufacture.

ALTEN BEAMISH,
Surveyor.

25th February 1895.

For Plan see ☛



APPENDIX V.

Papers relating to Visits to and Communications with Prisoners, and Prisoners' Aid Societies.

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(i.)

A.

Standing Order No. 213. [Local Prisons.]

PRISONERS' LETTERS AND VISITS.

19th June 1893.

Communications from prisoners on remand or for trial.

1. Every prisoner committed to prison on remand or for trial will be afforded immediate and ample facilities for communicating with his friends or legal advisers. Letters from such prisoners will be sent by post or otherwise with the least possible delay. Telegrams will also be sent at once if the prisoner so desires it, but at his own expense.

2. Any such prisoner who is a foreigner shall, if he desires it, be allowed to communicate immediately, by letter or telegram, with the Embassy or Legation or with the Consular officer of his country.

Communications relative to the production of witnesses of prisoners awaiting trial.

3. If a prisoner awaiting trial, who is not employing a solicitor, wishes any witnesses to appear in his defence, he shall be afforded every facility, or, if need be, assistance, in writing to his friends to procure their attendance.

4. If the prisoner desires it, he may communicate with the police, requesting them to ask any such witnesses to attend. The police will no doubt do their best for this purpose, but it must be understood that they cannot make themselves responsible that the persons whose attendance is desired shall attend.

5. A notice ($\frac{\text{L.P.}}{\text{D. } 172}$) to the above effect is to be placed in the cell occupied by every prisoner awaiting trial, and the prisoner's attention drawn to it. If the prisoner cannot read it it should be read to him.

6. The governor should be prepared to inform the judge at the trial that this information has been conveyed to the prisoner, and what witnesses, if any, he has asked to be sent for.

Rules as to letters and visits of convicted prisoners to be communicated to prisoners awaiting trial.

7. Every prisoner under committal for trial should be warned of the restrictions imposed by the rules upon the letters and visits of convicted prisoners, in order that he may in good time make any necessary arrangements respecting his private affairs in case he should be convicted.

Special letter or visit on conviction.

8. If such arrangements cannot be completed before the prisoner is convicted and sentenced, the governor may, if necessary, allow him on return from court to write a letter or to receive a visitor, in order to complete any such arrangements.

Notification to prisoner's friends.

9. If the governor is satisfied that a prisoner's friends are not aware that he is under sentence, or in what prison he is confined, and that it is desirable that they should be informed, a notification (on Form $\frac{\text{L.P.}}{\text{C. } 3}$), signed by the prisoner, will be sent to his nearest friend.

Regulations as to letters and visits to be posted up.

10. The regulations as to letters and visits should be made known to the friends of prisoners by posting an abstract of them in the visiting room, and by any other suitable means.

Letter and visit allowed to penal servitude prisoner on conviction.

11. Every prisoner sentenced to penal servitude shall, on conviction, be allowed to write one letter and receive a reply, also to receive one visit, under the usual restrictions. As writing letters and receiving visits from friends are privileges reserved as encouragements to good conduct and industry, and accorded only at specified periods and under definite rules, the letter and visit above referred to must not be postponed in such a way as to interfere with the operation of these rules. Without laying down a rigid rule upon the subject the Commissioners desire that the period within which they shall be permitted shall be limited to about one week from the date of sentence as provided in paragraphs 9 and 10 of Standing Order 206.

12. Should a further interview be, in the opinion of the governor, of great importance, and the matter too urgent to allow of an application to the Commissioners, the governor may, in his discretion, permit it. But all such cases shall be at once reported to the Commissioners, with a statement of the reasons why the second visit was allowed.

Communication of matter of importance to a prisoner or his friends.

13. The governor may at any time communicate to a prisoner or to his friends any matter of importance to such prisoner in case he should not be entitled to write or receive a letter.

Communications to or from prisoners to pass through governor.

14. Excepting only a confidential communication prepared by an untried prisoner as instructions for a solicitor (mentioned in No. 23 of the rules for prisoners awaiting trial), all written communications whatsoever to or from prisoners of every class must pass through the governor.

Letters to and from debtor prisoners.

15. Letters to prisoners who are debtors within the meaning of the Prison Act, 1865, shall, as a rule be delivered to them unopened, and letters sent by them shall, as a rule, be forwarded unopened. But if the governor has reason to believe that a letter contains tobacco or any other article prohibited by the rules, or that a debtor is in any other way making an improper use of the liberty to send or receive letters, or if the letter in question be allowed specially, in addition to those authorised by the rules, the governor may use his discretion as to opening it. But in any such case the letter is to be opened in the presence of the debtor, and the circumstance is to be entered in the governor's journal.

Letters to be read by governor or deputy governor.

16. With the exceptions specified in paragraphs 14 and 15, the governor or the deputy governor, when there is one, shall read every letter addressed to or written by a prisoner, and every such letter shall be initialled by the governor or deputy governor, as the case may be. If the contents shall appear to the governor to be objectionable on account of impropriety, or prejudicial to good order and discipline, or to the security of the prison, either the letter shall not be forwarded or the objectionable part shall be erased, according to discretion; but every case in which he may think it proper to withhold a letter for the above reason shall be noted by him in his journal.

Regulations as to special visits to convicted prisoners.

17. The following regulations have been made by the Secretary of State as to the special visits of legal advisers and others to prisoners, and as to the mode in which they shall be conducted.

(1.) In order that reasonable facilities may be given for the transaction of any bonâ fide legal business of such a nature as to justify an interview in private, barristers or solicitors, conducting any legal proceedings, civil or criminal, in which the prisoner is a party, or bonâ fide acting as legal advisers to the prisoner in any legal business of his, may be allowed to see him with reference to such business in the sight, but not in the hearing, of an officer. It should be made clear that the interview is to be confined to legal business in which the prisoner is concerned, and it would be proper to require a pledge of conformity to that condition.

(2.) Barristers or solicitors, seeing a prisoner on any other business should see him in the sight and hearing of an officer.

(3.) All other special visits are to be in the sight and hearing of a prison officer, and no departure from this is to be entertained except in the case of the police, officials of the Post Office, Customs and Inland Revenue, and other public departments, on application of a superior authority of those Departments.

(4.) Such interviews will be allowed only by order from the Prison Department, except in cases of extreme urgency, in which there is no time for application to the Secretary of State or to this Department, in which case the governor is allowed to grant the interview, reporting the same at once to the Prison Department.

(5.) All such visits are to be subject to the consent of the prisoner. This rule will not apply to visits from officials under Rule 3; but, in the latter case it will be clearly understood that the prisoner is free to refuse to make any statement or disclosure.

(6.) Any privilege beyond what is above stated is to be granted only on the order of the Secretary of State.

18. Standing Orders 6, 48, 84, 151, 159, 201, and 204 are hereby cancelled.

By Order of the Commissioners,

M. CLARE GARSIA,
Secretary.

B.

SUMMARY OF REGULATIONS GOVERNING VISITS TO AND COMMUNICATIONS WITH PRISONERS.

—	Prisoners awaiting Trial.	1st Class Misdemeanants.	Debtors.	Surety Prisoners.	Ordinary Convicted Criminal Prisoners.	Prisoners under Sentence of Death.	P.S. Convicts. MALES.	P.S. Convicts. FEMALES.
Letters.	Paper and writing materials to such extent as may appear reasonable to Governor supplied for purposes of communicating with friends and preparing defence.—(Rule 23.) Confidential communications to solicitor not to be examined by prison officer, but all other written communications to be inspected by Governor.—(Rule 23 and S.O. 213, par. 14.)	No special rules. V.C. may accord additional letters.—(Rule 19.)	Write one letter each week.—(Rules 12 and 19.) V.C. may accord additional letters.—(Rule 19.) Letters to be delivered to prisoner or forwarded to his friends unopened unless suspected of containing prohibited articles.—(S.O. 213, par. 15.) Prisoners committed in default of payment of a sum of money pursuant to conviction may write to any friends for purpose of providing payment of the money.—(General Rule 54.)	Write and receive a letter (Rule 1.) V.C. may accord additional letters.—(Rule 1.)	May communicate with relatives and receive letters after three months of special treatment have expired, provided conduct and industry have been satisfactory, and allowed the same privilege at intervals according to good conduct and industry.—(Rule 46.) Write and receive a letter when he has earned 672 marks, and afterwards for each 672 marks earned.—(S.O. 206, par. 14.) May write a letter on returning from court after conviction to complete arrangement of private affairs if necessary.—(S.O. 213, par. 8.) Prisoners committed in default of payment of a sum of money pursuant to conviction may write to any friends for purpose of providing payment of the money.—(General Rule 54.)	No special rule.	Write and receive a letter during first week of sentence. Again for every 1,440 marks earned. Write and receive a letter on reception at public works. 3rd Class.—Write and receive a letter on attaining the class, and again after earning 1,440 marks. 2nd Class.—Write and receive a letter on attaining the class, and again for every 960 marks earned. 1st Class.—Write and receive a letter on attaining the class and again for every 720 marks earned. Special Class.—Write and receive a letter on attaining the class, and again for every 480 marks earned.	Write and receive a letter during first week of sentence. Again after she has earned 1,440 (L.P.) marks. Write and receive a letter on reception at convict prison. 3rd Class.—Write and receive a letter on attaining the class, and again for every 1,080 marks earned. 2nd Class.—Write and receive a letter on attaining the class, and again for every 720 marks earned. 1st Class.—Write and receive a letter on attaining the class, and again for every 540 marks earned. Special Class.—Write and receive a letter on attaining the class, and again for every 360 marks earned.
Visits.	Visited by one or, if circumstances permit, two persons for a quarter of an hour each week day.—(Rule 18.) V.C. may prolong the period or allow more than two visitors.—(Rule 19.) If in default of bail, may be visited by any friends any week day at any reasonable hour for the purpose of providing bail.—(Rule 23.) See their legal advisers alone.—(Rec. 54, Prison Act, 1865, Sched. I.)	No special rules. V.C. may accord additional visits.—(Rule 19.) Place of visit not to be the same as for the visits of ordinary criminal prisoners if other suitable place can conveniently be provided.—(Rule 20.) V.C. may prolong period of visit.—(V.C. Rule 24 and Gen. Rule 60.)	Visited by one or, if circumstances permit, two friends or relations for a quarter of an hour once a week.—(Rules 12 and 19.) V.C. may prolong period of visit or allow more than two persons to visit at a time or accord additional visits.—(Rules 13 and 19.) Place of visit not to be the same as for visits of ordinary criminal prisoners if other suitable place can conveniently be provided.—(Rule 11.) Prisoners committed in default of payment of a sum of money pursuant to conviction may be visited by any friends at any reasonable time for purpose of providing payment of the money.—(General Rule 54.)	Visited once a week.—(Rule 1.) V.C. may prolong the period of visit or accord additional visits.—(Rule 1.)	Visited by order from member of V.C.—(Rules 62 and 63.)	Visited during first week of sentence. Again (for 20 minutes) for every 1,440 marks earned. 3rd Class.—Visited (20 minutes) on attaining the class, and again after earning 1,440 marks. 2nd Class.—Visited (20 minutes) on attaining the class, and again for every 960 marks earned. 1st Class.—Visited (half an hour) on attaining the class, and again for every 720 marks earned. Special Class.—Visited (half an hour) on attaining the class, and again for every 480 marks earned.	Visited during first week of sentence. Again after she has earned 1,440 (L.P.) marks (for 20 minutes). 3rd Class.—Visit of 20 minutes on attaining the class and again for every 1,080 marks earned. 2nd Class.—Visit of 20 minutes on attaining the class, and again for every 720 marks earned. 1st Class.—Visit of 30 minutes on attaining the class, and again for every 540 marks earned. Special Class.—Visit of 30 minutes on attaining the class and again for every 360 marks earned.

APPENDIX V.

(ii.)

Standing Order No. 228.
[Local Prisons.]

8th February 1895.

PRISONERS' LETTERS.

1. Governors are authorised to allow any prisoner who, under paragraph 14 of S.O. 203, is entitled to a visit, to write a letter and to receive a reply in lieu of such visit, should his friends be unable to visit him.

2. They are also authorised to allow any prisoner to write a special letter and to receive a reply under any of the following circumstances, if in their judgment it is desirable:—

(*a.*) The death of a near relative.

(*b.*) To give instructions as to his business or family affairs of an urgent nature.

(*c.*) To make arrangements for obtaining employment or assistance from friends on release.

3. Whenever a letter is allowed under the above authority, the governor will record the fact in his journal.

By order of the Commissioners,
M. CLARE GARSIA,
Secretary.

(iii.)

MEMORANDUM SETTING OUT THE REGULATIONS GOVERNING PRISONERS' AID SOCIETIES AND THE GOVERNMENT GRANT.

GRATUITIES TO PRISONERS AND CHARITIES.

In former times it was not uncommon for people to leave bequests for the relief of prisoners. The objects of these bequests have, in most cases, become impracticable or unnecessary, and, under 45 & 46 Vict. c. 65., it was made lawful to apply the funds to the relief of prisoners on discharge. The subsequent Charity Commissioners Act, embracing all charities in its scope, made it possible to apply these funds to purposes not connected with prisons at all, and many have in consequence been so diverted. When the Prison Commissioners took charge of the local prisons, they inquired into this subject and obtained a complete return from the Charity Commissioners of all the prison charities, *see* 6th Report of the Commissioners of Prisons (1882-3).

It appeared from this return that there were 228 such charitable endowments for the benefit of prisoners, of which the total income was 7,156*l.* A small number of similar endowments have been discovered since this return was made. Of the above income of 7,156*l.*, as much as 5,581*l.* had been already diverted from its original purposes by authoritative schemes; there remained, therefore, only 121 charities, with an income of 1,574*l.* 16*s.* to be dealt with. Subsequent accumulations have made the available income considerably larger than this amount.

It was the opinion of the Government, that those charities, at all events, which had not been devoted to other purposes ought to be made applicable to the aid of discharged prisoners. It was found that in order to carry this idea into effect, it was necessary that the Charity Commissioners should in each case be moved by some person having an interest in the fund, to make a scheme for its appropriation, so as to fulfil the above object. An Act of Parliament (45 & 46 Vict. c. 65.) was therefore passed, placing the Secretary of State in the position of a party interested in these funds, in order that he might be able to move the Charity Commissioners so to do.

The view of the Government on the subject in connexion with the grant to the Discharged Prisoners' Aid Societies was that the whole of the bequests should be handed over to the Discharged Prisoners' Aid Societies, in lieu of the 4,000*l. per annum* which Her Majesty's Government had recently undertaken to pay to those societies.

The Secretary of State has moved the Charity Commissioners in 97 cases, and a model scheme for general application has now been settled which has been followed in several new schemes which have been framed, making the income of 92 charities available for discharged prisoners. In the case of four of the remainder, it has not been thought proper to devote them to this purpose; one remains still to be dealt with. The total annual income of the available Prison Charities is probably now about 2,050*l.*

Discharged Prisoners' Aid Societies.

The rules under which a Government Grant towards the funds of these societies, as laid down originally, and as subsequently somewhat modified, were as follows:—

(1.) A sum of 4,000*l.* was fixed as the maximum of the grant, in respect of all the prisons, to be available if all the required conditions are fulfilled. This grant to be appropriated in the following manner.

(2.) There should be assigned to each prison, as its possible maximum, the proportion of the 4,000*l.*, which its average number of prisoners bears to the total average number, or which its annual discharges bear to the total annual discharges.

(3.) The sum to be granted on condition—

(*a.*) That there is a working Discharged Prisoners' Aid Society, taking charge of the prisoners from that prison.

(*b.*) That the society receives subscriptions, to at least an equal amount, or if not, that the grant from Government be limited to an amount equal to what the society has received. If the grant in any year is less than the amount of the private subscriptions in that year, the society may take credit for the excess of subscriptions in order to make up, if necessary, the amount required to meet the grant in the succeeding year.

(*c.*) That the society has officers to manage it, not belonging to the prison staff. This was subsequently modified by the provision that prison officers may act on the Committees, and give assistance in working the societies.

(*d.*) That the society also takes charge, if required, of the sums awarded to prisoners under the progressive stage system, above a certain amount, which will be fixed.

(*e.*) That it makes grants only to prisoners who have earned as much as the rules allow. This was subsequently modified to the effect that prisoners recommended by the prison authorities as industrious and fairly conducted shall be permitted to participate in the benefit of the grant.

(*f.*) That the grant in aid of any prisoner shall not, in any case, exceed, on the whole, 2*l.*, including the sum awarded under the stage system.

The grant was sanctioned for five years, to 1887-8.

The total amount sanctioned has never, hitherto, been extended, and in 1888 the amount was reduced to 1,500*l.* In order to bring the amount expended within this limit the following course has been adopted:—

As soon as a new scheme has been framed by the Charity Commissioners, making the income of the charity available for discharged prisoners, through the agency of a Discharged Prisoners' Aid Society, the amount (if any) that has hitherto been allowed to such society out of the grant, has been reduced by the amount of the income of the charity.

The average amount granted to the society during the past three years is ascertained, and its future participation in the grant restricted to the difference between such average and the income of the charity; or, if such income equals or exceeds what the grant has averaged, the latter is discontinued altogether. The total amount of the grant from Government funds is not to exceed an amount calculated at the rate of 2*l.* 10*s.* per 100 prisoners discharged, less any amount available from any charitable endowment.

Refuge for the Destitute.

A grant of 325*l.* a year is made to the Refuge for the Destitute. This grant was transferred from the Vote for "Miscellaneous Charitable, &c. Allowances, Great Britain," in 1881-2, on the ground that it stands on much the same footing as the gratuities distributed through the Discharged Prisoners' Aid Societies. This institution, and the Philanthropic Society, founded in 1788 and incorporated in 1806, represent the first attempts made in this country for the reformation of youthful criminals, and the protection of children of convicts. A proposal to unite these two institutions in 1845 failed, but led ultimately to the reformatory movement in its present shape. The grant to the refuge was 3,000*l.* a year for many years. It was reduced to 2,000*l.* in 1849-50, to 1,000*l.* in 1850-51, and at length, in 1851-52, took its present form, namely, a contribution, at the rate of 5*s.* per week, in aid of the maintenance of 25 young females received into the refuges on their release from prison. The grant is paid half-yearly, on the application of the secretary.

(iv.)

Paper handed in by Colonel Barker (*Salvation Army*). (*Question* 8272.)

SUPREME COURT, VICTORIA.

Law Courts, Melbourne,
August 25th, 1890.

SIR,

I AM willing and glad, in compliance with your request, to testify that the Rescue Department of the Salvation Army for some years past has done and is still doing in Melbourne, public service of a highly useful character, in my opinion; not only by giving material help and advice at a time when both are greatly needed to persons released from gaol, but also by its continuous efforts to rescue from crime young and inexperienced persons who are exposed to temptation, or who have taken only one or a few steps on the road to ruin. I am not aware of any other religious organisation than the Salvation Army that has engaged itself systematically on a large scale in this double work of help and rescue. And I am able, on this ground, as an individual, to give to the Rescue Department of the Army my cordial sympathy and support.

The prompt, practical, and judicious aid which the Salvation Army has been giving during the present winter to a large number of unemployed persons collected in Melbourne, also deserves the grateful acknowledgments of all Victorian citizens.

I have the honour to be, Sir,
Your faithful servant,
GEO. HIGINBOTHAM,
Chief Justice.

James Barker, Esq.

(v.)

Paper handed in by Mrs. Meredith. (*Question* 5678).

MRS. MEREDITH'S INSTITUTIONS.

Chief Office:—Conference Hall, Clapham Road, S.W.

(Established 1865).

No. of Lady Workers.	No. of Workers.	No. of Women and Children benefited.	No. of Women and Children benefited.	No. of Letters to Prisoners last Year.	No. of Letters to Prisoners since Foundation.
(A.) Volunteers.	(B.) Paid.	(A.) Annually.	(B.) Since Foundation.		
304	70	3,030	64,970	17,000	197,000

THE PRISON MISSION,

Entirely dependant on voluntary contributions.

Treasurer, Mrs. MEREDITH.

THE MARBLE LAUNDRY,

For the employment of discharged female prisoners.

Treasurer, The Right Hon. Lord ROOKWOOD.

No. of women employed during 1893, 779.
No. of days' work given them, 16,756.
No. of religious meetings held, 1,192.
Attendance at Sunday services and Bible Classes, 3,719.

PRINCESS MARY VILLAGE HOMES,

Addlestone, Surrey.

Certified industrial school for girls,

Maintaining 200 little children, living in 20 semi-detached cottages, managed on the "family system."

The honorary managers are ladies, some of whom are always in residence in the village homes.

Treasurer, The Right Hon. Lord ROOKWOOD.

APPENDIX VI.

Papers and Statistics relating to Prison Offences.

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(i.)

A.

PRISON OFFENCES AND PUNISHMENTS.

Extracts from Prison Acts, 1865 and 1877.

General regulation as to punishment. Prison Act, 1865, Schedule I.; Reg 56.

No punishments or privations of any kind shall be awarded except by the gaoler, or by a visiting or other justice.

Gaoler to punish for prison offences. Prison Act, 1865, Schedule I., Reg. 57.

The gaoler shall have power to hear complaints respecting any of the offences following, that is to say,—

1. Disobedience of the regulations of the prison by any prisoner;
2. Common assaults by one prisoner on another;
3. Profane cursing and swearing by any prisoner;
4. Indecent behaviour by any prisoner;
5. Irreverent behaviour at chapel by any prisoner;
6. Insulting or threatening language by any prisoner to any officer or prisoner;
7. Absence from chapel without leave by any criminal prisoner;
8. Idleness or negligence at work by any convicted criminal prisoner;
9. Wilful mismanagement of work by any convicted criminal prisoner;

All the above acts are declared to be offences against prison discipline; and it shall be lawful for the gaoler to examine any person touching such offences, and to determine thereupon, and to punish such offences by ordering any offender for any time not exceeding three days to close confinement, to be kept there upon bread and water. And the gaoler shall enter in a separate book, called "the Punishment Book," a statement of the nature of any offence that he has punished in pursuance of this regulation, with the addition of the name of the offender, the date of the offence, and the amount of punishment inflicted.

Punishment of prisoners by visiting justices. Prison Act, 1865, Schedule I., Reg. 58.

If any criminal prisoner is guilty of repeated offences against prison discipline, or is guilty of any offence against prison discipline which the gaoler is not by this Act empowered to punish, the gaoler shall report the same to the visiting justices, or one of them, and any one of such justices, or any other justice having jurisdiction in the place to which the prison belongs, shall have power to inquire upon oath and to determine concerning any matter so reported to him, and to order the offender to be punished by confinement in a punishment cell for any term not exceeding one month, or, in the case of prisoners convicted of felony or sentenced to hard labour, by personal correction.*

Limitation of time of confinement in punishment cells. Prison Act, 1877, s. 43.

It shall not be lawful for the gaoler to order any prisoner to be confined in a punishment cell for any term exceeding 24 hours, nor shall it be lawful for the visiting committee of justices to order any prisoner to be punished by confinement in a punishment cell for any term exceeding 14 days.

Use of irons Prison Act, 1865, Schedule I., Reg. 59.

No prisoner shall be put in irons or under mechanical restraint by the gaoler of any prison, except in case of urgent necessity, and the particulars of every such case shall be forthwith entered in the gaoler's journal, and notice forthwith given thereof to one of the visiting justices; and no prisoner shall be kept in irons or under mechanical restraint for more than 24 hours without an order in writing from a visiting justice specifying the cause thereof, and the time during which the prisoner is to be kept in irons or under mechanical restraint, which order shall be preserved by the gaoler as his warrant.†

Corporal punishments. Prison Act 1865, Schedule I.; Reg. 60.

All corporal punishments within the prison shall be attended by the gaoler and the surgeon. The surgeon shall give such orders for preventing injury to health as he may deem necessary, and it shall be the duty of the gaoler to carry them into effect, and the gaoler shall enter in the punishment book the hour at which the punishment is inflicted, the number of lashes, and any orders which the surgeon may have given on the occasion.

Rules made by the Secretary of State 19th February 1878.

55. No prisoner shall be punished until he has had an opportunity of hearing the charges and evidence against him, and of making his defence.

56. No dietary punishment shall be inflicted on any prisoner, nor shall he be placed in a punishment cell, nor shall corporal punishment be inflicted unless the surgeon shall certify that such prisoner is in a fit condition of health to undergo such punishment. APPENDIX VI.

57. The following offences committed by male prisoners convicted of felony or sentenced to hard labour will render them liable to corporal punishment:—

1st. Mutiny or open incitement to mutiny in the prison; personal violence to any officer of the prison; aggravated or repeated assault on a fellow prisoner; repetition of insulting or threatening language to any officer or prisoner.

2nd. Wilfully and maliciously breaking the prison windows, or otherwise destroying the prison property.

3rd. When under punishment wilfully making a disturbance tending to interrupt the order and discipline of the prison, and any other act of gross misconduct or insubordination requiring to be suppressed by extraordinary means.

58. Corporal punishment, in the case of prisoners over 18 years of age, shall be inflicted with a "cat" or birch rod, and in the case of prisoners under 18 years of age with a birch rod; the instruments, in both instances, shall be of a pattern approved by the Secretary of State.

59. The number of lashes inflicted on a prisoner over 18 years of age shall not exceed 36, or on a prisoner under 18 years of age 18.

60. The order for the punishment shall be duly entered in the appointed manner, and the number of lashes, and the instrument with which they are to be inflicted shall in all cases be stated in such order.

61. No irons or other means of restraint shall be made use of except those of such patterns as have been approved by the Secretary of State.

Rule made by Secretary of State on the 27th March 1893.

No prisoner shall be put in irons or under mechanical restraint as a punishment. Irons, or other means of mechanical restraint, shall be used only when necessary for the purpose of restraining a prisoner.

B.

ABSTRACT of RULES and ORDERS governing the PUNISHMENT of PRISONERS for PRISON OFFENCES.

No prisoner shall be punished until he has had an opportunity of hearing the charges and evidence against him and of making his defence. (General Rule 55.)

No dietary punishment shall be inflicted on any prisoner, nor shall he be placed in a punishment cell, nor shall corporal punishment be inflicted unless the surgeon shall certify that such prisoner is in a fit condition of health to undergo such punishment. (General Rule 56.)

Powers of Governor.

Close confinement in punishment cell, 24 hours (Prison Act, 1877, s. 43).

Close confinement in ordinary cell, 3 days (Prison Act, 1865, Sched 1, Reg. 57).

Diet, No. 1, bread and water, 3 days (Prison Act, 1865, Sched. 1, Reg. 57 and rules as to dietaries, dated 18th March, 1878).

Diet, No. 2, stirabout, 21 days—(Rules for dietaries, dated 18th March 1878, and S.O. 94).

Diet, No. 3, full stirabout, 42 days—male prisoners.—(Rule as to dietaries, dated 18th March 1878, and S.O. 94).

Stage, detention in, or reduction to a lower. Limit, while earning 112 marks=14 days (S.O. 203, par. 8 and S.O. 94).

Forfeiture of gratuity earned or to be earned, or of other stage privileges (S.O. 203, par. 8).

Powers of Visiting Committee.

Corporal Punishment—male prisoners.—(Prison Act, 1865, Sched. 1, Reg. 58).

* *See* Prison Act, 1877, s. 43., *supra*, and Prison Act, 1877, s. 14. p. 7. *ante*.

† *See* Prison Act. 1877, s. 14, p. 7, *ante*.

APPENDIX VI.

Inflicted by order of two justices (Prison Act, 1877, s. 14).

Inflicted with a "cat" or birch rod on prisoners over 18 years of age, and with a birch rod on prisoners under 18 years of age; both instruments to be of a pattern approved by the Secretary of State. (General Rule 58).

Number of lashes not to exceed 36 in case of prisoners over 18 years of age, or 18 in case of prisoners under 18 years of age. (General Rule 59).

Inflicted in presence of governor and surgeon. The latter shall give such orders for preventing injury to health as he may deem necessary, and the governor shall carry them into effect. (Prison Act, 1865, Sched. I, Reg. 60).

Close confinement in punishment cell, 14 days. (Prison Act, 1877, s. 43).

(ii.)

RETURN showing the NUMBER of COMPLAINTS made against OFFICERS by CONVICTS now at DARTMOOR and PORTLAND CONVICT PRISONS respectively, during the Year 1894.

Nature of Complaint.	Dartmoor.	Portland.
For violence	5	2
For abusive language	5	2
For unjust reports { for talking	—	7
For unjust reports { other offences	3	19
Total number of complaints	13	30
Total number of convicts in custody.	1,028	1,066

(iii.)

Papers handed in by Colonel Garsia.
(*See* Question 6452.)

SUMMARY of ABSTRACT of OFFENCES and PUNISHMENTS of PENAL SERVITUDE PRISONERS at WORMWOOD SCRUBS PRISON during eight days ended 19th December 1891.

	Males.	Females.
Number of penal servitude prisoners in Wormwood Scrubs prison on 15th December 1891	259	24

Reports against P.S. Prisoners.

12 December	6	Daily average 4·62.
14 ,,	12	
15 ,,	5	
16 ,,	8	
17 ,,	5	
18 ,,	1	
19 ,,	0	

Punishments awarded, Admonitions, &c.

Prisoners reported - - 37
Of whom 28 were punished,
7 admonished, and
2 cases dismissed.
37

WORMWOOD SCRUBS PRISON.

Particulars of *all* Convicts reported for being concerned in the Disturbance on the 19th December 1891.

Registered No. and Name.	Sentence, Years P. S.	Report.	Remarks.
NR. 183.— F. S.	5	Disobedience of orders, and mutinous conduct by shouting "stick together lags, go "for him and I will back you up," on the 19th December.	Reported once between 11th and 19th December 1891, viz., on 17th December for talking in chapel, for which he was ordered to be kept from chapel for 7 days.
R. 191.— C. S.	15	Mutinous conduct by inciting other prisoners to leave the chapel on the 19th December; also for refusing to go to his cell when coming from exercise and inciting another prisoner to strike an officer; also for insolence and refusing to obey an order.	Reported *once between* 11th and 19th December 1891, viz., on 16th December for shouting in his cell. Decision of Governor, "not proved," case dismissed.
R. 311.— J. W.	3	Leaving his seat in chapel during divine service, and inciting others to follow him, also using highly insubordinate language on the 19th December.	Reported once between 11th and 19th December 1891, viz., on 16th December for shouting in his cell. Decision of Governor, "not proved," case dismissed.
MR. 161.— J. C.	5	Not obeying an order and using threatening language to an officer on the 19th December.	Not reported between 11th and 19th December 1891.
R. 131.— John P.	5	Mutinous conduct in chapel during divine service, and in the prison yard on the 19th December.	Not reported between 11th and 19th December 1891.
R. 155.— H. C.	5	Mutinous conduct in chapel on the 19th December.	Reported once between 11th and 19th December 1891, viz., on 17th December for making improper remarks to an officer, for which he was admonished.
N. 75.— C. E.	5	Mutinous conduct in chapel on the 19th December.	Not reported between the 11th and 19th December 1891.
NR. 102.— Joseph P.	5	Mutinous conduct in chapel on the 19th December.	Not reported between the 11th and 19th December 1891.

REPORT showing STATE of HEALTH of J. E. and S. P. on RECEPTION at WANDSWORTH.

H.M. Prison, Wandsworth,
October 30, 1894.

Reg. 16,833, J. E. } who were received at this prison
Reg. 16,834, S. P. } on transfer from Wormwood Scrubs on December 29, 1891, were then in good health, and fit in each case for first-class hard labour.

R. F. QUINTON,
Medical Officer.

REPORT giving the PERIODS passed by J. E. in HOSPITAL at WANDSWORTH.

H.M. Prison, Wandsworth,
November 2, 1894.

Reg. 16,833, J. E. was admitted to the infirmary here on January 8th, 1892, suffering from an abscess in his right ear (meatus), and a second small abscess behind the ear. He was discharged on January 14th relieved, both abscesses having practically healed.

I then recommended that the remainder of his dietary punishment should be remitted on medical grounds.

On February 5th he was again admitted, as he was reported to be returning his food and refusing to work. He was placed under observation, and as he was found to take his food and wished to return to his work in the prison, he was discharged on the following day.

On February 7th, however, he again complained sick, and was found to have febrile symptoms, which proved to be the beginning of a mild attack of influenza. The febrile symptoms soon passed off, but as he appeared weak and had lost weight (12 pounds) he was kept in hospital till February 25th, 1892, when he was discharged recovered.

R. F. QUINTON,
Medical Officer.

(iv.)

APPENDIX VI.

Paper handed in by the Rev. W. D. Morrison.
(*Question* 3075.)

A.

RATIO of PRISON OFFENCES in proportion to the Daily Average in the LOCAL and CONVICT PRISONS for year ended March 1893.

Local Prisons.

No. of Prison Offences.	Daily Average Population.	Daily Average Offences.
34,752	13,821	6·8 per 1,000

Convict Prisons.

No. of Prison Offences.	Daily Average Population.	Daily Average Offences.
6,665	3,832	4·7 per 1,000

Explanatory Note.

The high ratio of prison offences in proportion to the population in the local as compared with the convict prisons is in part to be attributed to the morbid conditions generated in the local prisons by cellular confinement.

(v.)

Paper handed in by Captain Schuyler. (*Question* 3142.)

RETURN of OFFENCES committed during the months of April, May, and June 1894, at Her Majesty's Prison, WANDSWORTH.

VIOLENCE.

	Violence to Officers.	Violence to Prisoners.	Destroying Prison Clothing.	Destroying Prison Books.	Cutting Prison Shoes.	Breaking Cell Windows.	Damaging Cell Crank.	Damaging Cell Doors.
Daily average number of prisoners exclusive of sick and those under observation.	992	992	992	992	992	992	—	992
Daily average number of prisoners employed.	—	—	—	—	—	—	80	—
Total number of prisoners reported during the three months.	7	3	4	2	3	2	3	1

IDLENESS.

	Pump and Mills combined Cranks.	H. L. Machine Cell Cranks.	Oakum Picking.	Works.	Coal Sack Making.	Laundry.
Daily average number of prisoners employed.	120	80	221	42	99	33
Total number of prisoners reported during the three months.	43	60	52	5	5	1

APPENDIX VI.

BREACH OF REGULATIONS.

	Daily average No. of prisoners employed.	Daily average No. of prisoners employed of sick and those under observation.	Total number of prisoners reported during the three months.	Talking in Laundry.	Talking in Chapel.	Talking in Penitentiary and Mills.	Talking at Exercise.	Talking in the Corridor.	Shouting from Cell to Cell.	Misconduct in Kitchen (warming).	Misconduct in Shop.	Tampering with mattress (putting extra fibre in it).	Threatening language to Officers.	Threatening Prisoners.	Insolence to Officers.	Refusing to go to Cell when ordered.	Marking Dinner Tins.	Marking Cell Doors.	Dirty Cell and Utensils.	Committing a Nuisance in Cell (except to obtain Cell).	Throwing Filth out of Cell Window.	Being out of Cell Cleanliness.	Being in Bed during Working Hours.	Refusing Medical Treatment.	Sprinkling grease on the Corridor.	Concealing Tools in Cell.	Disobedience of Orders.	Cutting Beard contrary to Regulations.	Stealing Library Books to other Prisoners.	Defacing Cell Badge.	Pulling Onions up in Exercise Yard.	Having old, in his possession.	In Possession of Jewel Pencil.	In Possession of Tobacco.	In Possession of Indecent Drawings.	Passing Food to other Prisoners.	Tampering with Window Ventilators.
	33	—	7	—	—	120	—	—	—	—	80	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	123	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	—	29	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	70	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	30	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	85	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	19	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	42	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	—	992	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

(vi.)

RETURN of the NUMBER of CONVICTS discharged from PORTLAND PRISON during the year 1894 (exclusive of any specially licensed on medical grounds, &c.), showing how many of them earned full REMISSION, and the length of TIME the REMAINDER were detained beyond the MINIMUM PERIOD.

Number of Convicts Licensed during 12 months ended 31st December 1894.	Earned full Remission.	Detained beyond the minimum Period.				
		Less than one Week.	One Week and less than one Month	One Month and less than three Months.	Three Months and less than six Months.	Six Months and less than nine Months.	Nine Months and less than 12 Months.	Twelve Months and over.
306	135	—	9	116	28	10	4	4

APPENDIX VII.

Papers and Statistics relating to Health and Insanity.

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APPENDIX VII.

(i.)

Standing Order No. 172.
[Local Prisons.]

INSTRUCTIONS FOR THE MEDICAL OFFICER.

Prison Department, Home Office,
6th November 1888.

1. He will attend at the prison daily, not later than 9.30 a.m., and proceed at once to the performance of his duties.

2. The names of prisoners who appear out of health, or who desire to see the medical officer, will be handed to him soon after his arrival, and he will, without unnecessary delay, attend to these prisoners, and prescribe or give such instructions as he may deem necessary for them, in the book provided for the purpose.

3. He will visit, at the earliest convenient hour, the patients undergoing hospital treatment, and in each case he will enter such prescriptions and orders as may be necessary on the hospital case paper and hospital bed-head diet card. He will also enter, in the proper column of each hospital case paper, a sufficiently full and complete clinical account of the history and progress of the case. He will take care that on the discharge of a patient from hospital the case paper and diet card used for that patient are kept in the guard books provided for the purpose.

4. He will see all newly-arrived prisoners as soon as possible after their reception, and he will carefully examine them. If any are sentenced to hard labour, he will ascertain their fitness or otherwise for such labour or for any particular kind thereof. He will record the results of his examinations in the medical officer's reception register.

In the case of prisoners whose physical strength has been reduced by hardship and privation he will give all necessary instructions without loss of time.

In the event of prisoners having been received after his morning visit, he will pay a second visit to the reception cells before the officers go off duty for the day.

5. In order to give effect to the Rule No. 56 of the General Rules for Prisoners, that "No dietary punish-" ment shall be inflicted on any prisoner, nor shall he " be placed in a punishment cell, nor shall corporal " punishment be inflicted, unless the surgeon shall " certify that such prisoner is in a fit condition of " health to undergo such punishment," he will, at a convenient hour, arranged between himself and the governor, see and examine the prisoners who may have been reported for idleness or misconduct, and, if he should find any prisoner unfit for any particular kind of punishment, he will at once furnish a certificate to that effect to the governor.

6. He will, in the course of the forenoon, visit any prisoner undergoing confinement in a punishment cell, or dietary punishment awarded on any previous day.

7. He will examine all prisoners whom it is proposed to remove to other prisons, and will certify whether they are fit or unfit for such removal, and he will forward such information with regard to those who are fit for removal as may be necessary or useful for the guidance of the medical officer of the prison to which they are to be removed.

8. He will be held responsible for the accurate dispensing of medicines for the patients under his medical charge.

9. He will satisfy himself by daily inspection and inquiry that any arrangements made for the care and management of prisoners who are unfit on medical grounds for separate confinement are carried into effect.

10. In the case of women who are found to be pregnant, he will give such instructions as may be necessary to ensure their safety, and he will satisfy himself that such instructions are carried out.

11. He will carefully examine all candidates for prison employment who may be brought before him, and will report as to the qualifications of such persons on the forms furnished for the purpose. As an interval may elapse between the preliminary examination of candidates and their appointment, he will also examine, before they commence their duties, subordinate officers appointed to the prison, and, if any be found unfit for the service, will make a report to that effect.

12. He will attend all such officers and servants of the prison, and their families, as are entitled to medical attendance, if resident at the establishment, or within such limits as may be prescribed, but he is not bound to attend on midwifery cases in officers' families.

13. He will make such recommendations as may be necessary in the case of prisoners whose mental capacity is defective. If any prisoner should be found to be in an unsound state of mind, he will furnish the requisite certificate of insanity, and he will make a special examination of every such prisoner immediately before his or her removal from the prison.

14. He will make a quarterly inspection, in the course of which he will inspect every prisoner and every part of the prison, in order to ascertain the existence or otherwise of any influences or sanitary defects that may be likely to endanger the health of the prisoners, and he will report for the information of the Commissioners any circumstances that may appear to require their consideration, and will record the general results of his inspection in his Journal.

15. The Medical Officer will vaccinate or re-vaccinate all prisoners sentenced to penal servitude, who do not present good marks of vaccination, before their removal from local to convict prisons. He will also vaccinate all children born in prison as soon after birth as he thinks it safe and desirable to perform the operation.

16. In the event of the sudden illness of a prisoner, or any other emergency, he will attend to any summons with the least possible delay. Whenever he may be temporarily absent from the prison, he will leave notice with the officer in charge of the Infirmary, and the gate-keeper, where he may be found, in case his services should be suddenly required.

17. He will carry out, in such manner as may from time to time be prescribed, all the directions contained in the Prison Acts, 1865 and 1877, relating to the Medical Officer, and such rules and orders as may be issued from time to time; and he will carefully and correctly fill up all such forms, and keep all such books as may from time to time be directed by the Prison Commissioners, and he will, punctually and with despatch, make all such returns and reports as the Commissioners may require.

18. Besides the performance of the foregoing duties, it is necessary that the services of the Medical Officer should be readily available, if occasion should require, in the course of the day. If resident, therefore, at the prison, or paid at the full rate authorised for a resident surgeon, he will take care to be at hand throughout the day, from the time at which the work of the prison commences to the hour at which the officers go off duty for the day. He will thus be ready to furnish, with facility, necessary information, if reference be made to him in any matter in which his opinion and advice would be likely to be useful to the superior authorities of the prison. If not resident, or paid as such, he will, besides the duties already prescribed, pay a visit to the prison daily, between 4 p.m. and the hour at which the officers go off duty. He will then, as before directed, examine any prisoners in the reception cells who may have been received since the morning, and he will discharge any other duties that circumstances may require.

19. It is to be understood that a Medical Officer cannot claim a fee beyond his regular salary for the examination of candidates, certificates of insanity, attendance at assize or other courts, or for the performance of any of the duties herein prescribed.

20. The foregoing regulations do not purport to comprise the whole of the duties of the Medical Officer, but are for his guidance in the matters to which they relate. It is expected that he will at all times carry out his instructions with good will and to the best of his ability, and will spare no effort to promote the wellbeing of the persons under his medical charge.

S.O. 65A is hereby revoked.

E. F. DU CANE.

APPENDIX VII.

(ii.)

Standing Order, No. 134.
[Local Prisons.]

CARE AND MANAGEMENT OF PRISONERS WHO ARE UNFIT ON MEDICAL GROUNDS FOR SEPARATE CONFINEMENT.

Prison Department, Home Office,
9th February 1885.

1. As it is frequently advisable to place in association prisoners who are mentally affected but who do not require treatment in hospital, as well as those who, by reason of infirmity, depression, or helplessness, or other causes, cannot be left alone in cells, especial care is to be taken that prisoners in such rooms shall be under the personal supervision of officers, or hired attendants, who shall be responsible that no prisoner shall be maltreated, but all properly cared for.

2. The Medical Officer should satisfy himself from time to time that the arrangements are effective for these purposes, and shall bring to the notice of the Governor any deficiency he may observe.

3. Every room so occupied is to be visited frequently by the Governor and Chief Warder, and by the Officer in immediate charge of the ward.

4. It should be in such a position in the prison as to come frequently under the observation of officers passing, as well as of those specially charged with the duty of supervising it.

5. It must be provided with apertures or means of inspection so placed that the whole of the interior may be easily seen by any officer inspecting it.

6. Any irregularity, by whomsoever noticed, should be at once reported to the Governor.

By order of the Commissioners,
R. ANDERSON,
Secretary.

(iii.)

RETURN showing the DAILY AVERAGE NUMBER of PRISONERS and the RATE of MORTALITY, INSANITY, and CASES in HOSPITAL calculated on such DAILY AVERAGES at each of the following PRISONS during the year ending 31st March 1894.

Name of Prison.	Daily Average Number of Prisoners.	Mortality.		Insanity.		Cases in Hospital.		Remarks.
		Number of Deaths.	Rate per 1,000.	Number of Cases occurring.	Rate per 1,000.	Number of Cases treated.	Rate per 1,000.	
Wormwood Scrubs	1,235	7	5·6	8 including 4 insane on reception and 2 doubtful	6·4	641	519	This prison receives only prisoners under sentence — males and females — convicts, and the mass of sentences over 3 months.
Strangeways - -	1,109	16 excluding 1 execution.	14·4	23 „ 18 „ „ „ 1 „	20·7	723	651·9	This prison receives prisoners on remand or awaiting trial and under sentence — males and females.
Pentonville -	1,086	5	4·6	4 „ 4 „ „ „	3·6	233	214·5	This prison receives only male prisoners under sentence.
Wandsworth -	1,080	7	6·4	4 „ 3 „ „ „	3·7	359	332·4	Do.
Liverpool - -	1,009	6	5·9	24 „ 19 „ „ „ 1 „	23·7	627	621·4	This prison receives prisoners on remand or awaiting trial and under sentence — males and females.
Holloway - -	702	9 excluding 1 execution and 2 from alcoholism, not being deaths from natural causes.	12·8	120 „ 119 „ „ „	170·9	961	1368·9	This prison receives all the prisoners on remand or awaiting trial for the whole of the Metropolis — males and females — and female prisoners under sentence.

(iv.)

ABSTRACT of REPORTS on SIXTY CASES of INSANITY in PRISONS (LOCAL), 1893-4.

BIRMINGHAM.

6575. M. Æt 19.—Case of congenital weak mind, liable to transitory outbursts, migrating between workhouse, asylum, and prison.
A petty larcenist.

6670. M. Æt 42.—A dement, liable to outbursts of mania when in drink; fluctuates between prison and asylum.

378. F. Æt 47.—Insane on commission of crime, sent to Broadmoor.

3084. M. Æt 32.—Discovered after conviction to be in second stage of general paralysis, which had probably begun before committal of offence (larceny).

BODMIN.

623. M. Æt 38.—Indecent assault. No sign of insanity *for* 55 *days* after imprisonment. Then an attack of acute mania showed itself.

BRISTOL.

4906. M. Æt 24.—Felonious wounding. No insane record, found sane on admission. No sign of madness *for four months*, when attempt at suicide was made. Was then certified as insane.

CARDIFF.

278. M. Æt 40.—Stealing tools. No insane record. Sane on admission; *after* 44 *days* melancholia came on with delusions as to persecution.

777. M. 46.—Murder. Found to be insane at trial.

598. M. Æt 27.—Murder. Not considered insane at trial; but insanity certified by commission from Home Office.

1699. M. Æt 42.—Assault. No insane record. Sane on reception. Symptoms of insanity appeared *after* 51 *days*.

CARLISLE.

926. M. Æt 28. Rogue and vagabond. Had

been previously in prison; was regarded as "a bit queer." Was punished for not working. Certified as a "dement" two months after admission.

DERBY.

1176. M. Æt 29.—Stealing fowls. No insane record. Fair health on admission, with somewhat peculiar manner. Soon proved quite unamenable to discipline, and after two months was certified as lunatic. A letter from his wife shows that his mind was wrong before conviction.

DURHAM.

2484. M. Æt 40.—Stealing a tin of biscuits. No insane record. Found weak, but not insane on admission; placed on light labour and better diet. Shortly afterwards symptoms of general paralysis with the delusions peculiar to that disease, appeared. Certified as insane after two months' imprisonment.

EXETER.

2241. M. Æt 32. Stealing a watch. No insane record. Sound on admission, though with a "weak countenance," began almost immediately to show signs of mental weakness, which steadily increased till his removal to an asylum.

478. M. Æt 27. Buggery: known to have been insane previously. Prisoner "obviously idiotic in appearance" on admission. Was certified 16 weeks afterwards.

784. M. Æt 34. Threatening violence. Not mentally deficient on admission. But a note from the justices said that in his parish he had the reputation of "not being in his right mind." After three weeks signs of melancholia appeared, and he was certified as insane.

IPSWICH.

90. F. Æt 35.—Murder. Was evidently insane when offence was committed.

KNUTSFORD.

G.S. 47. F. Æt 31.—Felony. "There is a history of her having been twice before in a lunatic asylum." Prisoner was in good mental health on admission, and continued so *for four months*, when signs of acute mania appeared.

LEEDS.

1201. F. 48.—Causing grievous bodily harm. No previous insane record. Melancholic and weak on admission. Certified, after *five months' imprisonment*, as insane. [No special report in this and following case, owing to death of medical officer.]

1753. F. 43.—Stealing draperies. No insane record. Mentally weak on admission. Certified at conclusion of two months' sentence as insane.

LEICESTER.

3883. M. Æt 24.—Unnatural offence. This prisoner was evidently insane at the time of his conviction.

LINCOLN.

776. M. Æt 61.—Murder. No insane record. Found to be insane by special Home Office Commission.

1840. M. Æt 37.—Sending threatening letter. No insane record. Mental condition on admission doubtful. Delusions appeared; certified as insane after *three months'* imprisonment.

LIVERPOOL.

8419. F. Æt 35.—Wilful damage. Previously insane. Sane on admission. This prisoner has a record of 73 convictions, varying from seven days to 18 months, for drunkenness, window-breaking, &c. She had been twice in an asylum for periods of two and three years.

7714. M. Æt 18.—Stealing clothes. No insane record. Sane on admission. After 14 days symptoms of slight eccentricity appeared, but no serious symptoms for *six months*, when there were outbreaks of violence with serious delusions.

9875. F. Æt 30.—Wilful damage. No insane record. Prisoner has 100 convictions recorded for drunkenness, and damage, &c. Constantly liable to violent outbursts of temper. Was removed September 1893 to Rainhill asylum: from which discharged after a year's detention. Has been three times convicted since discharge.

12,327. F. Æt 32.—Infanticide. Insanity after childbirth.

14,859. F. Æt 31.—Infanticide. Insanity after childbirth.

MAIDSTONE.

96. M. Æt 25.—Indecent assault. No insane record. Kept under observation for two months from date of admission. Certified as insane shortly after trial; [though evidently insane before it].

1262. M. Æt 26.—Arson. Previously reported strange. Mental condition on admission "variable." Five times previously convicted. Frequent outbreaks of violence and insubordination in prison, treated by "separate cell." Signs of insanity a year after admission; certified *insane 17 months* after admission.

486. M. Æt 53.—Wounding. No insane record. Sound on admission before trial; no symptoms of insanity, but believed to have committed offence while under delirium tremens. Detained at Queen's pleasure.

NEWCASTLE.

1521. M. Æt 21.—Fraud. Insane record. Obviously imbecile on admission. It appears strange that certificate of insanity should have been delayed for two months.

NORTHALLERTON.

94. F. Æt 55.—Housebreaking and theft. Insane record. Was kept in prison six months, but in the opinion of the medical officer "was not responsible for her actions" during this time.

NORTHAMPTON.

4651. M. Æt 45. Unlawful wounding. No insane record. This prisoner, in the opinion of the medical officer, was suffering from epileptic mania at the time of admission, and presumably when offence was committed. But the medical officer's view was not accepted by judge at assizes. During imprisonment further accesses of the disease occurred, and he was removed to an asylum. While in prison he was treated as an insane person.

NORWICH.

6760. M. Æt 33.—Larceny (after felony). No insane record. "Weak" on admission, and kept for a time under observation, then allowed to go to an ordinary cell. After *two months* delusions occurred and he was found to be suffering from general paralysis.

7188. M. Æt 28.—Stealing fowls. No insane record. "Weak" on admission; kept under observation till symptoms of general paralysis appeared, and he was certified for asylum.

NOTTINGHAM.

364. M. Æt 48.—Burglary. No insane record. Enfeebled on admission; kept in association. The delusions of general paralysis soon showed themselves.

PORTSMOUTH.

435. M. Æt 19.—Arson. No insane record. Frequent previous convictions. During previous imprisonments destructive habits were noticed, but kept in check. On last occasion they became more evident, and after *three months* of imprisonment he was certified insane.

READING.

694. M. Æt 22.—Soldier striking superior officer. No insane record. Health good on admission. After six months' imprisonment he was frequently punished for prison offences. *After* 13 *months* delusions appeared, and he was certified insane.

RUTHIN.

24. M. Æt 35.—Poisoning river. No insane record. Health good on admission. Religious mania and attempted suicide *after 37 days*.

107. M. Æt 30.—Wounding with intent. No insane record. Medical officer saw no sign of insanity. But on trial ordered to be detained at Queen's pleasure.

SHEPTON MALLET.

534. M. Æt 57.—Theft. No insane record. Sane on admission, though peculiar and excitable. *After three months* acute mania occurred.

SHREWSBURY.

498. M. Æt 34.—Attempted rape. Record of insanity. Melancholic on admission. Symptoms speedily aggravated. After a year certified insane by prison doctor and another, but Visiting Committee would not countersign. Second certificate signed a month afterwards; removed to asylum. It appears that he had been in this asylum previously for many years.

STAFFORD.

1394. M. Æt 19.—Shop-breaking. No insane record. Sane on admission. No symptoms for *two months*; then sudden excitement with delusions. These recurred at intervals. Six months after conviction certified as insane.

STRANGEWAYS.

499. F. Æt 25.—Murder and attempted suicide. Insane record. Melancholic and partially demented on admission. To be detained at Queen's pleasure.

8684. M. Æt 37.—Theft. No insane record. Of low calibre, mental and physical. *Three months* after admission became demented.

7846. M. Æt 43.—Incorrigible rogue. No asylum record, but suspected insanity. A man of low mental type, 25 times convicted of petty offences. Gradually got worse enough to be certified.

SWANSEA.

35. M. Æt 40.—Unlawful wounding. Insane on admission. Detained at Queen's pleasure.

WANDSWORTH.

9111. M. Æt 48.—Found in an enclosed yard. No insane record. Health good on admission. No morbid symptom for *two months*. On second-class labour. Then symptoms of excitability showed themselves, with self-abuse; soon became acutely maniacal and was removed to asylum.

11,552. M. Æt 22.—Larceny. Doubtful as to insane record. Health apparently fair on admission, but speedily placed under observation. After *two months* marked delusions as to persecution appeared, and he was certified insane.

WARWICK.

602. M. Æt 17.—Obtaining money by fraud. Doubtful history. A deaf-mute of low type, congenitally imbecile.

WAKEFIELD.

7472. M. Æt 56.—Theft. No insane record. Health fair on admission. After various breaches of prison discipline, delusions characteristic of general paralysis appeared, and he was certified as insane.

9480. M. Æt 39.—Assault. Record of insanity: twice in asylum. Health good on admission. After *four weeks*, symptoms of melancholia appeared, but subsided. Two months afterwards symptoms were aggravated, and he was certified insane.

10,787. M. Æt 30.—Theft. No insane record. Noisy and destructive on admission. Condition fluctuated frequently, but was finally determined to be general paralysis.

WINCHESTER.

81 M. Æt 18.—Indecent conduct. No insane
875 record. Sound on admission: well conducted *for five months*. Then morbid symptoms, for which placed under observation, and certified as acutely maniacal.

WORMWOOD SCRUBS.

4592. M. Æt 25.—Felony. No insane record. Sound on admission, and so continued *for* 14 *months*. Then became strange in manner and was placed under observation. In a few weeks was certified insane. His disease was connected with self-abuse. His diet was liberal throughout, and he was working in association when the symptoms occurred.

9006. M. Æt 48.—Theft. No insane record. Sound on admission. *After two months* signs of derangement appeared. Soon the man became obviously insane. The medical officer thinks that development of seeds of insanity may be "hastened by the introspection and self-communion inseparable from any form of penal state and surroundings."

9111. F. Æt 39.—Theft. No insane record. Peculiar manner on admission. Eight days afterwards placed under observation in hospital for signs of melancholia. These became aggravated and she was certified as insane. Considerable time was necessary, says the medical officer, in this as in other cases, to remove doubt as to malingering.

9483. F. Æt 30.—Obtaining by false pretences. No insane record. Peculiar on admission. At once placed under observation. *After* 23 *days* distinct religious delusions appeared and she was ultimately certified insane.

9443/T. F. Æt 20.—Rogue and vagabond. No insane record. Of vicious tendencies and antecedents. Showed moral perversity of a kind that for some time obscured the mental symptoms. These last became however sufficiently aggravated to warrant certificate of insanity.

593. M. Æt 30.—Murder. Doubtful record of insanity. Profoundly prostrate on admission. Melancholia with stupor appeared. Removed to Broadmoor.

(v.)

MEDICAL REPORT ON J. B. R. (*Questions* 8411–26.)

Weight on reception. 217 lbs.
" " discharge, 186 "

Registered No. 6,811, J. B. R. was received here on the 19th October 1892. His health was good, but he was classed 2nd class labour as he was so fat, 217 lbs.; height, 6 ft. 1 in. He was in hospital for a month, with swelled leg from blocking of a vein. He lost 31 lbs. in weight; he was given extra diet, according to Standing Order 126, for 20 days before discharge. He went out apparently in good health.

W. INNES, M.D.,
Surgeon.

H.M. Prison, Pentonville,
29th December 1894.

(vi.)

Papers handed in by Dr. Gover.

A.

RETURN showing the NUMBER of CASES of INSANITY in the LOCAL PRISONS in ENGLAND and WALES in each YEAR since the YEAR ended 29th September 1873, taken from the JUDICIAL STATISTICS. (Question 1449.)

Year.	Number of Cases of Insanity.	Year.	Number of Cases of Insanity.
1872–3	158	1882–3	246
1873–4	195	1883–4	303
1874–5	211	1884–5	307
1875–6	200	1885–6	272
1876–7	242	1886–7	253
1877–8	108	1887–8	236
(half year.)		1888–9	349
1878–9	200	1889–90	295
1879–80	163	1890–1	288
1880–1	153	1891–2	327
1881–2	206	1892–3	301

B.

Note as to answer to Question 1433.

In reading over the evidence given by me before the Departmental Committee on Prisons, I find that the latter part of my answer to Question 1433 was not quite correct, owing to my imperfect recollection of the statements relating to the insanity of prisoners contained in Mr. Morrison's article in the "Fortnightly Review" for April last. I said that Mr. Morrison "made no "allowance for the difference of ages as between the "prison population and the outside population," and that "the rate per 1,000 for insanity, which he quotes, "deals with the population of children and infants, and "includes all ages."

APPENDIX VII.

The following is what I should have said, and does represent my views upon the article in question, which I have taken an opportunity of perusing afresh:—

"Mr. Morrison, in endeavouring to show that the ratio of insanity in prison is greater than outside, makes inadequate allowance for the difference of ages as between the prison population and the outside population. The rate per 10,000, which he quotes, includes young persons down to the age of 15. Now, young persons are not so liable to insanity as persons of more mature years, who have felt the worries and strains of life, and Mr. Morrison's comparison is, therefore, unfair to the prisons, seeing that the ratio of insanity among the general population is lowered by the rarity of insanity among persons below the age of early adolescence. If Mr. Morrison wished to make a comparison of the ratio of insanity in prisons with that of the general population, it is obvious that the comparison should have been between persons of the same ages in the two populations.

"I do not know why Mr. Morrison has drawn the line at the age of 15, but I desire to draw attention to the fact that the total number of young persons under the age of 16 in the whole of the local prisons of England and Wales on the 31st March 1893, as shown in the 16th Annual Report of the Commissioners of Prisons (a report which was accessible to Mr. Morrison) was only 124, while the number of prisoners aged 16 and over was 13,847. Of this fact Mr. Morrison makes no mention."

R. M. G.

C.

VITAL STATISTICS OF CONVICT PRISONS.* By GEORGE E. WALKER, L.R.C.P.

(*See Question* 1194.)

The high state of sanitary efficiency maintained at the present time in our convict prisons is well shown in the Blue Book for the year ending March 31, 1890. To all who are interested in the well-being of our convict population it will be a satisfaction to find that the death-rate is far below the death-rate of the rest of England and Wales.

It has been observed by those who have some knowledge of statistics, that this death-rate is entirely fallacious; that in a prison population there are no children, amongst whom the death-rate is very high; and that, if allowance were made in this respect, it would probably be found that the prison death-rate is as high, if not higher, than the death-rate for the rest of England and Wales. As there appeared to be some truth in this statement, I have set myself the task of investigating the matter fully, with the result that I find that the "corrected death-rate" does not vary to any great extent from the "recorded death-rate."

In order to obtain this "corrected death-rate" it is necessary to divide the prison population into age and sex-groups; to compare these age and sex-groups with the age and sex-groups of the population of England and Wales as given at the last census in 1881; from a comparison of these age and sex-groups, to find the "standard death-rate" of the prisons, *i.e.*, what would be the number of deaths if there had been exactly the same death-rate in each prison age and sex-groups as was recorded for the rest of the population of England and Wales; and finally, to determine the "factor of correction," *i.e.*, the number by which the recorded death-rate must be multiplied in order to correct the differences which exist between the age and sex-distribution of the two populations.

I have experienced considerable difficulty in making these calculations from the fact that the age-groups given in the Blue Book are differently arranged from those adopted by the Registrar-General. In the Blue Book the ages are grouped thus: from 16 to 21, from 21 to 30, from 31 to 40, ——, from 61 and upwards. The age-groups adopted by the Registrar-General are as follows: from 0 to 5, from 5 to 10, from 10 to 15, from 15 to 20, from 20 to 25, from 25 to 35, ——, from 75 and upwards. In order to arrive at anything like a correct result, it has been necessary to re-arrange one set of tables. It would have been easier to have re-arranged the prison tables, but the result would have been far from accurate, owing to the fact that the ages of the prison population between 20 and 25 are not given, nor is there any further grouping of ages after 60. I have preferred therefore to re-arrange the England and Wales tables, as it was possible to assimilate these groups into other groups. That this arrangement is fairly accurate will be seen from a perusal of Table I., in which the composition of "a standard thousand" of the population of England and Wales, together with its death-rate, as given by the Registrar-General, is shown side by side with my re-arranged groups. It will be found that the difference between the two death-rates is only the small fraction ·24.

* From the Sanitary Record, June 15, 1891.

TABLE I.

Ages.	Age Distribution per 1,000 of Population of England and Wales, 1871-81. (Registrar-General.)		Death-rate for each Age-group.	
	Males	Females.	Males.	Females.
Under 5 -	67	67	4·56	3·89
From 5–10 -	64	61	·43	·38
„ 10–15 -	54	54	·20	·20
„ 15–20 -	49	49	·26	·27
„ 20–25 -	43	47	·31	·33
„ 25–35 -	71	76	·67	·65
„ 35–45 -	54	59	·74	·69
„ 45–55 -	39	44	·78	·69
„ 55–65 -	28	31	·97	·88
„ 65–75 -	11	18	·77	1·25
„ 75 and upwards.	6	8	1·02	1·25
Total - -	486	514	10·71	10·48
Grand total -	1,000		21·19	

Ages.	Age Distribution per 1,000 of Population of England and Wales, 1871-81. (Re-arranged Groups.)		Death-rate for each Age-group.	
	Males.	Females.	Males.	Females.
Under 5 -	67	67	4·56	3·89
From 5–10 -	64	61	·43	·38
„ 10–15 -	54	54	·20	·20
„ 15–20 -	49	49	·26	·27
„ 20–30 -	78	85	·63	·64
„ 30–40 -	63	67	·72	·67
„ 40–50 -	45	52	·76	·68
„ 50–60 -	34	37	·92	·81
„ 60–70 -	20	25	1·04	1·11
„ 70 and upwards.	12	17	1·43	1·83
Total - -	486	514	10·95	10·48
Grand total -	1,000		21·43	
Total from 15 and upwards	301	332	5·77	6·05
	633		11·82	

APPENDIX VII.

Table II. shows the composition of the prison population arranged in age-groups, together with the number of deaths in each group. Also the death-rate per 1,000, as compared with the death-rate per 1,000 of the population of England and Wales.

TABLE II.

Ages.	Number of Prison Population in each Age-group, 1890.		Recorded Number of Deaths in each Age-group.		Death-rate per 1,000 of Prison Population.		Death-rate per 1,000, England and Wales, 1871–1881.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
From 15–20 - - - -	94	3	1	—	10·6	—	5·23	5·43
„ 20–30 - - - -	1,391	40	11	—	7·9	—	8·31	7·68
„ 30–40 - - - -	1,519	91	10	—	6·5	—	11·52	10·08
„ 40–50 - - - -	952	88	15	—	15·7	—	16·9	13·59
„ 50–60 - - - -	542	53	10	1	18·4	18·8	27·41	22·07
„ 60–70 - - - -	321	26	16	—	48·3	—	52·17	44·68
„ 70 and upwards - - -	—	—	—	—	—	—	119·33	108·33
Total - - - -	4,829	301	63	1	—	—	—	—
Grand total - - - -	5,130		64		—	—	—	—

From the above table it will be seen that in a population of 5,130 convicts there were 64 deaths, which gives a death-rate of 12·4 per 1,000. To compare this rate with the rate for England and Wales, 21·43 per 1,000 is manifestly incorrect. There are no convicts under 16 years of age, whereas in the England and Wales tables it will be seen that the deaths amongst children under five years of age are more than a third of the total death-rate. All ages under 15 must therefore be eliminated. A correction must also be made for the variations in the respective age-groups. If the prison population were found to contain a considerable excess of young men, amongst whom the death-rate is low, and consequently a less proportion of old men, amongst whom the death-rate is high, as compared with the England and Wales tables, there would be an error greatly in favour of the prisons unless the necessary correction were made. This is done in Table III. It will be seen in Table I. that a standard thousand of the population of England and Wales contains 633 persons above the age of 15, and that the death-rate for this number is 11·82. In Table III. I have re-arranged these numbers into proportions per 1,000, in order to compare them with a thousand of the prison population, which is shown side by side in this table.

From Table III. it will be seen that the death-rate per 1,000 of the population of England and Wales, from 15 years and upwards, is 18·77, and it is with this number that the prison death-rate must be compared. Correction must also be made for age and sex distribution. This table shows that a standard thousand of the England and Wales population for ages over 15 is composed of 486 males and 514 females, whereas in the case of the prisons a thousand is composed of 942 males and 58 females. In the one case, the excess of females over males is 28, and in the other the males exceed the females by 884. As the death-rate amongst males is greater than amongst females for nearly all ages, the necessity for this correction is apparent. It is effected by means of Cols. VII. and VIII. in the same table, where the number of deaths per 1,000 of the prison population are calculated at the England and Wales rates. The number so obtained, 18·39, is the "standard death-rate." By comparing it with the death-rate for England and Wales under Cols. III. and IV. of the same table, 18·77, it will be seen that the prison population has a slight advantage in its age and sex distribution over the population of England and Wales. In order then to obtain the corrected death-rate, the recorded death-rate must be raised to the proportion of 18·77 : 18·39. This is done more easily by means of the "factor of correction," obtained by dividing the death-rate for England and Wales for ages over 15, by the standard prison death-rate. The fraction $\frac{18{\cdot}77}{18{\cdot}39} = 1{\cdot}02$ is this factor. The recorded death-rate, 12·4, multiplied by this factor will give the corrected death-rate = 12·64. This number, however, only compares it with the death-rate for England and Wales for ages over 15 years, viz., 18·77. A comparison with the total death-rate for England and Wales, 21·43, is obtained by the following simple rule-of-three sum—18·77 : 21·43 :: 12·64 : *x*. This number will be found to be "14·41," which is the corrected death-rate required.

TABLE III.

Ages.	England and Wales.				Prisons.					
	Sex-distribution of Population per 1,000 from 15 and upwards, 1871–81.		Death in each Age-group.		Sex-distribution of each 1,000 of Prison Population.		Deaths in each Age-group, calculated at the England and Wales Rate.		Recorded Deaths per 1,000 in each Age-group.	
	I. Males.	II. Females.	III. Males.	IV. Females.	V. Males.	VI. Females.	VII. Males.	VIII. Females.	IX. Males.	X. Females.
From 15–20	78	76	·41	·41	18·4	·6	·09	·01	·19	—
„ 20–30 -	126	132	1·05	1·01	271	8	2·26	·06	2·08	—
„ 30–40 -	102	104	1·17	1·05	296	18	3·46	·18	1·94	—
„ 40–50 -	73	80	1·23	1·08	186	17	3·63	·23	2·92	—
„ 50–60 -	55	57	1·51	1·25	106	10	2·91	·22	1·95	·19
„ 60 and upwards.	52	65	4·05	4·55	64·6	4·4	4·99	·35	3·13	—
Total -	486	514	9·42	9·35	942	58	17·34	1·05	12·21	·19
Grand total	1,000		18·77		1,000		18·39		12·40	

APPENDIX VII.

The death-rates (recorded and corrected) for the past 10 years are given in Table IV., from which it will be seen that the death-rate for last year was 1·19 per 1,000 above the average of the past 10 years.

TABLE IV.

Year.	1881.	1882.	1883.	1884.	1885.	1886.	1887.	1888.	1889.	1890.	Average for the 10 years.
"Recorded" death-rate per 1,000	13·5	11·9	10·69	10·26	10·7	8·63	11·3	10·6	13·84	12·4	11·38
"Corrected" death-rate per 1,000	15·66	13·85	12·2	11·94	12·5	10·04	13·15	12·32	16·16	14·41	13·22

The question naturally arises, how is this low rate of mortality to be accounted for? It is certainly not due to the superior physique of the convicts themselves. On the contrary, their vitality is more or less lowered by the vicious lives they have led. Some other cause must therefore be sought for. An examination of the Mortality Table in the Blue Book shows that there was not a single death from the principal zymotic diseases. The zymotic death-rate for England and Wales for the 10 years ending 1880 was 3·38 per 1,000. Add this number to the corrected prison death-rate and it would be raised to 17·79 per 1,000. This would bring it almost exactly to the death-rate for England and Wales for the year 1890, when the death-rate was 17·9 per 1,000.

The absence, then, of zymotic or preventible disease is the chief reason why the mortality-rate in our convict prisons is so low. There are other influences at work which assist in the same direction, such as the absence of intoxicating liquors, a good and sufficient supply of food, the enforced regularity of the life which is led, &c., but these influences are in a great measure counterbalanced by the depressing conditions which a life of penal servitude must entail. Were this low rate observed for only one year, it might be attributable to accidental causes, and would possess but little significance, but when we see it maintained year after year, the inferences to be drawn are absolutely conclusive. It proves that the sanitary surroundings of our convict prisons are better than is the case throughout the country generally, and that the low mortality-rate is due to the exclusion of preventible disease.

The question which these statistics suggest is whether the death-rate of the country generally might not, by improving the sanitary conditions under which our artisans and labourers live, be reduced approximately to the rate observed in our convict prisons. That great improvements in this respect have been effected since the passing of the Public Health Act of 1875, is proved by the gradual lowering of the death-rate from 20·5 per 1,000 in 1880 to 17·9 per 1,000 in 1890. Great strides have been made during the past few years in the Department of Sanitary Science, by the constitution of examining boards conferring diplomas in public health, and by the appointment of medical officers of health to most of our urban and rural districts. Many of our large towns have spent vast sums of money in carrying out sanitary improvements, with the result that the local death-rate has, in many instances, been lowered to an almost incredible extent. There are, however, defects in our sanitary service that appear to me to urgently call for further legislation. In the first place, the conditions under which a medical officer of health holds his appointment is far from satisfactory. He is elected by a local board, and is subject to re-election at the end of a specified term, generally three years, so that his tenure of office is most insecure. Under such circumstances it is hardly to be wondered at if he refrain, almost unconsciously, from suggesting sanitary improvements which, however advisable, might be obnoxious, on the score of expense, to certain members of the board, as, by so doing, he would imperil his re-election when his term of office expired. By this I do not intend to suggest that medical officers of health do not perform their duties conscientiously, for I believe that a more conscientious and painstaking body of men does not exist; but I do maintain that the conditions under which they hold their appointments are of such a nature as seriously to hamper them in the performance of their duties. To such an extent is this sometimes the case, that good men have resigned their appointments because they have not been able to perform their duties in accordance with the dictates of conscience. In our larger urban and rural districts they are fairly well paid; they are required to devote the whole of their time to the duties of the office; and they are also required to possess a diploma in public health. In our smaller towns the case is different, and it is here that further legislation is so much needed. Each has, as a rule, its own medical officer of health; the duties he is called upon to perform are very trifling, and the remuneration he receives is in proportion to those duties. The salary given is sometimes as low as from 15*l.* to 30*l.* per annum. No one, under such circumstances, can be expected to devote the whole of his time to the duties of the office, and the appointment is therefore usually held by a local private practitioner. He is not required to possess any diploma in public health, and he may, therefore, have only a very superficial knowledge of sanitary science, and be consequently quite unfitted for the post. It is impossible that, under such conditions, the duties can be performed satisfactorily, as those duties must often clash with the private interests of some of his best patients. To effect sanitary improvements on anything like an extensive scale necessitates the outlay of a considerable amount of capital, and a corresponding increase in the county or borough rates. Local boards, as well as private individuals, are very susceptible where it is a question of expense, and no medical man in private practice could insist upon such an increased expenditure without incurring grave risk of serious loss to his practice. It can hardly be expected, therefore, that under such conditions, sanitary improvements of any magnitude will be carried out or even suggested.

To remedy these defects in our sanitary system I would venture to suggest that the appointment of medical officers of health should not rest with county councils or local boards, but should be vested in one central authority, the Local Government Board, under whose direction the medical officer of health should act, and to whom alone he should be responsible. Every large town should, as is now generally the case, have its own medical officer of health, and the counties should be mapped out into districts of manageable size, each containing about 100,000 inhabitants, into which the smaller towns should be merged, and each presided over by its own medical officer of health. No medical man holding one of these appointments should be allowed to practice privately, but should be required to devote the whole of his time to the duties of his office, and it should be a *sine quâ non* that he possess a diploma in public health. At the same time the office should be well paid; the appointments should be permanent, and there ought to be a retiring pension, such as is granted to all branches of the Civil Service.

These remarks are not made in any spirit of adverse criticism against the Local Government Board, as this body is quite powerless to remedy the defects to which I have referred. It is only by further legislation that the sanitary service of the country can be placed on a satisfactory footing. By carrying out some such reform as I have briefly foreshadowed, the hands of the Local Government Board would be greatly strengthened. They would have the control over a body of men upon whom they could rely that all needful sanitary work would be efficiently carried out. The position of medical officers of health would be greatly improved. They would be able to perform their duties fearlessly, and would have the satisfaction of knowing that provision would be made for them when they became incapacitated from performing their duties, either through age or ill-health. Sanitary improvements would be insisted upon in our smaller towns and rural districts, and it would become possible for the general death-rate to be lowered approximately to the rate observed in our convict prisons for the past 10 years.

APPENDIX VII.

(vii.)

Papers handed in by Mr. Mitford.

I.

STATEMENT showing the GAIN or LOSS in WEIGHT in each of 90 cases of CONVICTS discharged recently from DARTMOOR PRISON, distinguishing those employed on INDOOR and OUTDOOR LABOUR. [Question 10,741.]

Employed on Indoor Labour.						Employed on Outdoor Labour.					
Reg. No.	Weight on Reception.	Weight on Discharge.	Reg. No.	Weight on Reception.	Weight on Discharge.	Reg. No.	Weight on Reception.	Weight on Discharge.	Reg. No.	Weight on Reception.	Weight on Discharge.
	lbs.	lbs.		lbs.	lbs.		lbs.	lbs.		lbs.	lbs.
N.R. 238	146	149	S. 304	128	126	S. 431	146	149	L.Q. 649	129	128
K.S. 226	144	162	X.I. 1,152	119	118	K. 19	128	140	S. 405	148	142
Q. 379	135	140	S. 42	134	132	Z.L. 1,332	140	142	W.E.K. 504	130	126
X.G.P. 973	134	138	Q. 427	152	145	S. 481	142	148	H.M.R. 922	132	128
Q. 37	144	149	D.N. 1,361	115	103	Q. 348	133	143	W.D.M. 765	136	125
P. 316	129	131	Q. 401	160	153	R. 40	135	156	L.R. 510	138	130
K.Q. 36	118	119	B.J. 1,080	109	106	P. 436	136	144	C.N. 980	121	116
D.S. 194	146	158	C.S. 189	156	150	S. 295	135	139	H.P. 216	134	125
S. 311	142	157	G.L.S. 826	159	157	S. 270	137	139	F.S. 1,285	113	112
J.S. 519	143	148	O. 109	125	116	P. 218	116	118	C.L.R. 656	138	133
N. 79	132	134	I.R. 809	135	122	S. 369	157	158	I.Q. 623	159	156
S. 212	129	134	F.N. 155	136	131	S. 222	148	154	S. 305	148	138
S. 347	138	139	Q. 101	139	124	S. 572	108	110	R. 72	154	147
S. 343	110	124	A.K.S. 1,319	108	104	S. 425	117	126	R. 82	157	154
W.F.O. 77	148	151	R. 74	145	143	S. 367	145	146	E.P. 285	147	132
F.Q. 121	131	133	N. 323	165	157	F.N. 1,099	159	164	W.F.P. 675	143	133
R. 402	128	145	O. 397	129	126	Q. 218	131	132	R. 35	128	126
S. 430	122	126	K.O. 390	128	126	S. 345	121	126	H.N. 394	130	126
F. 1,006	138	164	18	2,442	2,339	R. 62	116	118	S. 344	153	141
E.K.S. 351	124	131				N. 604	112	115	Q. 327	142	119
X.R. 1,154	130	131	Average	135·10	129·10	O. 555	147	149	D.P. 927	128	121
R. 6	117	126	Loss	6 lbs. 0 ozs.		W. 266	148	154	S. 291	130	120
S. 528	135	150				S. 359	143	150	R. 52	141	139
23	3,063	3,230				R. 87	142	154	23	3,179	3,017
Average	133·2	140·13				B.R. 1,232	128	146	Average	138·3	131·2
Gain	7 lbs. 11 ozs.					25	3,370	3,520	Loss	7 lbs. 1 oz.	
						Average	134·12	140·12			
						Gain	6 lbs 0 ozs.				
						M.R. 151	126	126			

APPENDIX VII.

II.

25th February 1895.

STATEMENT showing the GAIN or LOSS in WEIGHT in each of 90 cases of CONVICTS discharged recently from PORTLAND PRISON, distinguishing those employed on INDOOR and OUTDOOR LABOUR. [Question 10,741.]

Employed on Indoor Labour.			Employed on Outdoor Labour.		
Reg. No.	Weight on Reception.	Weight on Discharge.	Reg. No.	Weight on Reception.	Weight on Discharge.
	lbs.	lbs.		lbs.	lbs.
P. 382	120	128	R. 34	140	138
K. 400	137	138	X.P. 737	158	154
L.R. 186	128	132	Q. 399	116	113
D.L.P. 454	119	141	C.M. 680	136	126
C.K. 469	124	129	L. 652	167	144
Q. 15	137	142	S. 197	125	121
P. 568	126	136	Q. 414	149	148
S. 196	109	111	P. 265	142	140
P. 445	138	139	R. 354	172	165
R. 42	101	112	Q. 400	160	132
Z.H.S. 313	146	147	D.J.R. 108	141	140
C.J. 123	140	152			
S. 329	132	136	11	1,606	1,521
Q. 395	142	146			
Q. 416	145	155	Average	146	138·4
Q. 419	140	144	Loss	7 lbs. 12 ozs.	
P. 380	138	150			
P. 308	139	182			
K. 889	137	150			
O. 354	134	152			
P. 557	145	150			
R. 446	136	140			
N. 16	112	115			
P. 428	147	150			
X.F.M. 721	139	152			
R. 17	126	138			
S. 310	130	141			
F.L.S. 1145	106	116			
Q. 393	152	158			
29	3,825	4,082			
Average	131·14	140·12			
Gain	8 lb. 14 ozs.				

Employed on Outdoor Labour.		
Reg. No.	Weight on Reception.	Weight on Discharge.
	lbs.	lbs.
S. 322	142	153
R. 27	150	160
S. 346	128	133
R. 28	132	133
P. 319	136	144
L.Q. 317	131	136
P. 379	143	146
R. 39	134	135
R. 451	120	124
P. 443	123	128
O. 184	130	133
Q. 364	114	124
R. 31	164	168
P. 276	128	130
W.F.W. 948	124	130
Q. 394	126	132
S. 237	132	133
R. 171	126	134
Q. 118	123	124
R. 91	127	137
20	2,633	2,737
Average	131·10	136·13
Gain	5 lbs. 3 ozs.	
Q. 340	138	138
K.R. 585	145	145

Employed on Outdoor Labour.		
Reg. No.	Weight on Reception.	Weight on Discharge.
	lbs.	lbs.
R. 9	150	140
O. 576	130	127
R. 53	128	126
R. 99	158	151
S. 279	152	133
R. 76	147	140
S. 363	148	137
L.R. 312	139	132
S. 403	154	143
R. 12	139	133
R. 77	140	137
L. 415	139	133
Q. 373	148	132
Q. 402	147	132
S. 219	146	138
W. 273	147	139
R. 75	147	145
R. 20	136	130
R. 26	146	145
R. 22	152	141
H.Q. 1156	148	142
H.M.R. 1179	122	118
J.R. 461	140	132
F.P. 734	132	131
V.P. 381	147	136
F.Q. 1152	137	134
D.R. 1066	144	130
M. 1003	164	136
28	4,027	3,793
Average	143·13	135·7
Loss	8 lbs. 6 ozs.	

III.

[*Question* 10,759.]

The statements contained in the Report of the Chaplain of Dartmoor Prison, 1892–3, and 1893–4, were well considered by the Directors of Convict Prisons, who informed the chaplain that, as there is at Dartmoor Prison a Protestant scripture reader, besides the chaplain, the Directors considered that one chaplain should be able to do the duty.

The matter was referred to in a question by Admiral Field in Parliament on the 20th November 1893, and replied to by the Secretary of State as follows:—

"There is at Dartmoor a Protestant scripture reader besides the chaplain, and it is the opinion of the Directors of Convict Prisons that this is sufficient."

APPENDIX VII.

(viii.)

Papers handed in by Dr. Nicolson (Question 9348).

FIRST QUINQUENNIAL PERIOD.—SHOWING the OFFENCES and SENTENCES of INSANE CONVICTS transferred to BROADMOOR during the five years 1869-73, together with the *period* elapsed in each case between the date of CONVICTION and date of ADMISSION into BROADMOOR.

TABLE I.

1869.					1870.					1871.					1872.					1873.				
Reg. No.	Offence.	Years P. S.	Period elapsed (after Sentence) before Admission to Broadmoor. Years	Months	Reg. No.	Offence.	Years P. S.	Period elapsed (after Sentence) before Admission to Broadmoor. Years	Months	Reg. No.	Offence.	Years P. S.	Period elapsed (after Sentence) before Admission to Broadmoor. Years	Months	Reg. No.	Offence.	Years P. S.	Period elapsed (after Sentence) before Admission to Broadmoor. Years	Months	Reg. No.	Offence.	Years P. S.	Period elapsed (after Sentence) before Admission to Broadmoor. Years	Months
	Males.					*Males.*					*Males.*					*Males.*					*Males.*			
610	Robbery	7	1	10½	640	Larceny	7	—	2½	667	Receiving	10	2	4½	727	Larceny	5	5	10½	763	Larceny	14	2	4½
611	Arson	7	—	5	641	Do.	7	—	¾	668	Larceny	7	4	9¾	728	Wounding	5	7	6¼	770	Felony	7	4	9¾
612	Burglary	8	1	7¾	642	Arson	5	—	8½	669	Housebreaking	10	5	5¼	729	Larceny	7	5	8¾	771	Receiving	10	2	5¼
613	Robbery	7	2	7¾	646	Larceny	7	—	2¾	670	Larceny	7	1	1¼	732	Do.	7	7	1¾	772	Burglary	10	7	11
614	Murder	Life	11	7¾	647	Do.	7	1	10	671	Do.	7	1	3	746	Do.	7	7	2¾	773	Obtaining	10	4	11
617	Larceny	7	1	8	648	Do.	7	1	2¼	672	Wounding	7	1	5¼	747	Do.	7	7	3¾	774	Burglary	7	1	5¼
618	Do.	5	—	1	649	Do.	7	3	5	673	Receiving	7	1	2¼	748	Do.	7	7	8¾	775	Larceny	7	3	10¼
619	Do.	10	—	8¾	650	Do.	7	4	5¾	674	Larceny	7	1	10	749	Burglary	7	7	6	776	Housebreaking	10	5	11
620	Do.	5	2	2¾	651	Insubordination	8	4	3¼	675	Do.	7	1	2¼	750	Larceny	7	7	2¾	777	Larceny	7	1	1¾
621	Do.	7	3	8¾	652	Larceny	10	2	7¼	676	Do.	7	3	5	751	Do.	7	7	10	778	Do.	7	1	9
622	Arson	Life	—	3	653	Do.	5	2	6¾	677	Do.	7	3	5¾	752	Arson	7	7	8¾	779	Do.	7	1	3¾
624	Shooting	7	—	9¾	654	Uttering	7	5	6¾	678	Possessing	7	1	2¼	755	Larceny	10	7	1¾	781	Do.	5	4	6¾
625	Manslaughter	12	—	3¼	655	Rape	7	1	—	679	Larceny	7	1	2¼	756	Housebreaking	7	7	2¾	782	Felony	7	3	6¾
626	Burglary	7	4	3¼	656	Larceny	7	—	6	680	Do.	7	1	2¼	757	Larceny	7	7	3¾	791	Larceny	5	2	5¼
627	Arson	5	1	5	657	Insubordination	5	4	11¼	681	Larceny	7	1	3¼	758	Wounding a warder	7	7	4¾	792	Housebreaking	7	3	8¾
629	Wounding	5	—	1¾	658	Treason felony	15	2	4¾	682	Housebreaking	7	1	5¼	764	Do.	7	7	5¾	793	Do.	10	7	6
630	Shopbreaking	10	—	7¾	662	Larceny	7	—	1¾	683	Felony	7	1	7¼	765	Arson	7	7	8¾	794	Larceny	7	1	1
632	Felony	7	—	1	664	Do.	5	—	1¾	684	Larceny	7	2	3	766	Do.	7	7	10	795	Do.	14	1	11¾
637	Forgery	7	3	—	666	Do.	7	2	1¾	685	Burglary	7	2	3						809	Wounding	7	—	3
638	Larceny	8	2	4¾						686	Larceny	7	5	6¾		*Females.*				802	Larceny	7	2	5¼
688	Do.	5	2	6¾		*Females.*				687	Do.	7	1	—	199	Robbery with violence.	2	—	4¾	803	Do.	7	2	1
639	Burglary	8	3	5¾	169	Larceny	7			688	Housebreaking	7	—	6	704	Manslaughter	20	1	3¼	804	Do.	10	2	4¾
	Females.									689	Housebreaking	7	1	11¼	705	Larceny	7	3	11¾	805	Possessing	5	4	1
162	Larceny	7	3	11						693	Housebreaking	7	4	4¾	706	Do.	7	2	1¾	806	Larceny	7	2	5
163	Do.	7	1	7						694	Wounding	7	2	4¾	707	Uttering	7	1	2¾	807	Do.	7	4	8¾
165	Do.	7	1	8¾						695	Larceny	7	1	3	709	Larceny	7	4	9¾					
										696	Arson	7	1	3¾	710	Do.	7	4	9¾		*Females.*			
										697	Receiving	7	1	3¾	711	Do.	7	5	1¾	221	Larceny	7	1	0¼
										699	Larceny	7	1	4¾	712	Do.	7	5	1¾	222	Do.	7	8	—
										700	Burglary	7	1	5¾	713	Do.	7	5	1¾	225	Do.	7	4	6¼
										701	Larceny	7	1	6¾						227	Burglary	7	—	—
										702	Do.	7	1	6¾										
										703	Do.	7	1	6¾										
										714	Arson	7	1	7¾										
										705	Felony	7	1	7¾										
										706	Larceny	7	1	7¾										
										719	Do.	7	1	7¾										
										720	Insubordination	7	1	8¾										
										723	Obtaining	7	1	8¾										
										724	Larceny	7	1	8¾										
											Females.													
										177	Larceny	7	1	0¼										
										179	Do.	7	8	—										
										180	Attempted murder	15	4	6¾										
										181	Larceny	5	—	—										
										182	Do.	5	1	—										

APPENDIX VII.

TABLE II.

SECOND QUINQUENNIAL PERIOD.—Showing the OFFENCES and SENTENCES of INSANE CONVICTS transferred to BROADMOOR during the five years 1890–1894, together with the period elapsed in each case between date of CONVICTION and date of ADMISSION into BROADMOOR.

1890.			Period elapsed (after Sentence) before Admission to Broadmoor.			1891.			Period elapsed (after Sentence) before Admission to Broadmoor.			1892.			Period elapsed (after Sentence) before Admission to Broadmoor.		
Reg. No.	Offence.	Years P.S.	Years	Months		Reg. No.	Offence.	Years P.S.	Years	Months		Reg. No.	Offence.	Years P.S.	Years	Months	
	Males.						*Males.*						*Males.*				
1464	Burglary -	15	12	10		1508	Murder -	Life	—	11		1549	Carnal knowledge	Life	—	9	
1466	Carnal knowledge	20	15	—		1509	Shop breaking -	7	5	3½		1550	Robbery with violence.	10	7	6½	
1467	Arson - -	7	6	4½		1512	Do. - -	7	—	4½		1552	Embezzlement,&c.	5	3	7½	
1468	Larceny - -	5	4	1		1513	Larceny - -	5 and remanet.	—	2		1557	Larceny - -	7	6	7½	
1475	Do. - -	6 months and remanet.	—	0½		1514	Possessing coin -	10	—	3		1559	Do. - -	7 and remanet.	6	2½	
						1517	Found in Dartmoor to commit felony.	12 months	—	3½		1560	Rape - -	9	7	11½	
1477	Do. - -	5	3	6½								1561	Horse stealing -	3	2	7½	
1478	Wounding - -	10	8	4		1520	Murder - -	Life	10	9½		1562	Carnal knowledge	6	—	6	
1480	Larceny - -	12 and remanet.	10	10½		1521	Manslaughter -	10	2	0½		1508	Murder - -	Life	—	1	
						1524	Housebreaking -	7 and remanet.	—	0½		1569	Larceny - -	3	—	0½	
1481	Burglary - -	7	4	10		1525	Wounding - -	5	4	3½		1572	Bestiality - -	10	8	8	
1483	Rape - -	10	7	10½		1528	Do. - -	7	—	3		1574	Arson - -	5	3	11½	
1484	Shooting - -	5	—	3½		1530	Do. - -	10	1	5½		1575	Do. - -	3	2	11	
1486	Striking superior officer.	10	6	4½		1532	Obtaining money -	5	4	5½		1581	Burglary - -	5 and remanet.	2	11	
1489	Burglary - -	6 and remanet.	4	2½		1535	Arson - -	15 months	—	6½							
						1536	Manslaughter -	15	9	1			*Females.*				
1498	Larceny - -	5	—	5½		1537	Burglary - -	14	4	4½		474	Larceny - -	5	1	8½	
1499	Do. - -	5	—	3		1540	Possessing coin -	5	1	7½		478	Do. - -	5	1	8½	
1500	Housebreaking -	5	2	8½		1542	Murder - -	Life	15	3½		480	D - -	3	—	11½	
1501	Carnal knowledge	20	2	11		1543	Rape - - -	18	10	4							
1502	Horse stealing -	5	1	8½		1545	Wounding - -	Life	10	1							
1503	Receiving - -	14 and remanet.	10	5		1547	Robbery with violence.	14	5	1							
1504	Frequenting -	3 months and remanet.	—	3½			*Females.*										
						467	Larceny - -	5	5	4½							
	Females.					469	Uttering - -	5	1	10½							
446	Manslaughter -	10	6	7½													
449	Murder - -	Life	10	4													
455	Manslaughter -	5	2	4½													

APPENDIX VII.

TABLE III.

NUMERICAL SUMMARY of TABLES I. and II.

1st Quinquennial Period.				2nd Quinquennial Period.			
Year.	Males.	Females.	Total.	Year.	Males.	Females.	Total.
1869 - - -	22	3	25	1890 - - -	20	3	23
1870 - - -	19	1	20	1891 - - -	21	2	23
1871 - - -	38	5	43	1892 - - -	14	3	17
1872 - - -	19	14	33	1893 - - -	8	3	11
1873 - - -	24	4	28	1894 - - -	11	1	12
	122	27	149		74	12	86

(ix.)

Paper handed in by Dr. Claye Shaw (Question 5958).

BANSTEAD ASYLUM.

CRIMINAL LUNATICS.

—	Males.	Females.	Total.
Admitted - - - -	36	32	68

—	Males.		Females.		Total.
	Relieved.	Not Improved.	Relieved.	Not Improved.	
Transferred to pauper class upon expiry of sentence.	3	23	8	18	52

—	Males.	Females.	Total.
Discharged recovered upon expiry of sentence - - -	6	2	8
" " on warrant of conditional discharge - -	2	1	3
" " remitted to prison - - - -	—	2	2
Transferred to pauper class by Secretary of State's Warrant - -	—	1	1
Died - - - - - -	1	—	1
Removed under Secretary of State's Warrant of transfer - -	1	—	1
Total - - -	10	6	16

At present there are no criminal lunatics in the asylum.

(x.)

Paper handed in by Captain Stopford (Question 349).

MEMORANDUM by SIR E. DU CANE on INSANITY in LOCAL PRISONS.

The true explanation of the number of cases of insanity recorded in prison returns and of the increase of them in recent years has been repeatedly pointed out.

So long ago as March 1884, the Medical Inspector reported on the composition of the mental cases in local prisons, and said that:—

"No less than 621 persons in a doubtful mental condition were committed to prison in England and Wales during the year 1883 expressly for medical observation, and for report from medical officers. I have reason to think that some of these persons were known to be of unsound mind, and that, in order to make the proceedings regular, from the police point of view, a charge of some kind was made against them. Injustice and injury occasionally result from this procedure.

"Of persons who are observed by the medical officer to be of defective or unsound mind on reception into the prison, there were as many as 149 in the local

APPENDIX VII.

prisons of *England* and Wales *during the year* 1883. This number is made up—

"(*a.*) Of persons who are actually sentenced to imprisonment because they are of unsound mind. As these persons are committed under some charge I could not prove the truth of this statement, but I have no doubt of the fact whatever.

"(*b.*) Of persons who are for the first time recognised as being of defective or unsound mind by the medical officer, as the result of his examination in the reception ward."

The increase in the practice of committing insane prisoners was referred to and explained in the Commissioners' Reports (Seventh for 1883–84, Eighth for 1884–85, and Twelfth for 1888–89), and in the Notes of the Medical Inspector published as an Appendix to the 12th Report of the Commissioners.

If the prison treatment drove people mad, most of the cases would arise among those who were longest subject to it, but, on the contrary, only one case occurred after a year in prison.

In August 1889 the Medical Inspector also remarked:—

"I find that governors generally are of opinion that the increase of lunatics received into local prisons is due to the fact that magistrates generally act as advised by their clerks, who, since 1884, have been able to save themselves a great deal of clerical work by advising that persons who appear to be lunatics should be remanded to prison to be dealt with as criminal lunatics, that is to say, to be sent *through prison* to the asylum, instead of, as before, directly to the asylum by the magistrates. They thus save themselves a great deal of trouble in the way of getting the requisite certificates, &c."

The statistics of suicides, so far as they throw light on this subject, are entirely in favour of the period since the prisons have been under Government.

In the five years before 1878 there were 86, or 17 per annum, in an average population of 18,682. In the last five years 43, or 8·6 per annum, in an average population of 14,031. The largest part of these occurred among untried or just sentenced prisoners, and therefore have no connexion with prison discipline.

EXTRACT from APPENDIX No. 13 to the 12th REPORT of the PRISON COMMISSIONERS (1888-9) referred to above.

The total number of cases of insanity during the year was 349.* Of these, 210 were certified in the ordinary manner, and were removed to asylums. Five recovered in prison; 5 remained in prison (not being yet certified) at the end of the year; 3 died; 1 certified case had not yet been removed; and 125 (who had been remanded to prison for observation) were not returned after being brought up under remand, with report of insanity. The Commissioners have no official information as to what became of this last group of cases, but there is reason to believe that the great majority were sent to asylums, while a few were discharged to the care of friends.

Among the cases of insanity (59 in number) reported as originating in prison, the first symptoms appeared within 14 days of reception in 16 instances; and it is highly probable that although insanity was not immediately recognised, yet that it really existed on reception in a majority if not the whole of these cases. Of the remaining 43 cases, many are entered as having been in an "unstable," "weak," "deranged," "disturbed," "moody," "excitable," "morose," "peculiar," "dull," "uncertain," or "strange" condition of mind on reception, and it is doubtful whether in more than some six or eight out of the total of 349 cases the unsound state of mind really commenced in prison.

* This number does not include a considerable number of prisoners of weak or impaired intellect who cannot, however, be certified to be insane.

The following table shows the number of *sentenced* prisoners who were found to be insane upon reception into prisons:—

	Number of Prisoners found to be Insane upon Reception during the Year ended March 31, 1889.
With sentences of 3 days	1
" " 7 "	6
" " 10 "	1
" " 14 "	13
" " 21 "	5
" " 1 month	16
" " 5 weeks	1
" " 6 "	6
" " 2 months	6
" " 3 "	13
" " 4 "	2
" " 6 "	6
" " 9 "	2
" " 10 "	1
" " 12 "	6
" " 15 "	2
" " 16 "	1
" " 18 "	3
" " 2 years	1
" " 5 *years'* penal servitude	1
Total	93

It is evident from these figures that insane and irresponsible persons have been dealt with as though sane and responsible; that is to say, they have been sent to prison under sentence. In London the sending of insane persons to prison *under* sentence is in a great measure prevented by making use of Holloway Prison as a place in which accused persons of doubtful sanity can be observed and tested. During the year ended March 31st, 1889, as many as 401 prisoners were remanded to Holloway Prison for observation and report to magistrates as to their state of mind. Of these, 215 were reported to be sane; 107 were reported to be of weak or impaired *intellect*; and 85 were reported to be insane. These cases were all dealt with and disposed of at the police courts or sessions.

It is noteworthy that the number of insane persons sent to prison has increased *during* the last four or five years. Persons who ought to be in asylums are wandering at large and are daily committing offences against life or property. In their forty-third annual report, the Commissioners of Lunacy observe that "there can be *but little* doubt that during the last few "years many medical men have, owing to fear of "litigation, refused to certify to the insanity of persons "requiring care and treatment; and that this circum-"stance has tended to prevent many insane persons "being legally dealt with and treated." It is to be feared that many of these persons wander about to prey upon the community, and are not dealt with as lunatics until they have committed some offence and have found their way into prison.

The early treatment of mental disease is of great importance, not only to the unhappy victim of the disease, but to the community, and it remains to be seen whether this desirable object will be promoted by legislation now in progress. If the treatment of the disease in an early stage—the only stage at which it is usually successful—should be discouraged, the number of insane prisoners may be expected to increase. Even as matters now stand, the number of insane persons committed to prison is large, as already stated and as shown in the Appendix.

The local prisons of England and Wales are at present used to some extent as hospitals for the treatment of mental and bodily disease; but as they are not intended for or adapted to that purpose, it is advisable that the practice in vogue should be discontinued as far as possible.

R. M. GOVER, M.D., F.R.C.P.

APPENDIX VIII.

Papers and Statistics relating to the Prison Staff.

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(i.)

A.

RETURN showing the DAILY AVERAGE POPULATION in each of the LOCAL PRISONS in ENGLAND and the Governor, or Chief Warder in Charge, Deputy Governor,

[In the columns "Mean Pay" the mean of the scale of pay is inserted, the value of the house not being included. Where a fixed rate of These cases are marked *. In such cases no house or allowance in lieu is given. Officers marked † are on old scales of pay secured to them by the

Name of Prison.	Population, 1893-4. M.	F.	Total.	Name of Governor or Chief Warder in Charge.	Mean Pay. £	Age. (1894)	Length of Service. Years.	Previous Occupation.	By whom appointed to Prison Service.	Name of Deputy Governor.	Mean Pay. £	Age. (1894)	Length of Service. Years.
1. Wormwood Scrubs.	1,012	223	1,235	Capt. H. T. Price	700	55	17	Royal Navy -	Late Authority.	Capt. J. O. Nelson.	275	34	2
2. Strangeways	749	360	1,109	Capt. C. W. Hill	700	60	25	Army - -	Do. -	—	—	—	—
3. Pentonville	1,086	—	1,086	J. B. Manning -	700	65	34	Do. - -	Do. -	Major H. Edwards.	275	40	4 mths.
4. Wandsworth	1,080	—	1,080	Capt. A. P. H. Helby.	700	66	28	Royal Navy -	Do. -	Capt. E. E. Schuyler.	275	39	3
5. Liverpool -	686	323	1,009	M. J. Walker -	575	52	19	Army - -	Do. -	—	—	—	—
6. Holloway (with Newgate).	362	340	702	Colonel E. S. Milman.	700	61	20	Do. - -	Do. -	W. H. O. Russell	325	54	14
7. Wakefield -	534	71	605	Capt. C. A. Cricketit.	575	59	$22\frac{10}{12}$	Do. - -	Do. -	—	—	—	—
8. Birmingham	432	81	513	Admiral A. Tinklar.	575	58	18	Royal Navy -	Do. -	—	—	—	—
9. Durham -	384	87	471	R. D. Cruikshank.	450	55	19	Army - -	Do. -	—	—	—	—
10. Leeds -	351	91	442	Capt. J. Knox† -	492	57	20	Do. - -	Do. -	—	—	—	—
11. Stafford -	342	67	409	Major G. E. Leggett.†	705	58	19	Do. - -	Do. -	—	—	—	—
12. Preston -	306	75	381	H. Gibson -	400	41	18	Solicitor's clerk.	Do. -	—	—	—	—
13. Knutsford -	289	54	343	Capt. L. P. Pennethorne.	400	52	14	Army - -	Secretary of State.	—	—	—	—
14. Winchester	295	26	321	Major H. E. W. Lane.	450	62	20	Royal Marines	Late Authority.	—	—	—	—
15. Newcastle -	216	73	289	Capt. R. D. Burgoyne.	400	57	23	Army - -	Secretary of State.	—	—	—	—
16. Cardiff -	187	62	249	J. Howard -	400	65	37	Manager of Printing Establishment.	Late Authority.	—	—	—	—
17. Hull -	187	31	218	W. R. Chidley -	400	53	$31\frac{9}{12}$	Shoe trade -	Do. -	—	—	—	—
18. Chelmsford	196	12	208	J. H. Shepherd	350	52	21	Nil - -	Do. -	—	—	—	—
19. Bristol -	164	39	203	Capt. H. Conor‡	275	$48\frac{10}{12}$	14	Army - -	Secretary of State.	—	—	—	—
20. Lewes -	186	14	200	Major E. G. Clayton.‡	325	53	14	Do. - -	Do. -	—	—	—	—
21. Maidstone -	159	24	183	W. Green -	380	63	31	Clerk - -	Late Authority.	—	—	—	—
22. Derby -	153	23	176	Capt. C. E. Farquharson.	450	54	18	Army - -	Do. -	—	—	—	—
23. Lincoln -	152	13	165	Capt. C. F. Eardley-Wilmot.	275	38	$3\frac{9}{12}$	Do. - -	Secretary of State.	—	—	—	—
24. Reading -	154	10	164	Col. H. B. Isaacson.‡	275	52	14	Royal Marines	Do. -	—	—	—	—
25. Nottingham	144	14	158	Capt. J. J. C. Smail.	350	52	$14\frac{9}{12}$	Royal Navy -	Do. -	—	—	—	—
26. Exeter -	129	15	144	Major D. Matheson.	275	43	$3\frac{9}{12}$	Army - -	Do. -	—	—	—	—

‡ Deputy Governor in charge.

(i.)

A.

WALES in the Year ended 31st March 1894, with the NAME and certain other PARTICULARS of Chaplain, Assistant Chaplain, Medical Officer, and Assistant Surgeon.

pay is drawn it is given. In certain cases of chaplains and medical officers only a part of the time of the officer is devoted to the Prison Service Prison Act, 1877.]

—	Previous Occupation.	By whom appointed to Prison Service.	Name of Chaplain and Assistant Chaplain.	Mean Pay. £	Age. (1894)	Length of Service. Years.	By whom appointed to Prison Service.	Name of Medical Officer and Assistant Surgeon.	Mean Pay. £	Age. (1894)	Length of Service. Years.	By whom appointed to Prison Service.
1.	Army - -	Secretary of State.	A. W. Baldwin -	350	50	17	Late Authority.	T. D. Patmore -	450	43	15	Secretary of State.
			H. C. Pigot (Assistant Chaplain).	175	31	2	Secretary of State.	V. N. Bindley (Assistant Surgeon).	275	38	10	Do.
2.	—	—	J. Dreaper -	400	75	34	Late Authority.	J. Edwards -	450	40	$15\frac{12}{12}$	Do.
								R. N. Paton (Assistant Surgeon).	275	37	11	Do.
3.	Army - -	Secretary of State.	W. F. Stocken -	400	$60\frac{11}{12}$	28	Do. -	C. A. Innes -	450	62	13	Do.
			M. H. C. Shelton (Assistant Chaplain).	275	$45\frac{8}{12}$	$13\frac{12}{12}$	Secretary of of State.	E. J. Cowen (Assistant Surgeon).	275	38	10	Do.
4.	Do. -	Do. -	O. F. Pigot -	350	$64\frac{12}{12}$	25	Late Authority.	R. F. Quinton -	450	45	$17\frac{7}{12}$	Do.
			W. D. Morrison (Assistant Chaplain).	175	41	11	Secretary of State.	S. R. Dyer (Assistant Surgeon).	275	33	9	Do.
5.	—	—	D. Morrist -	325	58	20	Late Authority.	G. Bennish -	450	43	13	Do.
								T. Hammond (Assistant Surgeon).	275	43	11	Do.
6.	Secretary Indian Railway.	Secretary of State.	G. P. Merrick -	§350	50	17	Do.	G. E. Walker -	450	$47\frac{12}{12}$	21	Do.
			A. K. Ramsay (Assistant Chaplain).	175	46	1	Secretary of State.	J. J. Pitcairn (Assistant Surgeon).	275	34	4	Do.
7.	—	—	J. A. Addison -	350	49	$20\frac{9}{12}$	Late Authority.	H. Clarke* -	450	47	18	Late Authority.
								J. Murray (Assistant Surgeon).	275	32	9	Secretary of State.
8.	—	—	M. J. Sisson -	250	$49\frac{12}{12}$	15	Secretary of State.	A. Price - -	345	41	11	Do.
9.	—	—	G. H. Fletcher -	350	67	19	Late Authority.	O. F. N. Treadwell.	345	34	12	Do.
10.	—	—	W. Bowlan -	350	69	25	Do. -	J. B. Hargreaves.*	250	46	$31\frac{9}{12}$	Do.
11.	—	—	C. Goldney -	350	49	17	Do. -	J. Scott - -	345	40	13	Do.
12.	—	—	W. E. Hey -	350	$49\frac{12}{12}$	14	Secretary of State.	E. Moore* - -	320	63	35	Late Authority.
13.	—	—	W. N. Trust† -	350	$59\frac{9}{12}$	25	Late Authority.	T. Fennell* -	200	50	9	Secretary of State.
14.	—	—	J. A. Ladbrooke†	362	63	22	Do. -	E. De L. Wickham.	275	40	11	Do.
15.	—	—	W. F. Lumley†	300	50	17	Do. -	N. Hardcastle*†	200	62	34	Late Authority.
16.	—	—	T. Davies -	250	$52\frac{12}{12}$	22	Do. -	C. E. Hardyman.*	200	46	9	Secretary of State.
17.	—	—	E. F. Jackson -	250	54	15	Secretary of State.	T. J. Redhead*	200	28	2	Do.
18.	—	—	F. S. Westbrook	250	60	22	Late Authority.	E. H. Carter* -	255	55	21	Late Authority.
19.	—	—	C. Poynder -	175	$58\frac{9}{12}$	4	Secretary of State.	J. E. Prichard*	150	$44\frac{9}{12}$	5	Secretary of State.
20.	—	—	R. C. Kinchant	175	53	15	Do. -	R. Turner* -	207	61	33	Late Authority.
21.	—	—	W. Jackson -	250	43	$14\frac{8}{12}$	Do. -	C. E. Hoar*† -	260	46	17	Do.
22.	—	—	J. B. S. Watson	175	44	2	Do. -	C. A. Greaves* -	200	52	12	Secretary of State.
23.	—	—	H. Adcock -	250	47	22	Late Authority.	G. Mitchinson*†	150	64	22	Late Authority.
24.	—	—	M. J. Friend† -	260	50	22	Do. -	O. E. Maurice* -	150	56	20	Do.
25.	—	—	H. Mansell -	175	52	2	Secretary of State.	H. O. Taylor* -	200	44	20	Do.
26.	—	—	J. Pitkin - -	250	51	20	Late Authority.	J. Mortimer* -	110	39	1	Secretary of State

§ Exclusive of 100*l.* special allowance.

APPENDIX VIII.

RETURN showing the DAILY AVERAGE POPULATION in each of the LOCAL PRISONS in ENGLAND and WALES, &c.

Name of Prison.	Population, 1893-4. M.	F.	Total.	Name of Governor or Chief Warder in Charge.	Mean Pay.	Age. (1894)	Length of Service.	Previous Occupation.	By whom appointed to Prison Service.	Name of Deputy Governor.	Mean Pay.	Age. 1894)	Length of Service.
					£		Years.				£		Years.
27. Canterbury	125	9	134	Capt. F. G. Frith	350	55	15 1/2	Army - -	Secretary of State.	—	—	—	—
28. Worcester -	115	14	129	Capt. R. A. Leggett.†	998	61	24	Do. - -	Late Authority. (After having been in Convict Prison Service.)	—	—	—	—
29. Leicester -	118	10	128	Major W. N. Darnell.‡	325	49	8 1/2	Do. - -	Secretary of State.	—	—	—	—
30. Swansea -	108	19	127	Major F. C. Knight.†	£ s. 454 10	68	21	Do. -	Late Authority.	—	—	—	—
31. Portsmouth (Kingston).	106	20	126	E. Simmons -	£ 325	64	36	Not known, not in Army or Navy.	Do. -	—	—	—	—
32. Northallerton.	100	26	126	A. G. Western‡ -	175	50	31	Servant -	Secretary of State.	—	—	—	—
33. Norwich -	104	9	113	A. E. Dent -	350	55	18	In solicitor's and architect's office.	Late Authority.	—	—	—	—
34. Shrewsbury	101	11	12	R. Roberts -	350	64 1/4	42	Nil -	Do. -	—	—	—	—
35. Northampton.	103	6	109	Capt. J. F. Bell	275	55 1/4	24	Army - -	Secretary of State.	—	—	—	—
36. Warwick -	102	6	108	H. W. Parr† -	580	65 1/2	27	Colonial Service.	Late Authority.	—	—	—	—
37. Usk -	81	13	94	C. J. Godfrey‡ -	175	61	39 1/4	Army - -	Do. -	—	—	—	—
38. Cambridge	84	6	90	B. Gibson† -	344	69	46	Apprentice, Foreign Shipping Merchant.	Do. -	—	—	—	—
39. Carlisle -	70	16	86	J. Leavers -	275	61 1/2	38 1/4	Lace maker -	Do. -	—	—	—	—
40. Shepton Mallet.	80	6	86	R. Macauley‡ -	175	58	27	Army - -	Do. -	—	—	—	—
41. York -	65	17	82	E. Taylor‡ -	175	57	36 1/2	Storekeeper -	Do. -	—	—	—	—
42. St. Albans -	77	4	81	E. Lloyd‡ -	175	54 1/2	28	Labourer -	Do. -	—	—	—	—
43. Ipswich -	73	6	79	J. R. Groves‡ -	175	57	30 1/2	Police -	Secretary of State.	—	—	—	—
44. Gloucester -	66	10	76	J. Kreech‡ -	175	56	29 1/4	Lunatic attendant.	Do. -	—	—	—	—
45. Dorchester	69	6	75	E. Witheford‡ -	175	57	18	Army - -	Late Authority.	—	—	—	—
46. Lancaster -	53	11	64	W. R. Shenton‡	175	53	31	Police -	Do. -	—	—	—	—
47. Oxford -	59	3	62	J. Pullan‡ -	175	51	30	Army - -	Do. -	—	—	—	—
48. Bedford -	56	2	58	J. Cranston‡ -	175	53	18	Do. -	Do. - (After having been in Convict Prison Service.)	—	—	—	—
49. Devizes -	53	5	58	R. Kemp‡ -	175	61	40	Domestic servant.	Late Authority.	—	—	—	—
50. Plymouth -	48	9	57	R. Rainford‡ -	175	58	40 1/4	Weaver	Do. -	—	—	—	—
51. Bodmin -	47	2	49	W. Stevens‡ -	175	54	25	Army	Do. -	—	—	—	—
52. Hereford -	41	4	45	J. Flockton‡ -	175	66	38 1/2	Bookseller and stationer.	Do. -	—	—	—	—
53. Carmarthen	37	3	40	J. W. Forbes‡ -	175	58	20	Royal Navy -	Do. -	—	—	—	—
54. Carnarvon -	36	4	40	E. P. Jones‡ -	175	48	23 1/2	Police -	Do. -	—	—	—	—
55. Ruthin -	24	2	26	—	—	—	—	—	—	—	—	—	—
56. Brecon -	18	2	20	S. Denbow‡ -	175	62	39	Royal Navy -	Late Authority. (After having been in Convict Prison Service.)	—	—	—	—

‡ Chief Warder in charge.

APPENDIX VIII.

of the LOCAL PRISONS in ENGLAND and WALES, &c.—*continued.*

—	Previous Occupation.	By whom appointed to Prison Service.	Name of Chaplain and Assistant Chaplain.	Mean Pay.	Age. (1894)	Length of Service.	By whom appointed to Prison Service.	Name of Medical Officer. and Assistant Surgeon.	Mean Pay.	Age. (1894)	Length of Service.	By whom appointed to Prison Service.
				£		Years.			£		Years.	
27.	—	—	C. T. Rolfe -	175	47 1/2	9	Secretary of State.	W. P. Thornton*	110	49	9	Secretary of State.
28.	—	—	A. Telfer -	250	61	14	Do. -	G. E. Hyde* -	204	58	27	Late Authority.
29.	—	—	J. Greenall -	175	45 1/2	3	Do. -	C. A. Moore* -	150	42	4	Secretary of State.
30.	—	—	L. J. Hudson -	175	43	13	Do. -	D. H. Thomas*-	110	53	5	Do.
31.	—	—	Canon E. Jacob*	175	49	1 1/2	Do. -	A.M.Garrington*§	123	58 1/2	15 3/4	Do.
32.	—	—	D. Jacob -	175	37	4 3/4	Do. -	A. E. Bartrum*	150	38	9	Do.
33.	—	—	H. M. Thomson	175	55	15	Do. -	H. S. Robinson*†	120	54 3/4	16	Late Authority.
34.	—	—	W. G. D. Fletcher.*	150	43	4 mths.	Do. -	J. D. Harries* -	150	59	32	Do.
35.	—	—	W. H. Phillips -	175	54	14	Do. -	L. F. Cogan* -	150	45	12	Secretary of State.
36.	—	—	R. H. Barber -	175	36	8	Do. -	S. Browne -	200	43 1/2	9	Do.
37.	—	—	W. Jones* -	100	—	1	Do. -	D. F. Boulton* -	150	51	14 3/4	Do
38.	—	—	G. R. Christie* -	150	36	2	Do. -	J. Buckenham*	80	61	6	Do.
39.	—	—	H. A. Macpherson.	175	36	5	Do. -	H. A. Lediard* -	110	46	10	Do.
40.	—	—	R. L. Jones* -	150	—	1	Do. -	J. T. Hyatt*† -	123	55	19	Late Authority.
41.	—	—	H. Vyvyan* -	175	39	5	Do. -	T. Anderson* -	150	47	12	Secretary of State.
42.	—	—	H. Fowler* -	150	66	12	Do. -	E. H. Lipscomb*	80	34	1	Do.
43.	—	—	J. Powell* -	100	—	1	Do. -	G. H. Hetherington.*	110	40	11	Do.
44.	—	—	J. H. Johnson -	175	60	14	Do. -	O. W. Clark* -	200	39	8 1/2	Do.
45.	—	—	C. Williams‖ -	175	46	15	Do. -	W. E. Good* -	110	37 1/2	12	Do.
46.	—	—	J. W. Blakemore*	100	36	1	Do. -	W. W. Saul* -	125	52	19	Late Authority.
47.	—	—	J. K. Newton -	250	55	22	Late Authority.	H. B. Spencer*	80	59	11	Secretary of State.
48.	—	—	H. Waters -	150	50	15	Secretary of State.	R. H. Kinsey*†-	130	53	18	Late Authority.
49.	—	—	A. C. Devas* -	175	51	22	Late Authority.	E. N. Carless* -	110	46	11	Secretary of State.
50.	—	—	J. Jones* -	100	53	5	Secretary of State.	S. Wolferstan* -	80	52	19	Late Authority.
51.	—	—	C. B. Simpson¶	175‡‡	45	10	Do. -	B. G. Derry* -	110	47	9	Secretary of State.
52.	—	—	G. L. Spencer* -	100	39 3/4	7	Do. -	H. Vevers* -	110	72	13	Do.
53.	—	—	T. R. Walters* -	100	46	8	Do. -	E. R. Williams*	50	34	2	Do.
54.	—	—	J. W. Wynne Jones.*	100	—	2 mths.	Do. -	J. Williams*† -	80	57	16	Late Authority.
55.	—	—	W. Jenkins* -	100	49	12	Do. -	J. R. Jenkins* -	80	67	16	Secretary of State
56.	—	—	T. Griffiths* -	100	37	mths.	Do. -	G. P. Francis* -	50	38 3/4	1	Do.

§ Had been medical officer for seven years previously under Late Authority.
¶ Acts also as chaplain to the Naval Prison.
‖ Was on pension on abolition of office for six years.
‡‡ Exclusive of 100*l.* from Admiralty.

APPENDIX VIII.

RETURN showing the DAILY AVERAGE POPULATION in each of the CONVICT PRISONS in ENGLAND and WALES in the Year ended 31st March 1894, with the NAME and certain other PARTICULARS of the Governor, Deputy Governor, Chaplain, Medical Officer, and Assistant Surgeon.

[In the columns "Mean Pay" the mean of the scale is inserted, the value of the house not being included.]

Name of Prison.	Population, 1893-4. M.	F.	Total.	Name of Governor.	Mean Pay. £	Age. (1894)	Length of Service. Years.	Previous Occupation.	By whom appointed to the Prison Service.	Name of Deputy Governor.	Mean Pay. £	Age. (1894)	Length of Service. Years.
1. Aylesbury	143	—	143	R. C. Corbett‡	375	43	16	Army	Secretary of State.	—	—	—	—
2. Borstal	270	—	270	Col. H. Plummer.	450	56	16	Do.	Do.	—	—	—	—
3. Dartmoor	1,077	—	1,077	Capt. F. Johnson	700	53	16 5/12	Do.	Do.	Capt. W. M. T. Synge.	350	33 10/12	1½
4. Dover	52	—	52	—	—	—	—	—	—	—	—	—	—
5. Parkhurst	520	—	520	Col. S. R. B. Partridge.	575	52	16	Army	Secretary of State.	Col. F. Lodge	325	53	14
6. Portland	1,049	—	1,049	Capt. W. F. V. Harris.	700	55	25	Do.	Do.	Capt. P. Green	375	39	3
7. Portsmouth (about to be closed).	351	—	351	Major J. C. Farquharson (about to retire).	700	65	29	Do.	Do.	—	—	—	—
8. Woking	—	212	212	R. Brayn (is also Medical Officer).	575	44	19	Medicine	Do.	—	—	—	—

‡ Deputy Governor in charge.

APPENDIX VIII.

—	Previous Occupation.	By whom appointed to the Prison Service.	Name of Chaplain.	Mean Pay. £	Age. (1894)	Length of Service. Years.	By whom appointed to the Prison Service.	Name of Medical Officer and Assistant Surgeon.	Mean Pay. £	Age. (1894)	Length of Service. Years.	By whom appointed to the Prison Service.
1.	—	—	—	—	—	—	—	C. Mayhew (Assistant Surgeon).	225	47	21	Secretary of State.
2.	—	—	C. E. Crellin	350	45	15	Secretary of State.	T. Tannahill	345	40	12	Do.
3.	Army	Secretary of State.	C. Rickards	350	53 1/12	21	Do.	W. S. Frew	450	43	12	Do.
								P. R. Mander (Assistant Surgeon).	275	34 2/12	1½	Do.
4.	—	—	—	—	—	—	—	P. F. Gilbert	345	39	15	Do.
5.	Army	Secretary of State.	J. B. Wheeler	350	62	18	Secretary of State.	H. Smalley	500	43	18	Do.
								J. B. Cooke (Assistant Surgeon).	275	42 10/12	10	Do.
6.	Do.	Do.	J. T. Phipps	400	44	17	Do.	G. H. Lilley	450	42	14	Do.
								J. Baker (Assistant Surgeon).	275	32	6	Do.
7.	—	—	—	—	—	—	—	H. de Fonmartin	450	45	14	Do.
8.	—	—	F. A. Gardiner	350	60	27	Secretary of State.	(*See* Governor)	—	—	—	—
								W. H. Winder (Assistant Surgeon).	275	35	9	Secretary of State.

APPENDIX VIII.

B.

RETURN showing the NUMBER of LOCAL PRISONS in ENGLAND and WALES immediately before their TRANSFER to GOVERNMENT, together with the NUMBER of GOVERNORS and DEPUTY GOVERNORS, and of those who had previously been in the ARMY, NAVY, or MARINES.

Number of Prisons.	Number of Governors.	Number who had been in Army, Navy, or Marines.	Number of Deputy Governors.	Number who had been in Army, Navy, or Marines.
113	110 (for whom there are returns).	* 40	† 33	* 12

* These figures cannot be accepted as complete. They represent only the cases in which the information happened to be given in the return rendered by the late Local Authority. It is believed that many more had previously served in the Army, Navy, or Marines, as in some instances of present holders this has since been ascertained to be the case.

† Of these 7 acted as well as accountant, storekeeper, or clerk.
2 " " " taskmaster.
1 " " " head turnkey.
1 " " " chief warder.

(ii.)

A.

LIST of LOCAL PRISONS in ENGLAND and WALES, showing in each case the DAILY AVERAGE POPULATION during the Year ended 31st March 1894, and the NUMBER of SUBORDINATE OFFICERS on 28th June 1894, distinguishing those who had previously been (*a*) in the Army, Navy, or Marines; and (*b*) Civilians.

Name of Prison.	Population, 1893–4.			Number of Subordinate Officers on 28 June 1894.	Number previously Soldiers, Sailors, or Marines.	Civilians.
	Males.	Females.	Total.			
Wormwood Scrubs	1,012	223	1,235	82	59	23
Strangeways	749	360	1,109	55	26	29
Pentonville	1,086	—	1,086	85	49	36
Wandsworth	1,080	—	1,080	86	46	40
Liverpool	686	323	1,009	56	19	37
Holloway	362	340	702	59	39	20
Wakefield	534	71	605	52	10	42
Birmingham	432	81	513	38	22	16
Durham	384	87	471	35	14	21
Leeds	351	91	442	31	15	16
Stafford	342	67	409	33	8	25
Preston	306	75	381	29	9	20
Knutsford	289	54	343	30	5	25
Winchester	295	26	321	27	13	14
Newcastle	216	73	289	21	8	13
Cardiff	187	62	249	20	3	17
Hull	187	31	218	20	9	11
Chelmsford	196	12	208	22	7	15
Bristol	164	39	203	15	5	10
Lewes	186	14	200	18	10	8
Maidstone	159	24	183	22	12	10
Derby	153	23	176	18	6	12
Lincoln	152	13	165	17	7	10
Reading	154	10	164	15	7	8
Nottingham	144	14	158	15	4	11
Exeter	129	15	144	16	4	12
Canterbury	125	9	134	14	7	7
Worcester	115	14	129	16	9	7
Leicester	118	10	128	15	8	7
Swansea	108	19	127	15	2	13
Portsmouth	106	20	126	13	6	7
Northallerton	100	26	126	12	2	10
Norwich	104	9	113	13	11	2
Shrewsbury	101	11	112	13	6	7
Northampton	103	6	109	13	4	9
Warwick	102	6	108	15	3	12
Usk	81	13	94	12	5	7
Cambridge	84	6	90	11	4	7
Carlisle	70	16	86	11	4	7
Shepton Mallet	80	6	86	14	5	9
York	65	17	82	11	4	7
St. Albans	77	4	81	11	7	4
Ipswich	73	6	79	11	6	5
Gloucester	66	10	76	13	3	10
Dorchester	69	6	75	11	5	6
Lancaster	53	11	64	12	6	6
Oxford	59	3	62	11	4	7
Bedford	56	2	58	12	7	5
Devizes	53	5	58	11	3	8
Plymouth	48	9	57	9	4	5
Bodmin	47	2	49	9	3	6
Hereford	41	4	45	9	3	6
Carmarthen	37	3	40	9	4	5
Carnarvon	36	4	40	8	2	6
Ruthin	24	2	26	6	1	5
Brecon	18	2	20	7	1	6
Kendal	16	—	16	5	1	4
Total	12,170	2,389	14,559	1,269	556	713

APPENDIX VIII.

B.

LIST of CONVICT PRISONS in ENGLAND and WALES, showing in each case the DAILY AVERAGE POPULATION during the Year ended 31st March 1894, and the NUMBER of SUBORDINATE OFFICERS on 28th June 1894, distinguishing those who had previously been (*a*) in the Army, Navy, or Marines; and (*b*) Civilians.

Name of Prison.	Population, 1893–4.		Number of Subordinate Officers on 28 June 1894.	Number previously Soldiers, Sailors, or Marines.	Civilians.
	Males.	Females.			
Aylesbury	143	—	48	32	1
Borstal	270	—	80	59	21
Dartmoor	1,077	—	185	105	80
Dover	52	—	21	15	6
Parkhurst	520	—	114	76	38
Portland	1,049	—	188	113	75
Portsmouth	351	—	36	24	12
Woking	—	212	18	7	11
Totals	3,674		690	431	259

C.

TABLE showing for 2½ YEARS the NUMBER of CIVILIAN and other CANDIDATES for appointment to the MALE SUBORDINATE STAFF and the NUMBER of these actually nominated to the SECRETARY OF STATE.

1892.	1893.	1894. 1st January to 27th June.
	Applications received.	
714 { Army or Navy men :— 471, or 66 per cent. Civilians :— 243, or 34 per cent.	931 { Army or Navy men :— 614, or 66 per cent. Civilians :— 317, or 34 per cent.	563 { Army or Navy men :— 377, or 67 per cent. Civilians :— 186, or 33 per cent.
	CANDIDATES NOMINATED.	
108 { Army or Navy men :— 55, or 51 per cent. Civilians :— 53, or 49 per cent.	212 { Army or Navy men :— 129, or 61 per cent. Civilians :— 83, or 39 per cent.	97 { Army or Navy men :— 59, or 61 per cent. Civilians :— 38, or 39 per cent.

The above shows that, while only 34 per cent. of the applicants during the past 2½ years were civilians, they formed no less than 42 per cent. of those nominated.

(iii.)

CIVILIAN APPOINTMENTS to the COMMAND of PRISONS by the PRISON COMMISSIONERS.

Since the Prison Commissioners took over the local prisons, there have been, of those now serving, 20 appointments as governors or deputy-governors, and 20 as chief warders in charge. Of the former six were originally civilians, and of the latter 12, the names of these civilians respectively being:—

Governors and Deputy-Governors.	Chief Warders in Charge.
*Mr. J. Howard, Cardiff.	*Mr. J. Comrie, Usk.
*Mr. W. R. Chidley, Hull.	*Mr. E. Taylor, York.
*Mr. J. H. Shepherd, Chelmsford.	*Mr. E. Lloyd, St. Albans.
*Mr. W. Green, Maidstone.	*Mr. W. Shenton, Lancaster.
*Mr. A. E. Dent, Norwich.	*Mr. R. Kemp, Devizes.
Mr. W. H. O. Russell, Holloway.	*Mr. R. Rainford, Plymouth.
	*Mr. J. Flockton, Hereford.
	*Mr. E. P. Jones, Carnarvon.
	*Mr. J. Uppington, Ruthin.
	Mr. A. G. Western, Northallerton.
	Mr. J. R. Groves, Ipswich
	Mr. J. Keech, Gloucester.

* Originally appointed to the service by the late authority, and promoted to the rank of governor, &c., by the Commissioners.

March, 1895.

(iv.)

CLASSIFIED STATEMENT of the STAFF of each of the LOCAL PRISONS in ENGLAND and WALES for the Year ended 31st March 1893, as appearing in the Estimates.

Prison.	MALE.																FEMALE.				
	Governors or Chief Warders in charge.	Deputy Governors.	Chaplains.	Assistant Chaplains.	Roman Catholic Priests.	Medical Officers.	Assistant Surgeons.	Storekeepers.	Clerks.	Compounders.	Engineers.	Chief Warders.	Principal Warders and Officers of corresponding Rank.	Warders and other Officers of corresponding Rank.	Assistant Warders and other Officers of corresponding Rank.	Other subordinate Officers.	Matrons.	Chief Warders.	Principal Warders.	Warders.	Assistant Warders.
Bedford	1	–	1	–	–	1	–	–	1	–	–	–	1	6	5	–	–	–	–	1	1
Birmingham	1	–	1	–	1	1	–	1	4	–	1	1	2	13	20	1	1	–	–	3	4
Bodmin	1	–	1	–	–	1	–	–	1	–	–	–	–	5	4	–	–	–	–	1	1
Brecon	1	–	1	–	–	1	–	–	1	–	–	–	–	3	3	–	–	–	–	1	–
Bristol	1	–	1	–	1	1	–	–	3	–	–	1	–	7	7	–	–	–	1	–	3
Cambridge	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Canterbury	1	–	1	–	1	1	–	–	1	–	–	1	–	6	7	–	–	–	–	1	2
Cardiff	1	–	1	–	1	1	–	–	2	–	–	1	–	9	9	–	–	–	1	2	5
Carlisle	1	–	1	–	1	1	–	–	1	–	–	–	1	5	4	–	–	–	–	1	2
Carmarthen	1	–	1	–	–	1	–	–	1	–	–	–	1	5	3	–	–	–	–	1	1
Carnarvon	1	–	1	–	–	1	–	–	1	–	–	–	–	4	3	–	–	–	–	1	1
Chelmsford	1	–	1	–	1	1	–	–	2	–	1	1	–	9	12	–	–	–	–	1	2
Derby	1	–	1	–	1	1	–	–	2	–	–	1	1	8	9	–	–	–	–	2	3
Devizes	1	–	1	–	–	1	–	–	1	–	–	–	1	6	5	–	–	–	–	1	2
Dorchester	1	–	1	–	–	1	–	–	1	–	–	–	1	7	6	–	–	–	–	1	1
Durham	1	–	1	–	1	1	–	1	4	–	1	1	4	11	14	–	1	–	–	3	4
Exeter	1	–	1	–	1	1	–	–	2	–	–	1	–	6	7	–	–	–	–	2	2
Gloucester	1	–	1	–	–	1	–	–	2	–	–	–	1	6	8	–	–	–	–	1	3
Hereford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	4	–	–	–	–	1	1
Holloway with Newgate	1	–	1	–	1	1	1	1	8	1	1	2	5	19	29	1	1	–	2	12	23
Hull	1	–	1	–	1	1	–	–	4	–	1	1	2	8	12	–	–	–	1	2	2
Ipswich	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Kendal	1	–	1	–	–	1	–	–	*1	–	–	–	1	3	2	–	–	–	–	–	–
Knutsford	1	–	1	–	1	1	–	1	3	–	1	1	1	11	15	–	–	–	–	3	4
Lancaster	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	1
Leeds	1	–	1	–	1	1	–	1	4	–	1	1	2	10	17	–	1	–	–	3	4
Leicester	1	–	1	–	–	1	–	–	2	–	–	1	–	6	8	–	–	–	–	1	2
Lewes	1	–	1	–	1	1	–	–	3	–	1	1	–	7	10	–	–	–	1	1	2
Lincoln	1	–	1	–	–	1	–	–	2	–	–	1	–	8	9	–	–	–	1	1	3
Liverpool	1	–	1	–	1	1	1	1	10	1	1	1	7	17	30	1	1	1	–	10	18
Maidstone	1	–	1	–	1	1	–	–	3	–	–	1	1	9	10	–	–	–	–	3	2
Newcastle	1	–	1	–	1	1	–	–	3	–	1	1	1	8	11	–	1	–	–	3	2
Northallerton	1	–	1	–	1	1	–	–	1	–	–	1	–	6	6	–	–	–	–	1	1
Northampton	1	–	1	–	–	1	–	–	1	–	–	1	–	6	6	–	–	–	–	1	1
Norwich	1	–	1	–	–	1	–	–	1	–	–	1	–	6	7	–	–	–	–	1	2
Nottingham	1	–	1	–	–	1	–	–	2	–	–	1	–	7	7	–	–	–	–	2	2
Oxford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Pentonville	1	1	1	1	1	1	1	1	5	1	1	1	10	28	46	1	–	–	–	–	–
Plymouth	1	–	1	–	–	1	–	–	1	–	–	–	–	5	3	–	–	–	–	1	2
Portsmouth	1	–	1	–	1	1	–	–	1	–	–	1	–	6	6	–	–	–	–	1	2
Preston	1	–	1	–	1	1	–	1	4	–	1	1	2	12	18	–	1	–	1	4	6
Reading	–	1 in charge.	1	–	–	1	–	–	2	–	–	1	–	6	7	–	–	–	–	1	2
Ruthin	1	–	1	–	–	1	–	–	1	–	–	–	–	4	4	–	–	–	–	1	–
St. Albans	1	–	1	–	–	1	–	–	1	–	–	–	1	4	5	–	–	–	–	1	1
Shepton Mallet	1	–	1	–	–	1	–	–	1	–	–	–	–	6	7	–	–	–	–	1	3
Shrewsbury	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	2
Stafford	1	–	1	–	1	1	–	1	4	1	1	1	4	15	22	–	1	–	–	3	6
Strangeways	1	–	1	–	1	1	1	1	9	1	1	1	9	21	35	1	1	1	–	10	16
Swansea	1	–	1	–	1	1	–	–	1	–	–	–	1	6	7	–	–	–	–	1	3
Usk	1	–	1	–	1	1	–	–	1	–	–	–	–	4	3	–	–	–	–	1	–
Wakefield	1	–	1	–	1	1	1	1	7	1	1	1	8	20	30	–	1	–	1	7	8
Wandsworth	1	1	1	1	1	1	1	1	7	1	1	1	10	25	45	1	–	–	–	–	–
Warwick	1	–	1	–	1	1	–	–	2	–	–	1	1	7	9	–	–	–	–	1	3
Winchester	1	–	1	–	1	1	–	1	2	–	1	1	2	10	13	–	–	–	1	–	3
Worcester	1	–	1	–	1	1	–	–	3	–	–	1	–	8	10	–	–	–	–	3	2
Wormwood Scrubs	1	1	1	1	1	1	1	1	7	1	1	1	9	24	44	2	1	1	2	6	15
York	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	2
Total	56	4	57	3	34	57	7	14	144	8	18	35	97	496	656	8	11	3	12	116	186

* To act also as Schoolmaster.

CLASSIFIED STATEMENT of the ACTUAL STAFF of each of the LOCAL PRISONS in ENGLAND and WALES on the 31st March 1893.

Prison.	MALE.																FEMALE.				
	Governors or Chief Warders in charge.	Deputy Governors.	Chaplains.	Assistant Chaplains.	Roman Catholic Priests.	Medical Officers.	Assistant Surgeons.	Storekeepers.	Clerks.	Compounders.	Engineers.	Chief Warders.	Principal Warders and other Officers of corresponding Rank.	Warders and other Officers of corresponding Rank.	Assistant Warders and other Officers of corresponding Rank.	Other subordinate Officers.	Matrons.	Chief Warders.	Principal Warders.	Warders.	Assistant Warders.	Other subordinate Female Officers.
Bedford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1	–
Birmingham	1	–	1	–	1	1	–	1	4	–	1	1	1	8	21	1 School-master.	1	–	–	2	4	1 School-mistress
Bodmin	1	–	1	–	–	1	–	–	1	–	–	–	–	4	4	–	–	–	–	1	1	–
Brecon	1	–	1	–	–	1	–	–	–	–	–	–	–	3	2	–	–	–	–	1	–	–
Bristol	1	–	1	–	1	1	–	–	3	–	1	1	–	9	4	–	–	–	1	–	3	–
Cambridge	1	–	1	–	–	1	–	–	1	–	–	–	1	5	4	–	–	–	–	1	1	–
Canterbury	1	–	1	–	–	1	–	–	2	–	–	1	–	5	7	1 School-master.	–	–	–	1	2	–
Cardiff	1	–	1	–	1	1	–	–	2	–	–	1	–	7	9	–	–	–	1	1	3	–
Carlisle	1	–	1	–	1	1	–	–	1	–	–	–	1	4	4	–	–	–	–	1	2	–
Carmarthen	1	–	1	–	–	1	–	–	1	–	–	–	1	5	2	–	–	–	–	1	1	–
Carnarvon	1	–	1	–	–	1	–	–	1	–	–	–	–	3	3	–	–	–	–	1	1	–
Chelmsford	1	–	1	–	–	1	–	–	2	–	1	1	–	8	8	–	–	–	–	1	2	–
Derby	1	–	1	–	1	1	–	1	1	–	–	–	1	7	7	1 School-master.	–	–	–	1	4	–
Devizes	1	–	1	–	–	1	–	–	1	–	–	–	1	5	4	–	–	–	–	1	2	–
Dorchester	1	–	1	–	–	1	–	–	1	–	–	1	–	6	5	–	–	–	–	1	1	–
Durham	1	–	1	–	1	1	–	1	4	–	1	1	3	11	13	–	1	–	–	3	5	–
Exeter	1	–	1	–	1	1	–	–	2	–	–	1	–	5	7	1 School-master.	–	–	–	2	2	–
Gloucester	1	–	1	–	–	1	–	–	1	–	–	–	1	5	8	–	–	–	–	1	2	–
Hereford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	4	–	–	–	–	1	1	–
Holloway with Newgate	1	–	–	–	1	1	1	1	9	1	1	2	4	13	30	1 School-master.	1	–	4	11	23	–
Hull	1	–	1	–	1	1	–	–	4	–	1	1	2	8	6	–	–	–	1	2	2	–
Ipswich	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1	–
Kendal	1	–	1	–	–	1	–	–	*1	–	–	–	–	2	3	–	–	–	–	–	–	–
Knutsford	–	–	1	–	1	1	–	1	2	–	1	1	2	11	11	–	–	–	1	1	3	–
Lancaster	1	–	1	–	1	1	–	–	1	–	–	–	–	5	5	–	–	–	–	1	1	–
Leeds	1	–	1	–	1	1	–	1	4	–	1	1	2	9	15	–	1	–	–	3	4	–
Leicester	1	–	1	–	1	1	–	–	2	–	–	1	–	6	7	–	–	–	–	1	2	–
Lewes	1	–	1	–	1	1	–	–	2	–	1	1	–	6	9	1 School-master.	–	–	–	2	2	–
Lincoln	1	–	1	–	1	1	–	–	2	–	–	1	–	7	6	–	–	–	–	1	2	–
Liverpool	1	–	1	–	1	1	1	1	9	1	1	1	7	16	33	1 Nurse. 1 Weaver Instructor.	1	1	1	8	11	–
Maidstone	1	–	1	–	–	1	–	–	3	–	1	1	1	11	5	1 School-master.	–	–	–	3	2	–
Newcastle	1	–	1	–	1	1	–	–	2	–	1	1	–	8	9	–	1	–	–	2	2	–
Northallerton	1	–	1	–	1	1	–	–	1	–	–	1	–	6	5	–	–	–	–	1	2	–
Northampton	1	–	1	–	–	1	–	–	2	–	–	1	–	6	5	–	–	–	–	1	1	–
Norwich	1	–	1	–	–	1	–	–	2	–	–	1	–	6	8	–	–	–	–	†	–	–
Nottingham	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1	–
Oxford	1	–	1	–	–	1	–	–	1	–	–	–	–	5	5	–	–	–	–	1	1	–
Pentonville	1	1	1	1	1	1	1	1	5	1	1	1	10	23	46	1 School-master. 1 Photographer.	–	–	–	–	–	–
Plymouth	1	–	1	–	–	1	–	–	1	–	–	–	–	5	2	–	–	–	–	1	2	–
Portsmouth	1	–	1	–	1	1	–	–	1	–	–	1	–	6	3	–	–	–	–	1	2	–
Preston	1	–	1	–	1	1	–	1	4	–	1	1	1	10	15	–	1	–	–	3	4	–
Reading	–	1 in charge.	1	–	–	1	–	–	2	–	–	1	–	6	6	–	–	–	–	1	2	–
Ruthin	1	–	1	–	–	1	–	–	1	–	–	–	–	3	3	–	–	–	–	1	–	–
St. Albans	1	–	1	–	–	1	–	–	1	–	–	–	1	4	4	–	–	–	–	1	1	–
Shepton Mallet	1	–	–	–	–	1	–	–	1	–	–	1	1	5	4	–	–	–	–	1	2	–
Shrewsbury	1	–	1	–	1	1	–	–	1	–	–	1	–	6	6	–	–	–	–	1	2	–
Stafford	1	–	1	–	1	1	–	1	3	–	1	1	2	12	14	–	1	–	–	2	4	–
Strangeways	1	–	1	–	1	1	1	1	8	1	1	1	7	15	28	1 Nurse	1	1	1	6	11	1 School-mistress.
Swansea	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	3	–
Usk	1	–	1	–	1	1	–	–	2	–	–	–	1	4	5	–	–	–	–	1	2	–
Wakefield	1	–	1	–	1	1	1	1	6	–	1	1	8	32	8	–	1	–	1	5	2	–
Wandsworth	1	1	1	1	1	1	1	1	8	1	1	1	11	24	44	1 Nurse	–	–	–	–	–	–
Warwick	1	–	1	–	–	1	–	–	1	–	1	1	–	5	5	1 School-master.	–	–	–	1	2	–
Winchester	1	–	1	–	1	1	–	1	2	–	1	1	2	9	12	1 School-master.	–	–	1	–	3	–
Worcester	1	–	1	–	1	1	–	–	2	–	1	1	–	5	7	–	–	–	–	2	2	
Wormwood Scrubs	1	1	1	1	1	1	1	1	7	1	1	1	9	21	46	1 Nurse. 1 School-master.	1	–	3	5	11	1 School-mistress.
York	1	–	1	–	1	1	–	–	1	–	–	–	1	8	1	–	–	–	–	1	2	–
Totals	55	4	54	3	32	57	7	15	138	6	22	38	87	465	543	17	11	2	15	96	156	3

* Acts also as Schoolmaster.

† No female prisoners in custody during rebuilding of female prison.

APPENDIX VIII. CLASSIFIED STATEMENT of the STAFF of each of the LOCAL PRISONS in ENGLAND and WALES for the Year ended 31st March 1894, as appearing in the Estimates.

Prison.	MALE.																FEMALE.				
	Governors or Chief Warders in charge.	Deputy Governors.	Chaplains.	Assistant Chaplains.	Roman Catholic Priests.	Medical Officers.	Assistant Surgeons.	Storekeepers.	Clerks.	Compounders.	Engineers.	Chief Warders.	Principal Warders and other Officers of corresponding Rank.	Warders and other Officers of corresponding Rank.	Assistant Warders and other Officers of corresponding Rank.	Other subordinate Officers.	Matrons.	Chief Warders.	Principal Warders.	Warders.	Assistant Warders.
Bedford	1	–	1	–	–	1	–	–	1	–	–	–	1	6	5	–	–	–	–	1	1
Birmingham	1	–	1	–	1	1	–	1	4	–	1	1	3	13	20	–	1	–	–	3	4
Bodmin	1	–	1	–	–	1	–	–	1	–	–	–	–	5	4	–	–	–	–	1	1
Brecon	1	–	1	–	–	1	–	–	1	–	–	–	–	3	3	–	–	–	–	1	–
Bristol	1	–	1	–	1	1	–	–	3	–	–	1	–	7	7	–	–	–	1	–	3
Cambridge	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Canterbury	1	–	1	–	1	1	–	–	1	–	–	1	–	6	7	–	–	–	–	1	2
Cardiff	1	–	1	–	1	1	–	–	2	–	1	1	–	9	10	–	–	–	1	2	5
Carlisle	1	–	1	–	1	1	–	–	1	–	–	–	1	5	4	–	–	–	–	1	2
Carmarthen	1	–	1	–	–	1	–	–	1	–	–	–	1	5	3	–	–	–	–	1	1
Carnarvon	1	–	1	–	–	1	–	–	1	–	–	–	–	4	4	–	–	–	–	1	1
Chelmsford	1	–	1	–	–	1	–	–	2	–	1	1	–	9	12	–	–	–	–	1	2
Derby	1	–	1	–	1	1	–	–	2	–	–	1	1	7	9	–	–	–	1	1	3
Devizes	1	–	1	–	–	1	–	–	–	–	–	–	1	6	4	–	–	–	–	1	2
Dorchester	1	–	1	–	–	1	–	–	1	–	–	–	1	7	6	–	–	–	–	1	1
Durham	1	–	1	–	1	1	–	1	4	–	1	1	4	11	14	–	1	–	–	3	5
Exeter	1	–	1	–	1	1	–	–	2	–	–	1	–	6	7	–	–	–	–	2	2
Gloucester	1	–	1	–	–	1	–	–	2	–	–	–	1	6	8	–	–	–	–	1	3
Hereford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	4	–	–	–	–	1	1
Holloway with Newgate.	1	–	1	1	1	1	1	1	8	1	1	2	6	18	30	1	1	–	4	11	25
Hull	1	–	1	–	1	1	–	–	4	–	1	1	2	8	12	–	–	–	1	2	2
Ipswich	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Kendal	1	–	1	–	–	1	–	–	*1	–	–	–	1	3	2	–	–	–	–	–	–
Knutsford	1	–	1	–	1	1	–	1	3	–	1	1	2	12	15	–	1	–	–	3	4
Lancaster	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	1
Leeds	1	–	1	–	1	1	–	1	4	–	1	1	2	10	17	–	1	–	–	3	4
Leicester	1	–	1	–	–	1	–	–	2	–	–	1	–	6	8	–	–	–	–	1	2
Lewes	1	–	1	–	1	1	–	–	3	–	–	1	–	8	10	–	–	–	1	1	
Lincoln	1	–	1	–	–	1	1	–	2	–	–	1	–	8	9	–	–	–	–	1	3
Liverpool	1	–	1	–	1	1	–	1	10	1	1	1	8	16	29	2	1	1	1	9	16
Maidstone	1	–	1	–	1	1	–	–	3	–	–	1	1	9	10	–	–	–	–	3	2
Newcastle	1	–	1	–	1	1	–	–	3	–	1	1	–	8	11	–	1	–	–	3	2
Northallerton	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	1
Northampton	1	–	1	–	–	–	1	–	1	–	–	1	–	6	6	–	–	–	–	1	1
Norwich	1	–	1	–	–	1	–	–	1	–	–	1	–	6	7	–	–	–	–	1	2
Nottingham	1	–	1	–	–	1	–	–	2	–	–	1	–	7	7	–	–	–	–	2	2
Oxford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Pentonville	1	1	1	1	1	1	1	1	5	1	1	1	11	27	46	1	–	–	–	–	–
Plymouth	1	–	1	–	–	1	–	–	1	–	–	–	–	5	3	–	–	–	–	1	2
Portsmouth	1	–	1	–	1	1	–	–	1	–	–	1	–	6	6	–	–	–	–	1	2
Preston	1	–	1	–	1	1	–	1	4	–	1	1	2	12	18	–	1	–	–	4	6
Reading	–	1 in charge.	1	–	–	1	–	–	2	–	–	1	–	6	7	–	–	–	–	1	2
Ruthin	1	–	1	–	–	1	–	–	1	–	–	–	–	4	3	–	–	–	–	1	–
St. Albans	1	–	1	–	–	1	–	–	1	–	–	–	1	4	5	–	–	–	–	1	1
Shepton Mallet	1	–	1	–	–	1	–	–	1	–	–	–	–	6	7	–	–	–	–	1	3
Shrewsbury	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	2
Stafford	1	–	1	–	1	1	–	1	4	1	1	1	3	14	23	–	1	–	–	3	6
Strangeways	1	–	1	–	1	1	1	1	9	1	1	1	10	20	35	1	1	1	1	9	16
Swansea	1	–	1	–	1	1	–	–	1	–	–	–	1	6	7	–	–	–	–	1	3
Usk	1	–	1	–	1	1	–	–	1	–	–	–	1	4	3	–	–	–	–	1	–
Wakefield	1	–	1	–	1	1	1	1	7	1	1	1	9	20	30	–	1	–	1	7	6
Wandsworth	1	1	1	1	1	1	1	1	8	1	1	1	11	24	45	1	–	–	–	–	–
Warwick	1	–	1	–	1	1	–	–	2	–	–	1	1	7	9	–	–	–	–	1	3
Winchester	1	–	1	–	1	1	–	1	2	–	1	1	2	10	18	–	–	–	1	–	3
Worcester	1	–	1	–	1	1	–	–	3	–	–	1	–	8	10	–	–	–	–	3	2
Wormwood Scrubs	1	1	1	1	1	1	1	1	8	1	1	1	10	23	44	2	1	1	3	5	16
York	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	2
Totals	56	4	57	4	34	57	7	14	146	8	18	34	106	490	657	8	12	3	16	111	186

* To act also as Schoolmaster.

CLASSIFIED STATEMENT of the ACTUAL STAFF of each of the LOCAL PRISONS in ENGLAND and WALES on the 31st March 1894.

APPENDIX VIII.

Prison	MALE.																FEMALE.				
	Governors or Chief Warders in charge.	Deputy Governors.	Chaplains.	Assistant Chaplains.	Roman Catholic Priests.	Medical Officers.	Assistant Surgeons.	Storekeepers.	Clerks.	Compounders.	Engineers.	Chief Warders.	Principal Warders and other Officers of corresponding Rank.	Warders and other Officers of corresponding Rank.	Assistant Warders and other Officers of corresponding Rank.	Other subordinate Officers.	Matrons.	Chief Warders.	Principal Warders.	Warders.	Assistant Warders.
Bedford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Birmingham	1	–	1	–	1	1	–	1	5	–	1	1	1	8	26	1 School-master.	1	–	–	2	4 1 School-mistress.
Bodmin	1	–	1	–	–	1	–	–	1	–	–	–	–	4	4	–	–	–	–	1	1
Brecon	1	–	1	–	–	1	–	–	–	–	–	–	–	3	3	–	–	–	–	1	–
Bristol	1	–	1	–	1	1	–	–	3	–	1	1	–	8	6	–	–	–	1	–	–
Cambridge	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Canterbury	1	–	1	–	–	1	–	–	2	–	–	1	–	6	8	1 School-master.	–	–	–	1	2
Cardiff	1	–	1	–	1	1	–	–	3	–	–	1	–	8	10	–	–	–	1	1	3
Carlisle	1	–	1	–	1	1	–	–	1	–	–	–	1	4	5	–	–	–	–	1	2
Carmarthen	1	–	1	–	–	1	–	–	1	–	–	–	1	5	2	–	–	–	–	1	1
Carnarvon	1	–	1	–	–	1	–	–	1	–	–	–	–	4	4	–	–	–	–	1	1
Chelmsford	1	–	1	–	–	1	–	–	2	–	1	1	–	8	10	–	–	–	–	1	2
Derby	1	–	1	–	1	1	–	1	1	–	–	1	1	7	8	–	–	–	–	1	3
Devizes	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	2
Dorchester	1	–	1	–	–	1	–	–	1	–	–	1	–	5	5	–	–	–	–	1	1
Durham	1	–	–	–	1	1	–	1	4	–	1	1	3	11	17	–	1	–	–	3	5
Exeter	1	–	1	–	1	1	–	–	2	–	–	1	–	5	9	1 School-master.	–	–	–	2	2
Gloucester	1	–	1	–	–	1	–	–	1	–	–	–	1	5	7	–	–	–	–	1	2
Hereford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	3	–	–	–	–	1	1
Holloway with Newgate.	1	1	1	1	1	1	1	1	8	1	–	2	4	13	37	1 School-master.	1	–	4	10	24
Hull	1	–	1	–	1	1	–	–	2	–	1	1	2	8	8	–	–	–	1	2	2
Ipswich	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Kendal	–	–	1	–	–	1	–	–	*1	–	–	–	–	2	3	–	–	–	–	–	–
Knutsford	1	–	1	–	1	1	–	1	3	–	1	1	2	11	12	–	–	–	1	1	4
Lancaster	1	–	1	–	1	1	–	–	1	–	–	–	1	5	6	–	–	–	–	1	1
Leeds	–	–	1	–	1	1	–	1	4	–	1	1	2	9	17	–	1	–	–	3	4
Leicester	–	–	1	–	1	1	–	–	2	–	–	1	–	6	8	–	–	–	–	1	2
Lewes	1	–	1	–	1	1	–	–	2	–	1	1	–	6	10	1 School-master.	–	–	–	2	2
Lincoln	1	–	1	–	1	1	–	–	2	–	–	1	–	7	9	–	–	–	–	1	2
Liverpool	1	–	1	–	–	1	1	1	9	1	1	1	7	16	28	1 Nurse 1 Weaver Instructor.	1	1	1	8	9
Maidstone	1	–	1	–	1	1	–	–	2	–	–	–	1	12	7	1 School-master.	–	–	–	3	2
Newcastle	1	–	1	–	1	1	–	–	3	–	1	1	–	8	10	–	1	–	–	2	3
Northallerton	1	–	1	–	1	1	–	–	1	–	–	1	–	6	5	–	–	–	–	1	2
Northampton	1	–	1	–	–	1	–	–	2	–	–	1	–	6	6	–	–	–	–	1	1
Norwich	1	–	1	–	–	1	–	–	2	–	–	1	–	6	5	–	–	–	–	1	2
Nottingham	1	–	1	–	1	1	–	–	2	–	–	1	–	6	8	–	–	–	–	1	2
Oxford	1	–	1	–	–	1	–	–	1	–	–	–	1	5	5	–	–	–	–	1	1
Pentonville	1	1	1	1	1	1	1	1	6	1	1	1	10	23	48	1 School-master. 1 Photographer.	–	–	–	–	–
Plymouth	1	–	1	–	–	1	–	–	1	–	–	–	–	5	3	–	–	–	–	1	2
Portsmouth	1	–	1	–	1	1	–	1	2	–	–	1	–	6	6	–	–	–	–	1	2
Preston	1	–	1	–	1	1	–	1	3	–	1	1	1	10	15	–	1	–	–	3	4
Reading	–	1 in charge.	1	–	–	1	–	–	2	–	–	1	–	6	8	–	–	–	–	1	2
Ruthin	1	–	1	–	–	1	–	–	1	–	–	–	–	3	3	–	–	–	–	1	–
St. Albans	1	–	1	–	–	1	–	–	1	–	–	1	1	5	6	–	–	–	–	1	1
Shepton Mallet	1	–	1	–	–	1	–	–	1	–	–	1	–	6	6	–	–	–	–	1	2
Shrewsbury	1	–	1	–	1	1	–	–	1	–	–	–	1	6	6	–	–	–	–	1	2
Stafford	1	–	1	–	1	1	–	1	2	–	1	1	2	12	14	–	1	–	–	2	2
Strangeways	1	–	1	–	1	1	1	1	9	1	1	1	8	15	29	1 Nurse	1	1	1	6	13 1 School mistress.
Swansea	1	–	1	–	1	1	–	–	2	–	–	–	1	6	7	–	–	–	–	1	3
Usk	1	–	1	–	1	1	–	–	2	–	–	–	1	4	5	–	–	–	–	1	2
Wakefield	1	–	1	–	1	1	1	1	5	–	1	1	8	26	16	–	1	–	1	3	4
Wandsworth	1	1	1	1	1	1	1	1	8	1	1	1	11	22	48	1 Nurse	–	–	–	–	–
Warwick	1	–	1	–	–	1	–	–	2	–	1	1	–	5	7	1 School-master.	–	–	–	1	2
Winchester	1	–	1	–	1	1	–	1	3	–	1	1	2	9	12	1 School-master.	–	–	1	–	2
Worcester	1	–	1	–	1	1	–	–	2	–	1	1	–	5	8	–	–	–	–	2	2
Wormwood Scrubs	1	1	1	1	1	1	1	1	9	1	1	1	9	21	47	1 Nurse 1 School-master.	1	–	3	4	12 1 School-mistress.
York	1	–	1	–	1	1	–	–	1	–	–	–	1	7	3	–	–	–	–	1	2
Totals	53	5	57	4	33	57	7	15	143	6	20	37	88	447	628	16	11	2	15	93	166 3

* Acts also as Schoolmaster.

(v.)

Return called for by Committee.

STATEMENT showing the NUMBER of TEMPORARY OFFICERS employed for each Day of the Week ended 17th November 1894, and corresponding Weeks in 1891, 1892, and 1893, for each of the LONDON PRISONS.

Day of Week.	Wormwood Scrubs.								Pentonville.				Wandsworth.				Holloway.							
	Males.				Females.				Males.				Males.				Males.				Females.			
	1891.	1892.	1893.	1894.	1891.	1892.	1893.	1894.	1891.	1892.	1893.	1894.	1891.	1892.	1893.	1894.	1891.	1892.	1893.	1894.	1891.	1892.	1893.	1894.
Sunday	7	3	3	—	2	2	2	†1	2	1	2	—	5	11	6	—	5	13	2	‡1	4	3	3	‖4
Monday	10	7	6	—	2	1	2	†1	2	1	3	‡2	12	16	9	§6	5	13	3	‡1	4	6	6	‖3
Tuesday	11	8	6	—	1	1	2	†1	2	1	2	‡2	12	16	9	§7	5	13	3	‡1	6	3	6	‖6
Wednesday	12	8	8	—	1	2	3	†1	1	1	3	‡2	11	16	9	§7	5	13	3	‡1	6	5	6	‖6
Thursday	12	5	12	—	2	2	1	†2	2	1	2	‡2	11	14	9	§6	5	13	3	‡1	5	6	5	‖3
Friday	11	5	12	—	2	1	1	†2	3	1	3	‡2	10	12	8	§6	11	12	3	‡1	6	4	4	‖3
Saturday	11	5	6	*3	1	2	1	†2	2	1	2	‡2	8	9	7	§6	5	16	3	‡1	5	4	4	‖3

* Employed to relieve the night watchmen.
† Employed one in lieu of an officer discharged, one in lieu of an officer sick.
‡ Employed to guard prisoners during temporary building operations.
§ Employed six to guard prisoners during temporary building operations, one to relieve the night watchmen.
‖ Employed in lieu of officers on leave and sick and during sessions.

The above temporary officers are engaged at daily rates of pay, viz. :—
Males 3*s.* 4*d.*, but at Wormwood Scrubs this is increased to $\frac{3}{7}0$*s.*
Females. At Holloway 2*s.* 6*d.*, at Wormwood Scrubs, $\frac{2}{7}5$*s.*

The average number of hours actual duty performed by them daily was 10, with the following exceptions, viz. :—

At *Wandsworth* in 1891–2 and 1892–3 they did extra evening duty which averaged 37 minutes daily.
At *Wormwood Scrubs* the amount of daily duty averaged from 10 to 11.

(vi.)

Paper handed in by Captain Stopford.

STATEMENT of the NUMBER of LOCAL and CONVICT PRISON SUBORDINATE OFFICERS discharged through having failed to pass PROBATION, and of those DISMISSED and DISCHARGED with NOTICE, for MISCONDUCT, during the FIVE YEARS ended 30th June 1894. (Question 272.)

		Discharged through having failed to pass Propation.	Dismissed for Misconduct.	Discharged with Notice for Misconduct.	Total.	Approximate Strength of the Staff.
Local	Male	13	54	20	87	1,333
	Female	8	5	3	16	315
Convict	Male	—	15	10	25	747
	Female	—	2	1	3	38

(vii.)

Papers handed in by Colonel Milman.

I.

H.M. PRISON, HOLLOWAY.

RETURN showing the different SESSIONS in progress *at the same time*, January to November 1894.

Date Sessions commenced.	Name of Sessions.	No. of Officers required.	Duration of Session—about Days.	Remarks.
January 2	North London	6	8	As the number of prisoners at each session, which extends beyond one day, diminishes, so, as far as practicable, is the number of officers detailed for duty at such session decreased from day to day.
„ 2	Surrey County	5	1	
„ 4	Croydon Borough	3	1	
„ 8	Central Criminal Court	12	10	
„ 9	South London	5	3	
„ 9	Guildford Borough	3	1	
„ 22	North London	6	8	
„ 24	Surrey Assizes	5	1	
February 5	North London	6	8	
„ 5	Central Criminal Court	12	10	
„ 19	North London	6	8	
„ 19	Surrey County	5	1	
March 5	North London	6	8	
„ 5	Central Criminal Court	12	10	
April 2	North London	6	8	
„ 2	Central Criminal Court	12	10	
„ 2	Guildford Borough	3	1	
„ 3	Surrey County	5	1	
„ 10	South London	5	3	
„ 12	Croydon Borough	3	1	
May 15	South London	5	3	
„ 15	Surrey County	5	1	
June 11	Surrey Assizes	5	1	As the number of prisoners at each session, which extends beyond one day, diminishes, so, as far as practicable, is the number of officers detailed for duty at such session decreased from day to day.
„ 12	South London	5	3	
July 2	North London	6	8	
„ 3	Surrey County	5	1	
„ 5	Croydon Borough	3	1	
„ 23	North London	6	8	
„ 23	Central Criminal Court	12	10	
„ 24	Guildford Borough	3	1	
August 7	North London	6	8	
„ 7	West Ham Borough	3	1	
Sept. 3	North London	6	8	
„ 3	Surrey County	5	1	
„ 10	Central Criminal Court	12	10	
„ 11	South London	5	3	
October 9	South London	5	3	
„ 11	Croydon Borough	3	1	
„ 11	Guildford Borough	3	1	
„ 22	North London	6	8	
„ 22	Central Criminal Court	12	10	
Nov. 19	North London	6	8	
„ 19	Central Criminal Court	12	10	
„ 19	Surrey County	5	1	

SESSIONS held annually in connexion with HOLLOWAY PRISON.

Name of Sessions.	Number of Times held in the Year.	Duration of each Session.
Central Criminal Court	12	About 10 days
North London	24	„ 8 „
South London	12	„ 3 „
Middlesex	8	„ 1 day.
Surrey County	8	„ 1 „
Surrey Assizes	2	„ 1 „
Guildford Borough	4	„ 1 „
Croydon Borough	4	„ 1 „
West Ham Borough	4	„ 1 „
Total Sessions per annum	78	—

In addition to the officers required for duty away from Holloway Prison at the various Courts, as per pages 1 and 2 of this Return, others are frequently absent *at the same time* on escort duty to other Courts, or other Prisons, or on account of personal sickness.

December 3rd, 1894.

E. S. MILMAN,
Governor.

APPENDIX VIII.

II.

HER MAJESTY'S PRISON, HOLLOWAY.

RETURN showing HOURS of DUTY (MEAL HOURS excepted) of the DISCIPLINE STAFF (MALES) for 14 Days.

Rank.	Duty.	1. Sunday.	2. Monday.	3. Tuesday.	4. Wednesday.	5. Thursday.	6. Friday.	7. Saturday.	Daily Average. Without Bed.†	Daily Average. With Bed.‡	Officers available for the Duty.
		H. M.	H. M.	H. M.	H. M.	H. M.	H. M.	H. M.	H. M.	H. M.	
Principal warders -	Actual work -	6 50	12 0	10 10	10 10	10 10	12 0	5 40	10 7	—	4
" " -	*Bed - -	—	8 0	—	—	—	8 0	—	—	12 35	—
Gatekeepers -	Actual work -	6 50	12 0	10 10	10 10	10 10	12 0	6 50	—	12 40	4
" -	Bed - -	—	8 0	—	—	—	8 0	—	—	—	—
Hospital officers -	Actual work -	6 50	12 0	10 10	10 10	12 0	10 10	6 50	10 21	—	3
" " -	Bed - -	—	8 0	—	—	8 0	—	—	—	13 23	—
" " upper room	Actual work -	8 30	12 25	10 10	10 10	12 25	10 1 0	6 50	10 28	—	3
General officers -	" -	6 50	11 25	10 10	10 10	11 25	10 10	6 50	10 0	—	30
" " -	Bed - -	—	8 0	—	—	—	—	—	—	11 1	—
Extra ward officers -	Actual work -	6 50	12 0	10 10	10 10	12 0	10 10	6 50	10 21	—	3
" " -	Bed - -	—	—	—	—	8 0	—	—	—	13 23	—

H. = hours. M. = minutes. * Bed, *i.e.*, "Sleeping in the prison, to be called up if necessity arise." † Average on the whole, 10h. 15m. per day. ‡ Average on the whole, 12h. 36m. per day.

A fortnight is shown above, being a fairly representative period of the whole year's duty. It also shows the alternate Sunday's leave and alternate Saturday half holiday.

OFFICERS required for SESSIONS as under:—

Sessions.	No.	Remarks.
Central Criminal Court - -	14	12 from Holloway, 2 at Newgate. All from Holloway.
North London - - -	6	" "
South London - - -	5	" "
Middlesex - - -	5	" "
Surrey - - - -	5	" "
Guildford - - - -	3	" "
Croydon - - - -	3	" "
West Ham - - - -	3	" "

E. S. MILMAN, Governor.

3rd December 1894.

APPEND.

III.

H.M. PRISON, HOLLOWAY.

DETAILS concerning the ORDINARY DISCIPLINE STAFF (MALES).

The ordinary discipline staff consists of—
2 principal warders,
10 warders,
31 assistant warders.

Total 43

Of the 43 shown above:—
9 are specially approved for duty at Newgate when prisoners are located there each month for the Central Criminal Court Sessions.
2 are specially approved as attendants in the ward where mentally affected prisoners are located.
1 is specially approved as identification officer to attend police, sessions, and assize courts to prove previous convictions.
6 are appointed to meet all contingencies in staff such as absences through sickness, or annual leave, escorts, sessions sitting simultaneously with Central Criminal Court, &c., in lieu of temporary officers not now sanctioned for such purposes as heretofore.
25 left for all other general purposes.

43

The daily average male population for the year 1893–4 was 363.

Taking the 43 less 9 for Newgate = 34. This gives a staff of just over 9 per cent. for Holloway.

Taking the 43 less 9 for Newgate and two nurses and one identification officer = 31. This gives a staff of about 8½ per cent. for Holloway.

Taking the 43 less 18* shown above = 25. This gives a staff of about 7 per cent.

The distance from Holloway to Newgate is about four miles, creating extra demand on the officers' time in getting to and from Newgate on duty, at least 50 minutes would be occupied in the journey each way, which time is therefore lost to Holloway in the duty of as many officers as have to attend at Newgate, in addition to the nine, which would not be so were Newgate not so far.

EVERARD S. MILMAN,
Governor.

3rd December 1894.

APPENDIX IX.

Miscellaneous Papers, including Memoranda relating to various Points occurring in the Evidence.

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(ii.) Letter to Chairman of Committee from Admiral Tinklar, Governor of Her Majesty's Prison, Birmingham	610
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(i.)

LETTER from Sir JAMES GRAHAM, 16th December 1842, to the COMMISSIONERS for the GOVERNMENT of PENTONVILLE PRISON.

Whitehall, 16th December 1842.

MY LORDS AND GENTLEMEN,

I HAVE the honour of transmitting to you copies of two despatches addressed by Lord Stanley to the Governor of Van Diemen's Land, which contain instructions for carrying into effect the classification of convicts, according to a plan to be adopted in the penal colony.

This plan has been carefully considered by Her Majesty's servants: it has received their deliberate sanction; and if the consent of Parliament be obtained, it will be carried into immediate execution.

In framing this measure of regulated punishment, we have not overlooked its connexion with the prison which is placed under your superintendence; and I avail myself of this opportunity for laying before you the view which I take of the use to be made of Pentonville Prison, and of the mode in which it may be rendered the most effective auxiliary to an improved scheme of convict discipline.

It is useless to discuss the abstract question, whether under any regulation a prison can supply the means of reforming the character of hardened offenders. It is enough to observe that the limited number which the Model Prison can contain will, in the hope of reformation, be generally confined to those who are convicted of their first offence, and whose age is between 18 and 35.

Considering the excessive supply of labour in this country, its consequent depreciation, and the fastidious rejection of all those whose character is tainted, I wish to admit no prisoner into Pentonville who is not sentenced to transportation, and who is not doomed to be transported.

The convict, on whom the discipline might have produced the most salutary effect, when liberated and thrown back on society here, would still be branded as a criminal, and would have an indifferent chance of a livelihood from the profitable exercise of honest industry. His degredation and his wants would soon obliterate the good impressions he might have received, and by the force of circumstances which he could not control, he would be drawn again into his former habits; he would rejoin his old companions, and renew the career of crime.

Not so the convict transported from Pentonville. The chain of former habits would be broken; his early associations would be altered; a new scene would open to his view, where skilled labour is in great demand, where the earnings of industry rapidly accumulate, where independence may be gained, and where the stain of tarnished character is not quite indelible.

This is the favourable position for ripening the fruit of improved prison discipline; this is the best chance for turning to account the instruction given in useful manual labour; this is the prospect which will revive hope in the bosom of the prisoner, which will confirm his good resolutions, and which will stimulate him to energy and to virtue.

I propose, therefore, that no prisoner shall be admitted into Pentonville without the knowledge that it is the portal to the penal colony; and without the certainty that he bids adieu to his connexions in England, and that he must look forward to a life of labour in another hemisphere.

But from the day of his entrance into the prison, while I extinguish the hope of return to his family and friends, I would open to him fully and distinctly the fate which awaits him, and the degree of influence which his own conduct will infallibly have over his future fortunes.

He should be made to feel that from that day he enters on a new career. The classification of the convicts in the colony, as set forth in Lord Stanley's despatch, should be made intelligible to him. He should be told that his imprisonment is a period of probation; that it will not be prolonged above 18 months; that an opportunity of learning those arts which will enable him to earn his bread, will be afforded under the best instructors; that moral and religious knowledge will be imparted to him as a guide for his future life; that at the end of 18 months, when a just estimate can be formed of the effect produced by the discipline on his character, he will be sent to Van Diemen's Land, there, if he behave well, at once to receive a ticket of leave, which is equivalent to freedom, with the certainty of abundant maintenance, the fruit of industry; if he behave indifferently, he will be transported to Van Diemen's Land, there to receive a probationary pass, which will secure to him only a limited portion of his own earnings, and which will impose certain galling restraints on his personal liberty; if he behave ill, and if the discipline of the prison be ineffectual, he will be transported to Tasman's Peninsula, there to work in a probationary gang, without wages, deprived of liberty, an abject convict.

This is the view which should be presented to the prisoner on the day when he enters Pentonville; this is the view which should never be lost sight of, either by him or by those in authority over him, until the day when he leaves the prison for embarkation; and when, according to the register to be kept of his conduct, the governors will determine in which of the three classes he shall be placed.

It will be open to the Commissioners, at any period of the imprisonment, to report to the Secretary of State cases which appear to them hopeless from the incorrigible character of the offenders, or where failing health or any other circumstances may render immediate removal from the prison desirable; and the Secretary of State will exercise his discretion in each case, with respect to the future destiny of the prisoner.

My wish is that Pentonville shall be for adults what Parkhurst now is for juvenile offenders—a prison of instruction and of probation, rather than a gaol of oppressive punishment; excepting that the more severe discipline of the separate system is in Pentonville applied to those of riper years, while the tender youth at Parkhurst is not exposed to the full rigour of this salutary discipline.

But the same classification in the penal colony is held out as the object of hope and fear to the inmates of both prisons; the same moral agents will be employed—the same stimulants—the same correctives.

Eighteen months of this discipline appear to me ample for its full application. In that time the real character will be developed, instruction will be imparted, new habits will be formed, a better frame of mind will have been moulded, or the heart will have been hardened, and the case will have become desperate.

The period of imprisonment therefore, will be strictly limited to 18 months. At the expiration of this term your recommendation will be transmitted to the Secretary of State, which will fix the class to which the convict will belong on his arrival in Van Diemen's Land. You will be mindful of the extent of discretionary power thus intrusted to you, which will have the effect either of aggravating or of diminishing for years the punishment of a large body of criminals. You will use every precaution to prevent the operation of favour or caprice in the reports, which will decide or influence your judgment on the character and merits of each prisoner; recollecting always that on your decision his fate in the penal colony will almost entirely depend.

I might enlarge on other points and descend to minute details of management, but I rely implicitly on your prudence and good judgment; and I trust that the great experiment committed to your care will be conducted with firmness, tempered by mercy; and that, combined with the new arrangements of graduated punishment in the colony, it may be blessed with success, and not only by example prevent the commission of crime, but reclaim from the error of their ways thousands of unhappy criminals who, without your benevolent exertions, would have fallen the hopeless victims of depravity.

I have the honour to be, with great respect,
My Lords and Gentlemen,
Your obedient servant,
(Signed) J. R. G. GRAHAM.

The Commissioners for the
Government of Pentonville Prison.

APPENDIX IX.

(ii.)

LETTER from ADMIRAL TINKLAR, Governor of H.M Prison, Birmingham.

H.M. Prison, Birmingham,
SIR, February 22, 1895.

IN answer to a letter which I have this day received from the Secretary to your Committee, I have the honour to place before you certain views which I hold with reference to the local prison system as applied during my service, making a few references to its working under the late authority and the present Imperial one. These views by no means express all that I hold, but they can be amplified at your pleasure.

Briefly, under the present system the diets are not materially altered, but the distribution of the hard labour has been so altered that there is now very little difference between this work and simple imprisonment. The former are employed for the first month only (really 21 days) in association, such as treadwheel and stone-yard, and for the rest of their sentence in cellular occupation (in other words "isolated"). Why should they not work throughout in association under proper supervision?

I am further of opinion that crank labour, unremunerative grinding of wind whilst (in separation) in cells is degrading and contrary to the spirit of the age. I would encourage prison industries in every direction, so that in suitable cases a prisoner might expiate his offence in prison and be prepared to meet the world afresh with a new trade at his command if necessary.

I disapprove entirely of children under the age of 13 years being sent to prison and would even raise the limit to 14 years.

The mark system has my approval but it requires thorough revision and extension. As at present applied it is crude and imperfect. The maximum can be earned in about six months, after which the encouragement of industry and moral improvement appear to have been lost sight of. I have in my mind an elaboration of this system, somewhat like what existed under the old authority, which is far too long to include in a rough memorandum.

I think the introduction of plank beds compares unfavourably with hammocks, which were suspended some distance from the floor, and which are much warmer, especially in winter.

The attempts at educating illiterate prisoners are too faulty and limited.

The governor's position has been materially altered as a disciplinarian. He is now allowed the least possible amount of discretion in discharge of what should be his actual duties. For instance, witness the complaint of "overcrowding of prisons." Formerly he used to suggest whenever he thought removal necessary. Last year this was taken out of his hands, and I venture to say with bad results.

The abolition of the rank of deputy governor in certain prisons is a mistake, so also, the substitution of "chief warder in charge" is a retrograde step; notwithstanding which it is probably desirable, where a man shows exceptional talent and refinement in dealing with prisoners, that he should be given the opportunity of rising.

The Commissioners have done a great deal for the officers, except the chief warder, whom I think is in local prisons Class I. and II. and III. most inadequately paid. It is also worthy of consideration whether it would not be desirable to allow every assistant warder to become a warder after 10 years, with the pay and allowances appertaining thereto, subject to the recommendation of the governor as to his fitness in every respect. Temporary officers even now are employed in certain circumstances which might be entirely obviated by increasing the permanent staff to 7 per cent., any less per-centage is entirely inadequate for many reasons which I am in a position to explain.

Objections are numerous why contracts should be local, not central. They could be accepted after examination of tenders and samples, by the Visiting Committee, subject to approval by Her Majesty's Commissioners. For instance, a short time since some oatmeal was supplied which was inferior in quality, a sample was sent to the Home Office for analysis and reported fit for use. It so happened that subsequently the contractor's traveller called, condemned it, said it should not have been sent, and forwarded a fresh consignment. All this delay would have been avoided by having a "local" contractor, and the prisoners would not have had inferior gruel (their staple food) for a week.

From the foregoing, in all its several bearings, I cannot but feel that if the Visiting Committee had greater financial and plenary powers and the governor extended discretion, and also that the inspection of prisons be made by a Commissioner three or four times a year, instead of monthly by an inspector, it might materially reduce the superior and clerical staff at the Home Office whilst adding greatly to the efficiency of the local prison service generally.

In order to reply by return of post must be my apology for this rough sketch.

I am Sir,
Your obedient servant,
A. TINKLAR, Governor.

The Rt. Hon. H. J. Gladstone, M.P.,
Chairman,
Departmental Committee, Prison Service.

(iii.)

A.

MEMORANDUM by Captain SCHUYLER on certain points dealt with in Colonel GARSIA'S evidence.

A brief account of my connexion with Wormwood Scrubs Prison will be the best means of enabling the Prison Committee to form a proper estimate of Colonel Garsia's allegations in reference to the management of that prison.

1. I was asked by the Prison Commissioners to take charge of the prison on the 18th of September 1891, and I remained in charge for 85 days. Before I went over from Wandsworth to take charge I was well aware of the fact that the prison was in an unsettled and unsatisfactory condition. This fact was known to all the officials in the prison.

When I arrived I was at once informed by the chief warder that the prisoners were in a state of insubordination. He has since confirmed this statement in exactly the same words. In further corroboration of this statement, I found on looking at the Punishment Book that a few days before my taking charge no less than nine (9) serious cases had come before the Visiting Committee for trial, of which six (6) were for striking officers. This is an unprecedented thing under normal circumstances. I also found that there had been an outbreak in the exercise yard in which the prisoner J. E. took part, and finally I found that in consequence of this outbreak all the warders were ordered to carry their truncheons when exercising the prisoners.

2. In these circumstances I set to work to discover the causes which were provoking this unsatisfactory state of affairs, and I found they could be traced to three heads:—(1.) Chapel. (2.) The warders. (3.) The punishments.

During the whole time I was there I directed my energies to the removal of these causes as far as it was in my power to remove them, and to mitigate them when it was not in my power to remove them. The actual steps taken by me I will now mention in detail—

(1.) *Chapel.*—I found that a great deal of the insubordination and discontent among the prisoners was to be traced to the fact that they were excluded from the public exercise of their religion in chapel. A reference to the Punishment Book will show that within a period of about six weeks prior to my taking charge of Wormwood Scrubs Prison Colonel Garsia punished no less than about 70 prisoners by excluding them from the religious services. On looking at the Act of Parliament, I had grave doubts as to the legality of this punishment, and I know I am not alone in this doubt. It is a separate punishment which was practically unknown at Wandsworth, and, I believe, at many of the best conducted local prisons. In these circumstances I determined, cautiously, to remove this cause of discontent. When, therefore, applications were made to me by prisoners who had been excluded from chapel before I took charge, I acceded to 19 of their applications after careful inquiry into the merits of each case. Colonel Garsia's statement that I allowed all to go to chapel irrespective of their conduct is accordingly contrary to the fact and the official record. Further, the chief warder denies that he ever made such a statement to Colonel Garsia. Before leaving this point I must inform the Committee that one of the most irritating hardships in a cellular prison is to intensify the prisoner's solitude. And it is very significant that between the date of my leaving Wormwood Scrubs and the day of the second outbreak (a period of seven days) no less than 35 prisoners were punished by Colonel Garsia by being deprived of chapel. (*See* Punishment Book.)

(2.) *Warders.*—The second difficulty in connexion with the administration of the prison was undoubtedly the warders. A reference to the length of service of the assistant warders will show the Committee that about three-fourths of these officers had been in the prison service for less than 12 months, and many of them for only a few weeks. I am absolutely certain that some of these young officers were employed on duty in the convict hall, in fact, it would have been impossible to administer the prison without utilising their services at some time or another in this part of the prison.

(*a.*) I must call the attention of the Committee to the fact that the good order of a prison largely depends on the assistant warders. It is these officers who come most immediately and continuously into contact with the prisoners, and, unless they have had time to acquire a full knowledge of their duties and of the spirit of forbearance in which the multitudinous regulations affecting a prisoner have to be enforced, the prisoners are sure to suffer, and offences against prison discipline are sure to be serious.

(*b.*) Now I emphatically maintain that about three-fourths of these assistant wardens had only rudimentary ideas of their duties. Most of them did their best under the circumstances, but I was sometimes in the painful position of having to listen to charges against a prisoner when it was really the system which was at fault.

(*c.*) In this state of affairs my duty, and it was a very delicate and difficult one, was to mediate as far as possible between the warder and the prisoner; in other words, while supporting authority to avoid injustice.

I carried out this policy in the following manner:—On the one hand I dismissed (after careful investigation) every complaint, without exception, made by the prisoners against the warders (*see* Application Book); and on the other, in the case of reports by officers against prisoners, I had to inform more than one officer that the evidence of the prisoner must be listened to as well as his own. Many of the warders resented the idea of my listening to a prisoner at all, and did not seem to realise that it was my duty to administer justice with absolute impartiality.

(*d.*) In answer to the allegation of Col. Garsia that I stirred up the worst feeling between prisoners and prison officers, a statement which he says he had from the chaplain and chief warder, I have only to say that both these gentlemen emphatically deny having said anything of the kind.

(3.) *Punishments.*—The next cause of the condition of the prison was the punishments. On taking charge of the prison and looking at the Punishment Book, I was struck with the number and severity of the punishments, and I arrived at the conclusion that a great deal of the disaffection among the prisoners was arising from that cause. I at once determined to adopt the methods which had proved so successful at Wandsworth and in which I had been trained. A reference to the official returns (which I have appended to this memo.) will at once show that Col. Garsia's charge of laxity of punishment by me is not borne out and has no more foundation behind it than his other allegations. Let me briefly analyse these returns:—

(1.) In the first place it will be seen that in number the punishments inflicted by me at Wormwood Scrubs amounted in a daily average per 1,000 to 6·7. This number of punishments exceeds the number inflicted in convict prisons and at the neighbouring local prisons of Pentonville and Wandsworth.

(2.) In the second place, as regards the nature of the punishments, I find that I inflicted about as high a ratio of severe punishments as Pentonville, Wandsworth, and the convict prisons, and a decidedly higher ratio of other punishments. Whether, then, the amount of punishment inflicted by me is judged by the standard of the convict prisons or by the standard of the neighbouring local prisons, it will be found that the allegation of systematic laxity falls to the ground. Considering the anomalous circumstances of Wormwood Scrubs Prison in the light of my additional experience of prison administration, I feel convinced that the discipline of the prison could have been efficiently maintained with less punishment than I then inflicted.

It now remains for me to call the attention of the Committee to Colonel Garsia's ideas of prison punishment as measured by his practice.

On looking at his evidence I find that he sat by the Visiting Committee whilst a prisoner was being sentenced to illegal punishment (Question 6,449). I also find that when he was asked if he thought this illegal punishment was severe, he answered No. (Questions 6693–5). I find that he signed the Punishment Book for the execution of this illegal sentence.

Again when I look at the number and nature of the punishments inflicted by him (*vide* Returns appended) at Wormwood Scrubs during the 63 days he was in charge, I find that the number of his punishments far exceed the punishments of any of the prisons enumerated in the appended return.

I also find that they are much more severe in character.

Colonel Garsia's conception of what he is pleased to call laxity must be looked at in the light of these facts.

Finally the Committee must remember that the outbreaks did not occur during my administration of the prison, but occurred under Colonel Garsia's.

E. E. S. SCHUYLER,
Deputy Governor.

H.M. Prison, Wandsworth,
26th February 1895.

INCLOSURE to foregoing.—Note showing how the APPENDED RETURNS are made out.

The contents of these two tables are extracted from the official returns which I will now enumerate:—

(1.) The punishments in the convict prisons are taken from the Report of the Directors of Convict Prisons for 1891–2, Part I.

(2.) The punishments in Pentonville and Wandsworth Prisons are taken from the 15th Report of the Commissioners of Prisons.

(3.) The Punishments at Wormwood Scrubs Prison are taken from the Punishment Book for 1891. In extracting these punishments I have included all, and classified them under their proper heads.

(4.) The length of time I was in charge of Wormwood Scrubs Prison (viz., 85 days) from 18th September to 11th December 1891, can be ascertained by a reference to the Application and Punishment Book. The length of time Colonel Garsia was in charge (viz., 63 days) from August 4th to September 17th, and from December 12th to December 29th 1891, can be ascertained from the same sources.

APPENDIX IX.

APPENDIX IX.

PUNISHMENT RETURN.

NUMBER of PUNISHMENTS per 1,000 PRISONERS per DAY.

Prisons.	Daily Average Number of Male Prisoners.	Punishments. Restraint.	Corporal Punishments.	Punishment Cells.	Dietary Punishment.	Loss of Stage (Class) or Privilege.	Total.	Daily Average Number of Punishments per 1,000 Prisoners.	Remarks.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
Punishments of male prisoners in convict prisons in the year 1891-2.	3,969	63	45	48	3,529	4,366	7,991	5·5	Convict prisons punishments.
Punishments of male prisoners in Pentonville Prison in the year 1891-2.	1,064	—	2	1	827	606	1,436	3·7	Pentonville Prison punishments.
Punishments of male prisoners in Wandsworth Prison in the year 1891-2.	952	1	14	13	947	1,351	2,326	6·6	Wandsworth Prison punishments.
Punishments of male prisoners in Wormwood Scrubs Prison for 85 days in September, October, November, and December 1891. Captain Schuyler in charge.	1,021 (approximate daily average of male prisoners for the 85 days).	—	10	10	174	391	585	6·7	Wormwood Scrubs punishments (Captain Schuyler).
Punishments of male prisoners in Wormwood Scrubs Prison for 63 days in August, September, and December 1891. Colonel Garsia in charge.	997 (approximate daily average of male prisoners for the 63 days).	—	9	16	276	537	838	13	Wormwood Scrubs punishments (Colonel Garsia).

PUNISHMENT RETURN.

NATURE OF PUNISHMENT PER 1,000 PRISONERS PER DAY.

Prisons.	Daily average No. of Male Prisoners.	Restraint, Corporal Punishment, Punishment Cells, Dietary Punishment.	Ratio of Punishments (Column 3) per 1,000 Prisoners per Day	Loss of Stage (Class) Privilege.	Ratio of Punishments (Column 5) per 1,000 Prisoners Per Day.	Remarks.
1.	2.	3.	4.	5.	6.	7.
Punishments of male prisoners in convict prisons in the year 1891-2.	3,969	3,685	2·7	4,306	2·8	Convict prison punishments.
Punishments of male prisoners in Pentonville Prison in the year 1891-2.	1,064	830	2·1	606	1·6	Pentonville prison punishments.
Punishments of male prisoners in Wandsworth Prison in the year 1891-2.	952	975	2·8	1,351	3·8	Wandsworth prison punishments.
Punishments of male prisoners in Wormwood Scrubs Prison for 85 days in September, October, November and December, 1891. Captain Schuyler in charge.	1,021 (Approximate daily average of male prisoners for the 85 days.)	194	2·2	391	4·5	Wormwood Scrubs punishments (Capt. Schuyler.)
Punishments of male prisoners in Wormwood Scrubs Prison for 63 days in August, September, and December 1891. Colonel Garsia in charge.	997 (Approximate daily average of male prisoners for the 63 days.)	301	4·7	537	8·3	Wormwood Scrubs punishments (Col. Garsia).

B.

OBSERVATIONS by COLONEL GARSIA on the foregoing MEMORANDUM by CAPTAIN SCHUYLER.

This memorandum is Captain Schuyler's own account of the methods by which he brought Wormwood Scrubs Prison into the state in which I found it on resuming charge on 12th December 1891. My perusal of it only confirms the opinion I then formed, and have expressed to the Committee. I adhere to every word of the evidence given by me on the 22nd November 1894, and I am ready to repeat it on oath.

Captain Schuyler joined at Wandsworth Prison, on probation as a deputy governor, on the 15th June 1891; and on the 18th September, or just three months after he had so joined, he took over the temporary charge of Wormwood Scrubs Prison, with which prison he had had no previous connection whatever, had no acquaintance with any of the officials, and was never even inside the walls. What, then, were his means of becoming well aware of the condition of Wormwood Scrubs Prison, and what credit is to be attached to his statement that "before he went over from Wandsworth "to take charge, he was well aware of the fact that the "prison was in an unsettled and unsatisfactory con- "dition, and this fact was known to all the officials in "the prison."

When he arrived at Wormwood Scrubs, he says "he "was informed by the chief warder that the prisoners "were in a state of insubordination." What did he do on being so informed? Did he at once report this alarming condition of things, as was his bounden duty, to the Commissioners, to whom he reported in writing his having taken over the charge? Did he record the fact in his journal, and did he bring it before the Inspector of Prisons? Further, did he test the truth of this alleged report of the chief warder? Did he ascertain that the prisoners were resisting authority, were

APPENDIX IX.

defiant, and that they were beyond control? The answer is distinctly—*No*. He only reported about the drains and the corridors (*see* questions 3264 to 3268 of his evidence).

For corroboration of the alleged report of the chief warder, he says "he looked at the punishment book "and therein discovered—

(*a.*) "That a few days previously nine serious cases had come before the visiting committee for trial, of which six were for striking officers;

(*b.*) "That there had been an outbreak in the exercise yard in which the prisoner J. E. took part, and

(*c.*) "that, in consequence of that outbreak, all the warders were ordered to carry their truncheons when exercising the prisoners."

As to (*a.*):—The cases brought before the visiting committee were those which had occurred since the last monthly meeting of the committee, and which, by statute, could not be dealt with by the gaoler.

They were as follows:—

Breaking cell furniture	3
Aiding a prisoner who assaulted an officer	1
Assaulting officers	5

and the five last offenders were the most incorrigible prisoners in the prison, but not one of them was a penal servitude prisoner.

Against this number tried in September, there was but one case brought before the visiting committee in August, which shows how crime in as well as out of prison fluctuates.

As to (*b.*) the occurrence was as follows:—

Three prisoners were at exercise under an officer who checked two of them for talking, "J.E." and "S.P." One of these incorrigibles assaulted the officer—the other aiding him—who shook them off and was unhurt. There was no premeditation. There was no combination. It was a case of assault, pure and simple, which has happened in the best ordered prison over and over again, and will happen again and again, in spite of every precaution.

To call this "an outbreak of the prisoners in Wormwood Scrubs Prison" is a gross exaggeration.

As to (*c.*), the order for all officers to have their truncheons with them when on duty, and to carry them when superintending the exercise of prisoners, was made in consequence of my finding that the officers left their truncheons at their homes, instead of having them in the pocket provided in their trousers for the purpose.

In convict prisons, the officers superintending prisoners at exercise are posted at some distance from the prisoners, and invariably carry their truncheons. The officers are thus kept alert, and assaults are prevented.

Having regard to the class of prisoners at Wormwood Scrubs, viz., convicts, and prisoners under long sentences, a large number being ex-convicts, &c., I ordered, with the approval of the Commissioners, the practice which had prevailed at Wormwood Scrubs when a convict prison, to be carried out, with the result that officers became more alert, and there were no further assaults on officers supervising the exercise of prisoners.

Captain Schuyler says that six reports in one month for assaults on officers is an unprecedented thing under normal circumstances. On this I respectfully submit that the Committee would get more light from gentlemen of the experience of—

Sir E. Du Cane,
Captain Stopford,
Mr. Fagan, Mr. Wakeford } Ex-directors,
Captain Helby, Wandsworth,
Captain Harris, Portland,

and other old governors who know how incorrect is the statement.

(2.) Captain Schuyler says "he set to work to dis- "cover the cause which was provoking this unsatis- "factory state of affairs,"—presumably "the state of "insubordination of the prisoners of which," he says, "he had been told," but which I again assert did not exist when I handed over the charge of the prison, and this is borne out by the statement in writing of the chaplain, Mr. Merrick, *see* his letter appended, paragraph 3; also the Annual Report of the Inspector, Major Griffiths, who reported (*see* page 96 of Part 2 of the Commissioners' Fifteenth Report: "The conduct of the "officers has been good. The conduct of the prisoners "has been generally good, but at one period of last "winter a certain number of convicts were very ill- "conducted."

Captain Schuyler says he found that the unsatisfactory state of affairs could be traced to three causes:—

(1.) Chapel;
(2.) The Warders;
(3.) The Punishments;

and then he set to work and directed his energies to the removal of these causes.

(1.) *Chapel.*—He does not say how he arrived at his conclusion. Did he hold an inquiry and take evidence? Did he consult with the chaplain, Mr. Merrick? And on the point of law did he appeal to the Commissioners or the Inspector? To all of these the answer is clearly, *No*. He thinks it enough to say he found it so, and that he considered the punishment illegal—he, a novice without experience and without knowledge. He therefore allowed 19 prisoners, who were temporarily excluded by me from attending chapel for misconduct, to attend, and he would not order any prisoner who misbehaved in chapel to be temporarily excluded therefrom. Yet he says that it is contrary to fact to say that he allowed all prisoners to go to chapel, irrespective of their conduct in chapel. He further says that in 63 days I sentenced 70 prisoners to be kept from chapel. This is at the rate of one per diem out of a daily average of over 1,000 male prisoners; but he omits to mention this important fact, that the seating accommodation for male prisoners in the Protestant chapel was 80 to 100 less than the number of male Protestant prisoners in the prison, and that when he was allowing the ill-behaved in chapel to attend the services there was an average of 80 prisoners (presumably well conducted) locked in their cells and kept from the services for want of seats in the chapel. I accept Captain Schuyler's figures as correct, seeing that he has had all the books and records of Wormwood Scrubs to carefully examine. Then he further says that, in the seven days ended 19th December 1891, after I had resumed charge, I sentenced 35 prisoners to be kept from chapel for misconduct at the services. This goes to prove how his way of dealing with this offence acted—that it quintupled the offence.

I doubt, also, if Captain Schuyler can be aware that the punishment he mostly awarded, viz., "— days' close confinement in cell," deprived a prisoner not only of chapel, but of exercise, and doubly intensified the prisoner's solitude.

2. *Warders.*—I have furnished the Committee with a nominal list of the discipline staff of Wormwood Scrubs Prison, showing the length of service of each officer. I adhere to every word in the memorandum appended to the return; and will only add that when Captain Schuyler took over charge of Wormwood Scrubs Prison there were only nine assistant warders who, like himself, had less than four months' service, two others who had less than six months, one less than eight months, and eight over eight and less than 12 months, out of a total of 62 discipline officers.

Captain Schuyler reflects unfavourably on the officers, yet in (*c*) of his memorandum he states that he "dis- "missed, after careful investigation, *every* complaint, "without exception, made by the prisoners against "the warders."

This is strong testimony that the officers were not unfair or harsh, or inefficient, as he represents in (*b*), and it is hard to reconcile it with what he says in (*c*).

(*d.*) I made no allegation. I repeated what was officially reported to me by the chief warder. As to the chaplain, I can only ask the attention of the Committee to the attached paper, in which he, the Rev. Mr. Merrick, definitely records his knowledge and opinion of the occurrences at Wormwood Scrubs Prison during the period in question. The Committee have heard what the medical officer of the prison (Dr. Patmore) had to say, and I would be glad if they would call Major Clayton, now governor of Lewes Prison, who joined at Wormwood Scrubs on the 21st December as deputy governor, who, having succeeded me in the charge, can speak with authority.

(3.) *Punishments.*—Captain Schuyler says: "On "taking charge of the prison, and looking at the "punishment book, I was struck with the number and "severity of the punishments, and I arrived at the "conclusion that a great deal of the disaffection among "the prisoners was arising from that cause, and I at "once determined to adopt the methods which had

"proved so successful at Wandsworth, and in which I "had been trained."

As I have explained to the Committee in evidence, the conditions of Wandsworth and Wormwood Scrubs prisons were entirely different, the former being an old-established prison, in which the prisoners were mostly under short sentences and none under penal servitude, whilst Wormwood Scrubs had been but 10 months converted into a local prison, and contained nearly 300 out of over 1,000 prisoners doing penal servitude, nine-tenths of the remainder being under long sentences, a large number being ex-convicts. In the face of this, in the face of the warning I gave this gentleman, who had been but three short months a prison official, he says he deliberately changed the discipline, reducing the punishment by half, and he is at the trouble to prove this by the returns he has prepared and appended, but which only shows the number of punishments, not the nature of them, or whether adequate or inadequate. I submit that this completely bears out what I stated in evidence as my opinion as to the cause of the condition of the prison when I resumed charge, and I venture to think the Committee will not desire me to go more fully into details. I would, however, repeat what I stated in evidence—question 6757—viz.: "that in a numerical "return the number of punishments to the number of "offences in no way shows whether the punishments "are severe, or the reverse, as one punishment may "really be more severe than three or even four for the "one offence."

Captain Schuyler next says: "It now remains for me "to call the attention of the Committee to Colonel "Garsia's ideas of prison punishment as measured by "his practice. I find that Colonel Garsia sat by the "Visiting Committee whilst a prisoner was being sen-"tenced to illegal punishment (Q. 6449). I also find "that when he was asked if he thought this illegal "punishment was severe, he answered "No" (Q. 6693–"5)."

A reference to the replies made by me to the questions quoted, and to my further evidence when called a second time before the Committee, will show that this is based on a complete misunderstanding of the facts. I have stated, and again state, that the sentence of the Visiting Committee, "42 days crank labour in P. cell," was not illegal, as the "P." did not stand for "punishment," but for "penal," which is an ordinary cell used in a convict prison for crank labour.

There is also no word in my evidence to show that I was asked if I thought that an award of 42 days in a punishment cell was severe (a punishment which would, if awarded, have been quite illegal), and that I replied "No." The questions and answers, 6693–6, do not relate to any particular punishment, but to the prisoner J. E.'s record of punishments generally, which, I pointed out, had been awarded not by the governor but by the Visiting Committee, and admitted that it was a heavy record, but that the offences were also heavy.

In conclusion, I venture to remind the Committee that it is Captain Schuyler who has voluntarily come forward after the lapse of three years and stated:—

"That there was an outbreak at Wormwood Scrubs prison immediately before he went there in September 1891, and a second outbreak ten days after he left, and that the causes of those outbreaks was the severity of the punishments inflicted by Colonel Garsia."

I have shown that there were not two outbreaks, but only the disturbance in the chapel on the 19th December 1891; that, in such disturbance, only prisoners under sentence of penal servitude were concerned, and that only eight of them actually took part; that no officer was struck, and that, of the eight prisoners concerned in it, only four were ever before me for misconduct, and only one received anything in the nature of punishment, viz., to be kept from chapel for seven days for misconduct in chapel.

M. CLARE GARSIA.

5th March 1895.

ENCLOSURE No. 1 to foregoing.—LETTER from Colonel GARSIA to the Rev. Mr. MERRICK.

Home Office, 14th December 1894.

DEAR MR. MERRICK,

IT has been stated that there was an outbreak at Wormwood Scrubs Prison immediately before the 18th September 1891, that the so-called outbreak in the chapel on the 19th December 1891 was the second outbreak which occurred at Wormwood Scrubs during the year 1891. As you were chaplain of the prison at that time, and knew all that was going on, will you kindly reply to the following questions:—

(1.) Where and on what date did the first alleged outbreak occur; what was the nature of it; what prisoners were concerned, *i.e.*, the number, and how and by whom was it quelled?

(2.) Were the officers of Wormwood Scrubs Prison discontented with their treatment during any of the three periods of my charge there in 1891?

(3.) What was the condition of the prison and prisoners when I went on leave on September 18th, 1891?

(4.) Were the officers contented with their treatment during the time I was absent on leave—viz., 18th September to 12th December 1891?

(5.) Was there a good feeling between the officers and prisoners when I resumed charge of the prison on December 12th, 1891, and did you ever mention to anyone that there was a bad feeling?

(6.) Did you know and mention to anybody that the officers were, prior to my return on December 12th, about to petition the Secretary of State or the Commissioners regarding the way they were being treated, and by whom?

(7.) Have you ever, in all your constant communications with prisoners at Wormwood Scrubs, had complaint made to you, or heard prisoners complain, of severity of punishment or ill-treatment at my hands?

Yours very truly,
(Signed) M. CLARE GARSIA.

ENCLOSURE No. 2 to foregoing.—LETTER from the Rev. Mr. MERRICK to Colonel GARSIA.

H.M. Prison, Holloway, N
December 20, 1894.

DEAR COLONEL GARSIA,

WITH much pleasure I answer these questions.

(1.) There was only one outbreak at Wormwood Scrubs Prison during the time that I was chaplain there. That took place on the 19th of December 1891, the date which you have mentioned.

There was, however, on Sunday afternoon, November the 22nd, 1891, a "*panic*" in the prison chapel which might have resulted most seriously had I not been able happily to quell it almost immediately.

A female officer, R. M., on leaving her seat in the chapel after the service was over, took hold of the gas standard, and accidentally pulled it down. It fell upon her and she gave a little scream. This caused other women to scream, and a scene of great disorder and noise ensued.

I ran out of the vestry to see what was the matter; and I found the women shrieking and the men standing on their seats and shouting. I went into the body of the chapel, stood upon a seat, and told the men to sit down. They at once complied with my request, and I then narrated to them what had occurred, asking them to reverence the sanctuary and to go out quietly. They did so and the matter ended. I believe that no prisoner was reported on that occasion, and that no further notice was taken of that which was purely accidental, and which was in no way of the nature of an outbreak.

(2.) Most decidedly not, I cannot conceive of any governor laying hold of the esteem and almost affectionate regard of his officers more than you did.

(3.) The prison was well ordered, the prisoners were suggesting no grievances, and the officers were apparently happy in the performance of their duties.

(4.) I think not.

(5.) There was not a good feeling between the officers and prisoners when you resumed your charge of the prison, and I think that I mentioned the fact to you and I believe to the inspector also.

(6.) I did mention that the officers had said that they thought that "the attention of H.M. Commis-"sioners should be drawn to the state of the prison "discipline" prevailing before you again acted as governor.

(7.) No, certainly not.

It always appeared to me that when you dealt with the prison offences, the prisoners themselves seemed to regard your decisions as being extremely impartial and fair.

Yours very truly,
(Signed) G. P. MERRICK.

C.

Paper handed in by Mr. Mitford.

(Question 10,663.)

LIST of OFFICERS* who comprised the MALE SUPERIOR STAFF of WORMWOOD SCRUBS PRISON from November 1890 to December 1891.

(14th February 1895.)

Rank.	Name.	Date of Appointment to the Service.	Remarks.
Governor	Captain T. S. Kirkpatrick	24th July 1869.	
Deputy governor	Lieut.-Colonel M. Clare Garsia.	20th April 1878.	
Chaplain	Rev. G. P. Merrick	29th April 1877.	
Assistant chaplain	Rev. E. F. Jackson	6th February 1879.	
Medical officer	T. D. Patmore	21st February 1879.	
Assistant surgeon	V. N. Bindley	9th April 1884.	
Roman Catholic priest	Rev. W. Kay	29th April 1879.	

* Captain Schuyler, Deputy Governor of Wandsworth, was in temporary charge of Wormwood Scrubs Prison from 18th September to 12th December 1891.

LIST of OFFICERS who comprised the MALE DISCIPLINE STAFF of WORMWOOD SCRUBS PRISON from November 1890 to December 1891.

(14th February 1895.)

Rank.	Name.	Date of Appointment to the Service.	Remarks.
Chief warder	E. Witheford	25th April 1876.	
Principal warder (gate-keeper).	R. Maskell	5th May 1855.	
Do.	S. Kemp	26th November 1864.	
Do.	S. Rowett	1st April 1866.	
Do.	J. Forster	23rd June 1867.	
Do.	W. Graham	8th March 1869.	
Do. (cook)	A. Hutton	31st January 1875.	
Do. (baker)	J. Flinders	21st February 1882	Joined on transfer, August 1891.
Warder	T. H. Davies	26th April 1875.	
Do.	H. Bishop	2nd July 1875.	
Do.	T. M. Day	16th January 1876	Transferred, 31st May 1891.
Do.	W. Sutton	17th July 1876	Superannuated, 16th March 1891.
Do.	J. F. Porteus	27th August 1876.	
Do. (gate-keeper)	F. Babbage	26th January 1877.	
Do.	F. Sheldrick	31st January 1877.	
Do.	G. Wood	14th April 1877	Superannuated, 15th November 1891.
Do.	J. Ross	7th July 1877	Dismissed, 16th May 1891.
Do.	C. Perry	5th December 1877.	
Do.	R. W. Banyard	1st February 1879.	
Do. (schoolmaster)	B. Bodinner	20th February 1879.	
Do.	W. M. Ling	9th August 1881.	
Do.	W. Marks	7th October 1881.	
Do.	H. Lawrence	24th October 1881.	
Do. (schoolmaster)	W. T. Jewell	15th May 1882.	
Do.	F. Lomer	24th April 1885.	
Do.	F. Reid	22nd June 1885.	
Do.	J. Stephen	12th October 1885.	
Do.	W. Evans	1st December 1885	Joined on transfer, January 1891.
Do.	G. England	1st March 1887.	
Do.	H. Pope	16th July 1888.	
Assistant warder	A. Green	10th August 1862	Superannuated, December 1890.
Do.	G. Chesterton	26th October 1873.	
Do.	F. Bailey	11th October 1886.	
Do.	G. French	21st February 1887	Promoted, April 1891.
Do.	J. R. Brass	28th March 1887	Joined on transfer, January 1891.
Do.	R. Moss	25th April 1887	Dismissed, 29th August 1891.
Do.	E. Bennington	13th July 1887	Resigned, 24th June 1891.
Do.	G. Pringle	2nd July 1888.	
Do.	J. Hallsey	Do.	
Do.	J. White	Do.	
Do.	J. W. Kempster	18th September 1888.	
Do.	I. Downing	29th October 1888	Joined on transfer, June 1891.
Do.	A. H. Leartheart	18th August 1889.	
Do.	T. A. Roose	8th October 1889.	
Do.	T. Lake	25th December 1889	Joined on transfer, May 1891.
Do.	E. Mansfield	20th January 1890.	
Do.	J. Winship	22nd March 1890	Transferred, 7th May 1891.
Do.	A. Burgess	27th March 1890	Dismissed, 22nd April 1891.
Do.	T. Rossell	4th June 1890	Transferred, 10th February 1891.
Do.	F. Dunmall	4th September 1890.	
Do.	W. Holdway	4th November 1890.	
Do.	A. Marsh	8th November 1890.	
Do.	J. Burt	12th November 1890.	
Do.	W. J. Rudland	26th November 1890.	
Do.	F. D. Witcombe	1st December 1890.	
Do.	J. C. Wilkinson	8th December 1890.	
Do.	G. Akehurst	20th December 1890.	
Do.	R. Sprinks	Do.	

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Rank.	Name.	Date of Appointment to the Service.	Remarks.
Assistant warder	A. Elliott	11th January 1891	Dismissed, 17th August 1891.
Do.	G. A. Travis	24th February 1891.	
Do.	J. T. Pickford	6th April 1891.	
Do.	C. J. H. Bannan	6th May 1891.	
Do.	A. Moore	24th June 1891.	
Do.	H. Hancock	21st July 1891.	
Do.	W. C. Jones	22nd July 1891.	
Do.	E. Dixon	27th July 1891.	
Do.	W. Dixon	28th July 1891.	
Do.	D. J. Myland	29th July 1891	Resigned, 8th December 1891.
Do.	J. A. Cook	8th September 1891	Resigned, 13th November 1891.
Do.	N. Anderson	16th September 1891	Resigned, 6th October 1891.
Do.	E. T. Newing	Do.	Transferred, 17th October 1891.
Do.	H. Hann	21st September 1891.	
Do.	W. J. Robinson	22nd September 1891,	
Do.	H. Hine	23rd September 1891.	
Do.	F. Baxter	29th September 1891	Discharged, 9th November 1891.
Do.	F. H. Pritchett	13th October 1891.	
Do.	W. C. R. Davis	16th November 1891.	
Do.	R. J. Nicholas	1st December 1891.	
Do.	J. Middleton	16th December 1891.	
Do.	G. Hunns	22nd December 1891.	

MEMORANDUM accompanying a NOMINAL LIST of the SUPERIOR OFFICERS and DISCIPLINE STAFF (MALE) at WORMWOOD SCRUBS PRISON from November 1890 to December 1891.

When the convicts were removed from Wormwood Scrubs and that establishment was constituted a local prison on 1st November 1890, a staff, consisting of seven officers above the rank of warder, 15 warders, and 23 assistant warders, was transferred from other local prisons, principally from Millbank and Holloway. In the course of the following year 11 vacancies from various causes occurred among these officers, which were filled by promotions and fresh appointments.

The staff was further increased during the year, as the prison filled up, by 18 more officers, viz.:—five old officers transferred from other prisons, and 13 new appointments.

As the convicts serving their first nine months gradually accumulated a suitable staff selected from the older officers was appointed to do duty in the hall which they occupied.

(iv.)

Memoranda by Sir E. Du Cane on certain points dealt with in Sir G. Lushington's evidence.

A.

MEMORANDUM as to the RECONSTRUCTION of DARTMOOR and PORTLAND PRISONS.

The reply given by Sir G. Lushington to Question 11,402 is calculated to give a very erroneous impression of the action or rather alleged inaction of the Directors of Convict Prisons.

I do not at all wish to contest the view that great benefit may be derived from independent criticism such as may be passed by a body like the visitors, but I object to the instance given to support that view because it does very great injustice to the Directors.

Anybody reading or hearing the statement in question would suppose that the Directors had kept the Secretary of State in ignorance of the inferiority of the cells at Dartmoor during the last 20 years at least, and therefore nothing had been done to bring the prison up to a modern standard.

In relating this to prove the inaction of the Directors Sir G. Lushington seems to have strangely forgotten, if he ever knew, that, as a matter of fact the great part of the cell accommodation at this prison has been reconstructed during the period named, and the inferior cells actually thrown out of use altogether. If this had been stated the matter would have appeared in quite a different light and the illustration would have lost all point.

There are 652 large and airy cells of modern construction in Dartmoor Prison, built between 1871 and 1885, besides accommodation for 82 in hospital, which, as Dartmoor has a number of invalid prisoners, is generally pretty full, so that without using the inferior cells or sleeping berths it can accommodate 732 prisoners.

Since 1885, or even before this, the population of the male convict prisons has been rapidly decreasing, it has fallen from 8,078 to 3,106; what number it will ultimately fall to cannot be foreseen, nor of course how it will be best to distribute them among the convict prisons, for this depends on Admiralty and War Department works and other considerations.

Common prudence therefore suggested that before building any more cells, we should let events develop and act according to circumstances, for by acting in a headlong manner, not only might a quantity of public money be thrown away, but the execution of other urgent works be delayed.

This course has been quite justified by events, for by 1892 the number of inmates of this prison had fallen to 562 including hospital inmates, and as we could accommodate 732, as above stated, without using any of the inferior cells, the provision was ample.

It must not be supposed, however, that all improvements at Dartmoor ceased, when the rebuilding of the cells was suspended. There were many other defects to be remedied to bring this old prison up to a modern level, such as better baths, workshops, cookhouses, &c. and above all, better quarters for the officers. These have been duly proceeded with, and like the cells, without the need of any stimulant from outside.

Some of the disused cells have lately been brought again into use for reasons I will presently give; but considering what the Directors had already done *proprio motu* it might surely have been assumed that, when the progress of the other works, already begun, admitted, they would continue the work of reconstructing the cells.

I might add, as showing that the Directors have been quite alive on this subject, that two other convict prisons have been replaced by new ones, and that the improvement of local prisons has been going on without ceasing since we took them over.

During the last two of three years great changes have taken place in the distribution of convicts on public works, largely owing to the completion of the naval works at Chatham and Portsmouth, on which they were engaged, and to the diminution of the number of convicts. These causes have led to the above-named prisons being closed and, as a consequence, to the increase of the population of Dartmoor Prison, and the re-occupation of some of the disused cells. It cannot be assumed that all of the cells thus re-occupied will be permanently required so as to justify new cells being built to replace them, because the diminution in the number of convicts is still going on and the distribution among the various convict prisons has to be considered; but besides these, there are other works of equal or

greater importance already in course of execution, and of course it was proper to complete these before beginning new ones.

Among the works thus being executed are new quarters for the officers, to replace some which were very inferior and had been pulled down, and this is the most urgent need of the moment. I believe that a consideration of the foregoing facts will show that the directors have not been at all backward in improving Dartmoor Prison.

As the reconstruction of Portland Prison has been referred to, it is desirable that the circumstances relating to its original construction should be set out. It was built with the object of employing the convicts on the construction of the breakwater and the fortifications. These works were of a large enough character and certain to take so long a time as to justify the erection of a prison for the purpose. Having been finished, the works on which prison labour has since been employed have been of a much smaller type, and the Admiralty and War Department could not guarantee the employment of more than a very small number of convicts there for any length of time.

To rebuild the prison under these circumstances would be to spend a great deal of money and labour with the risk of having no employment for the inmates when it was completed, and, in view of the continued decrease of the convict prison population, having perhaps no inmates.

But the Directors two or three years ago obtained the sanction of the Secretary of State to a large part of the prison being pulled down with the object of very much improving the remainder. The prisoners' cells were, however, not the only part of the prison which having been built for temporary purposes, and according to a lower standard than now prevails, required consideration.

The provision of new quarters for the officers was at least equally urgent or more so, and this has been the part of the work on which we have been engaged.

There is another point which, perhaps, I ought to refer to. The erection of buildings affords excellent employment for convicts. They have to learn and practice a great variety of trades, and everybody would admit that it affords a legitimate field for their labour. We have been able to do at small expense an immense amount of useful and valuable work by this means, and providing health is duly regarded, these considerations are sufficiently important to outweigh the advantage of having the works completed more quickly if done by contract. It is obvious that when the number of convicts falls very low the facilities for executing large buildings by their labour are diminished and execution by contract may become necessary, but the same cause tends to make smaller buildings necessary, and may perhaps make them not necessary at all. As an illustration of this, I may point out that if the reconstruction of the convict prisons at Chatham and Portsmouth had been pressed on, say, 10 years ago, we should have spent hundreds of thousands of pounds, and by this time had no prisoners to put in them. I believe, therefore, that in the public interest much deliberation is appropriate before undertaking large reconstructions of prisons.

B.

MEMORANDUM as to the VIEWS of the COMMISSIONERS on USEFUL LABOUR for PRISONERS, in reply to Question 11,402.

The second instance given by Sir G. Lushington in order to show the inaction of the Prison Commissioners is also so phrased as to give a very inaccurate impression, much to their disadvantage, for he seems to suppose that they have been entirely indifferent to the advantage of useful labour in the abstract. This is diametrically opposed to the views they have strenuously endeavoured to carry out. The reports of the Prison Commissioners teem with references to their efforts to introduce new employments in the local prisons for this has from the first continuously occupied their earnest attention. But the remarks of the visiting committee referred to by Sir G. Lushington referred, not to prisoners' labour in general, but to the sort of labour called hard labour of the first class, namely, "treadwheel, crank, capstan, stonebreaking, or other "like kinds of labour," on which by the statute under which the prisons are governed, all male adult prisoners must during the first month be employed.

A committee appointed by the Secretary of State, soon after the Prison Act of 1877 came into force recommended that the treadwheel should be adopted for this description of labour, or failing that, the crank The whole point for discussion in the Bristol case was whether the treadwheel or crank, thus by statute required during the first month, would have a greater moral effect if it produced some result, such as grinding corn, rather than producing no result. This is quite a different thing from what anybody would gather from Sir G. Lushington's evidence, in which nothing is said about its applying solely to the period of treadwheels.

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The Commissioners have always considered that the practice of useful labour is one of the principal reformatory influences in the prison system, and prisoners are encouraged to look upon it as a reward and an improvement in their condition compared with penal labour.

Industrial labour may have a good moral and mental effect when it puts these faculties in operation, as when a prisoner can by exerting himself put out work of better quality or in larger quantity. But a prisoner who is one of a gang turning a treadwheel at a fixed rate, which by means of machinery works some millstones at a distance, has no scope for those faculties; his part is no more than that of the spring or weight which sets clockwork in motion, and it cannot make the smallest moral or mental difference to him whether the wheel turns some millstones or not. At some prisons where the flour is ground by the treadwheel the supply of flour for the prison is all obtained by a few hours of treadwheel labour in the week, and nobody would venture to say that directly the millstones are disconnected from the wheel the prisoners cease to derive some moral advantage which was infused into them before. Mill machinery is a costly addition to the expense of putting up a treadwheel, and a treadwheel with its house is a much more costly mode of furnishing first class hard labour than a crank in a cell. Moreover the mere grinding is only a small part of the expense of producing the flour, so that flour ground by treadwheel labour in a prison is often found to cost more than if bought straight from a contractor. In this case there would be no return of any kind, moral or pecuniary, for the expenditure involved. It is possible that the statutes which require that first class hard labour should be enforced might come into question, but this opens up other considerations, and has not, so far as I know, been proposed; at all events, it was not raised in the correspondence Sir G. Lushington refers to, nor does he suggest it. I may, however, perhaps be allowed to relate this personal experience:—In 1875, before the transfer of local prisons to Government, some question arose as to the period for which first class hard labour ought to be enforced. At that time, under the Act of 1865, it might be enforced during the whole of a sentence of imprisonment, and was compulsory during three months at least. The Secretary of State, Mr. Cross, did me the honour to consult me on the subject. I suggested that the three months might very well be reduced to one, and when the Prisons Bill was brought in this change was embodied in it. The rules subsequently made turned this period of penal labour to account as part of the progressive stage system, under which a prisoner is enabled by his good conduct and industry to improve his condition, for industrial labour is constituted a reward. This marked preference for industrial labour is quite inconsistent with the indifference which Sir G. Lushington unaccountably attributes to the Commissioners.

(v.)

OBSERVATIONS by the PRISONS BOARD on the STATEMENTS made by "Mr. E.," a witness before the DEPARTMENTAL COMMITTEE ON PRISONS, on 7th December 1894.

"Mr. E.," is an ex-convict, whose particulars are as follows:—

(1.) 4th May 1868, Central Criminal Court; burglary; seven years penal servitude, which he served at Portland Prison from 19th March 1869 to 7th October 1873, when he was licensed.

(2.) 8th February 1875, Middlesex Sessions; housebreaking; eight years penal servitude, which he served at Woking from 4th August 1875 to 16th January 1883, when he was licensed.

(3.) 8th January 1885, Maidstone Sessions; possessing housebreaking implements; 10 years penal servitude and seven years police supervision, which he

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served at Portsmouth from 16th July 1885 to 5th July 1892, when he was licensed with a remanet of 2 years 185 days.

During the first sentence he incurred no reports for misconduct, and was not punished. During the second sentence he was four times reported for misconduct, for which he was twice admonished and twice punished. During the third sentence he incurred no report for misconduct, and was not punished.

In the period covered by Mr. E.'s career there were two Royal Commissions, which went minutely into alleged prison grievances, visited the convict prisons, and fully informed themselves of what prisoners had to say as to their treatment.

(1.) *Q.* 9650. Witness alleges ill-treatment of a prisoner "D." at Portsmouth Convict Prison by warder Guest. Water thrown over him by order of the governor, Major Farquharson.

"D." cannot be traced, and there was no officer at Portsmouth Prison named "Guest," but an officer by name "Gast," now a principal warder at Parkhurst Prison; was a warder at Portsmouth Convict Prison at the time in question. Mr. Gast has been afforded the opportunity of seeing ex-convict "Mr. E.'s" statement, and has replied:—

"I am entirely at a loss to know what the ex-convict means. I have no recollection of anything of the kind occurring, and never at any time has the governor of any prison ordered me to throw water over a convict, neither have I done such a thing."

Major Farquharson, the then governor of the prison, has also seen "Mr. E.'s" statement, to which he has replied:—

"The statement made by the ex-convict is untrue so far as my ordering water to be thrown over any prisoner for refusing to leave the separate cells, and that I was looking out of a window and saw it done. At 8.30 a.m. I was always out on the works, I never got back to the prison 'till after 9 a.m., and then went into my office and opened the letters, &c. with the chief clerk; the office window faced the prison gate. Principal warder Gast was not strict with prisoners, he was rather too easy and free with them, not at all a likely man to play tricks on them. Water may have been sprinkled on a prisoner's face, and likely enough. You know prisoners have fits, real ones at times, or faint, and water would be sprinkled on their faces. You also know numbers of prisoners sham fits, but they generally recover before they get sprinkled when they see the water coming."

(2.) *Q.* 9651. Ill-treatment of a prisoner "D. L." at Woking.

"D. L." cannot be traced. No officer named.

(3.) *Q.* 9651 and 9652. Ill treatment of a prisoner, "S" (a Jew), at Portsmouth.

"S" cannot be traced. No officer is named.

(4.) *Q.* 9653 and 9654. Murder of a warder by a convict at Portland in 1879.

This no doubt refers to the murder by convict Jonah Dethridge of assistant warder Joseph Trevitt on 23rd March 1869 (not 1879 as stated). The convict struck the officer with a "pick" on the head and neck, inflicting injuries to which he succumbed in about three hours. Assistant warder Trevitt was stated by the governor to be a quiet well conducted officer, whilst the convict Dethridge was a man of very bad character.

The following is a copy of a voluntary statement made by convict Henry Davis immediately after the murder, who was in the same party, and who witnessed the attack on the officer:—

"At about 10 or 12 minutes past 11 o'clock on the morning of the 23rd March 1869, I was in a standing position waiting to go out with my barrow, when I saw a prisoner in my party, named Dethridge, walking in a hurried manner towards our officer, Mr. Trevitt, with a stone pick in his hand, as if to ask him to change it for him, but I believe from the hurried and suspicious manner in which the prisoner Dethridge approached him, he must have had some apprehensions as regarded his intentions towards him. He was standing in a position that he could not see him until the prisoner was close to him, but immediately he turned round to get away from him the prisoner Dethridge at the same moment aimed a blow at him but did not succeed in striking him in consequence of Mr. Trevitt having slipped and fell over the slope of the battery, a distance of about 6 or 7 feet. Prisoner Dethridge not having succeeded in his first attempt followed him to the spot where he fell and struck him on the left side of the back of the head with the side of the pick, I believe, and repeated the blow by striking him in the neck with the point of the pick. I have not the slightest hesitation in asserting that he intended to have continued striking him only that he saw some of the prisoners rushing towards him, myself among the number, and also assistant warder Holmes with his drawn sword. After the second blow he dropped the pick and ran towards Mr. Gulliver's party, but in consequence of Mr. Holmes and several prisoners shouting to stop him, Mr. Pearce, assistant to Mr. Gulliver, seized him, Mr. Gulliver coming immediately to his assistance. I have also to state that a short time previous I overheard a few words passing between Mr. Trevitt and the prisoner to the following effect: It appeared that Mr. Trevitt had ordered him to do something to a stone, when the prisoner said he should do it if he liked. Mr. Trevitt said, 'Well, we shall see if you will or not.' Dethridge said, 'Come and do it now.' The events recorded in this statement is, I swear, the solemn truth.

Signed by my own hand.

(Signed) HENRY DAVIS.

Witnessed.

(Signed) R. LAMBERT.

(Signed) H. MACINTOSH."

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(5.) *Q.* 9655. Murder of another warder named "Blyth."

This statement goes to show that there was no "nagging," but that the prisoner when ordered to do some work by the officer had said, "He should do it if he liked," the officer replying, "Well, we shall see if you will or not."

The facts were reported to the Secretary of State, and Dethridge was tried, convicted, sentenced to death, and executed at Dorchester on 12th August 1869.

See also Minutes of Evidence of Penal Servitude Acts Commission, Question 2144.

This no doubt refers to the murder of warder Bly. This officer was severely injured by blows from a shovel, inflicted on him by convict Thomas Ratcliffe on 20th April 1870, but lingered until 15th June 1870, when he died from the effects of the injuries he had received.

The facts were duly reported to the Secretary of State, and Ratcliffe was tried, convicted, sentenced to death, and executed at Dorchester on the 15th August 1870.

There are no papers in the possession of the Prison Department bearing on this case.

(5.) *Q.* 9660. Whilst he was at Portsmouth Convict Prison four men "made away with themselves."

Prisoner was at Portsmouth Convict Prison from 16th July 1885 to 5th July 1892.

Q. 9730. A man named "S." threw himself over the balcony and died directly he was taken to the hospital.

No name beginning with "S" can be traced, but convict D 1,136, John Jackson, did in July 1888 throw himself over the rails of the third landing. He was taken to hospital and died after four days from the effects of the injuries he received when he fell. The usual inquest was held, the verdict being "Suicide whilst of unsound mind." The facts were reported to the Secretary of State on the 16th July 1888.

Q. 9727. "H" hanged himself on the Sunday and when they opened his cell door Monday morning the man was dead, this was in 1890.

The prisoner had threatened to commit suicide when at Durham Prison. He was a quiet man. His own explanation of his act was that "he was tired of life in prison"; he made no complaint of ill-treatment.

No name beginning with "H" can be traced, but convict Q 154, William Lloyd, so destroyed himself in February 1891. The usual inquest was held, the verdict being "Suicide by hanging himself in his cell, but as to the "state of his mind at the time there is no evidence." There seemed nothing to account for the suicide, the convict during his imprisonment having incurred but three reports, none being of a serious nature. The circumstance was reported to the Secretary of State on 17th and 21st February 1891.

Q. 9735. He, "H. L." made away with himself, &c.

No name corresponding with "H. L." can be traced, and as a matter of fact there were only two suicides in Portsmouth Convict Prison, viz., those of convicts Jackson and Lloyd above stated, during the eight years ended 31st March 1893, in which the witness was there as shown in the Annual Reports of the Directors of Convict Prisons for that period.

Q. 9664. A man asked him at Portland to "strike his "hand with a hammer and smash it," which he refused, but another did it so as to need amputation.

This cannot be traced, no name or date being given.

Q. 9664. Self mutilation cases at Chatham.

These formed one of the matters investigated by the Penal Servitude Acts Commission 1879 (Lord Kimberley's). Much evidence was taken by the Commissioners, who came to the decision that "these acts "on the part of a certain number of prisoners did "not justify the conclusion that the severity of "punishment was excessive."

See Report, page 62, para. 141.

(vi.)

*Paper handed in by Mr. Trevarthen.**

The particulars relating to boys now in the farm school who have been previously inmates of voluntary homes may be summarised as follows:—

Of 40 boys of this class admitted since 1st January 1893 it should be understood they were all guilty of grave offences, many were well known to the police as habitual thieves, and some had been known to have been convicted before. Nearly all had been charged one or more times, pleaded guilty and been let off. Two had been convicted and punished three times before, and three once before. Two had been in the same or other voluntary home twice before and one three times. The average time they remained in the home to which they were sent by the magistrate was about seven weeks. Three of them absconded in a few hours, and three others within a week. Nearly all the rest absconded or were discharged for misconduct, and five of them were prosecuted for stealing from the employers with whom they were placed. Only three of the whole 40 remained in the home over six months.

* *Vide* Answer 2823.

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Col. M. C. Garsia.—It is the governor's duty to report when he expects to have too many prisoners in time to get some transferred; if there was actual over-crowding at Wandsworth the governor was to blame, although an excellent officer, 6649–58; *see* also 11,748; present system of weekly returns as to accommodation explained; an estimate of the number of prisoners likely to be received in the following week might be included in these returns, but what witness favours is a distinct order to the governors binding them to send in a demand for the removal of prisoners, 11,779–89.

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Mr. E. J. Ruggles-Brise.—Admits over-crowding in some female reception cells may exist, but efforts made to avoid it, 10,073–75; also admits there has been over-crowding in London prisons, 10,095–107; reduction in number of prisoners due largely to shorter sentences, necessity of care therefore in closing prisons, 10,280–86; you might perhaps deal with cases under, *e.g.*, the Education Acts, Vaccination Acts, &c., otherwise than by sending to prison, and so make room, 10,286–91.

Capt. E. Schuyler.—Necessary, at Wandsworth, in order to show compliance with s. 17 of Act of 1865, to add hospital, punishment, &c. cells to ordinary cells, and even then necessary to place prisoners in association or to transfer them, practically ignoring Rule 26, 2542–53. Association attended with serious evils and should be abolished; transfer an expensive process, 2556–59.

Abstract of accommodation for local prisoners on 31st March 1894, as shown in the reports of the Prison Commissioners. *Appendix* II. (p. 528).

Capacity and state of London local prisons from 1889 to 1892. *Appendix* II. (p. 529).

Capacity and state of Wandsworth Prison (male side) from 1872 to 1876. *Appendix* II. (p. 529).

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AMALGAMATION OF CONVICT AND LOCAL PRISONS.

Mr. Michael Davitt.—Witness's view on this subject, 11,221–6.

Sir E. F. DuCane, K.C.B., R.E.—No ground whatever for Mr. Morrison's charge that convict officers have been unduly favoured as compared with local officers; out of 25 appointments since 1877, 23 have gone to local prison chief warders, 10,806–8; object now is, and rightly, to amalgamate the local and convict prison services, 10,809, 10,810.

Col. M. C. Garsia.—Amalgamation of convict and local prisons would be a great convenience. No difficulty in the way, 11,749–54.

Mr. E. J. Ruggles-Brise.—Suggests as a matter for consideration the amalgamation of the two systems of local and convict prisons, a matter touched upon by the Kimberley Commission, the minimum sentence to penal servitude is now so short that the convict might pass his whole time in the local prison, the convict prisons being set free for recidivists, persons under indeterminate sentence, &c., 10,385–88.

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Col. M. C. Garsia.—Is not unfavourable to the suggestion made that certain governors, medical officers, and chaplains should assemble annually to discuss prison matters, and give to the Commissioners, and, through the Commissioners, to the Secretary of State, the benefit of their individual experiences, 11,732–40, 11,768–9.

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BOOKS FOR PRISONERS.

Mr. J. B. Manning.—Books changed at Pentonville once a week; sees no objection beyond administrative difficulties to allowing as many books as prisoner can read, 845–855.

Rev. G. P. Merrick.—Would allow prisoners more books on first admission, and generally as many books as they wish provided work is not interfered with, 1545–51.

Rev. W. D. Morrison.—Distribution of books practically a discretion left to officials of the particular prison, a discretion liberally interpreted at Wandsworth, 2961–65; 3327–9.

Capt. E. Schuyler.—Would interpret liberally rules as to books, 3160–62; for first two months prisoner gets religious or school books only, 3295–98.

Capt. W. J. Stopford.—Chaplain controls supply of books to prisoners, 335–41; no objection to allowing prisoners to read as they wish when not at work; nor to a change of book before the regular time, 342–4.

Mr. M. J. Walker.—Allows prisoners to read as much as they can without interfering with work, 1923–28.

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CELLS AT PORTLAND AND DARTMOOR.

Mr. E—— (ex-convict).—Cells at Portland too small, convicts suffer from cold in winter, vitiated atmosphere in summer, 9643–45.

Dr. R. M. Gover.—Cells at Portland too small and warming by gas jets bad; still not unhealthy, because convicts have so much out-door exercise, 1254–62, 1411–3.

Capt. F. Johnson.—Dartmoor Prison has about 730 large cells and 586 old corrugated iron cells, the latter are too small and should be abolished, 8759–69; and *see* 8897–902.

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CHAPLAINS AND CHAPEL SERVICES.

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Mr. Michael Davitt.—At Dartmoor practically no reformatory influence was exercised by the chaplains; younger and more enthusiastic men required, and a change of preachers (looked forward to with much pleasure at Dartmoor) is desirable; chaplains should vary their discourses occasionally, 11,264–7; would give the fullest liberty to Nonconformist ministers to visit prisoners of that persuasion, and selected officers of the Salvation Army would do far more good with certain classes of criminals than either the Protestant or Roman Catholic chaplains, 11,281–3.

Miss Fry.—There should be a female Scripture reader at large prisons like Holloway, in addition to the chaplain, 5523–4.

Col. M. C. Garsia.—In chapel (at Wormwood Scrubs, for instance) women are sometimes placed too close together. Remedy, either increased accommodation, or one half to attend at a time, 6530–4; Would sentence a man to deprivation of chapel, not as a punishment but as a preventive measure in cases where the prisoner misbehaves himself in chapel, 6639–41. Questioned whether a governor has power to keep a prisoner from chapel, witness states that the Commissioners are so empowered and in most cases delegate their responsibilities in this respect to the governors, 11,741; witness's views as to the construction to be placed upon Rule 46 of the First Schedule of the Act of 1865 which dispenses under certain circumstances with the obligation imposed upon a prisoner to attend at chapel, 11,770–6; most Catholic convicts go to service every day; the fact there is not daily Catholic service in *all* local prisons where they are confined is engaging the attention of the Board, 6642–6; has not heard that Catholics represent themselves to be Protestants in order to get daily service, but has heard the converse, the object being to get under a governor who was supposed to be milder, 6647–8.

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Major James Knox.—Favours a change of Chaplain, say every five years, 8040.

Miss E. Little.—Chapel at Strangeways not large enough to allow of prisoners being separated as they should be; difficulty could be met by holding two services a day, but more warders would be required, 5115–21, 5301–4; a Roman Catholic service is held on alternate days, 5164–70.

Rev. G. P. Merrick.—Attaches great importance to the influence of religion which is greatest with the young, and during the early part of a prisoner's term, 1640–43, 1678; a daily service for Protestants in all prisons, and for Roman Catholics where they are numerous; in other cases the daily ministration is left to the discretion of the priest, 1644–67.

Mr. R. S. Mitford.—System of chaplains (some of whom give their whole time, others only a portion) not perfect, but difficult to improve, 10,615–18.

Rev. W. D. Morrison.—More attention should be given to individual character of each prisoner, 3501; 300 cells as many as a chaplain can adequately attend to, 3502–3505. At Wakefield, Roman Catholic convicts had a daily service; not sure whether this is so at Wandsworth, 3586–3604.

Capt. H. K. Wilson.—Does not advocate change of preacher on Sundays, services two or three times a week sufficient; punishment would thereby be diminished as there is constant talking in chapel, 9862–66; has known governor to deprive prisoner of attendance at chapel, but has not approved of his action, 9932.

CHIEF WARDERS IN CHARGE.

Dr. Anerum.—Chief warder in charge less anxious, owing to his training, to desire to reform than to preserve strict discipline; appointment of a person of superior intelligence advocated, 9217–18.

Sir E. F. Du Cane, K.C.B., R.E.—Approves of system of chief warders in charge, a reward for efficient service which he would be prepared to extend to the clerks; in future it will be a practicable economy for the officer in charge of small prisons to be also in charge of stores and do the ordinary clerical work himself, 10,803; does not attach much importance to the wearing of uniform, nor to the retention of the title "chief warder in charge," 10,804.

Capt. C. W. Hill.—The system of appointing a chief warder to the charge of prisons under 100 works well, 7434–43. He should be allowed to wear plain clothes, 7821–7.

Major James Knox.—Their appointment a retrograde movement; a man *may* be found admirably fitted for this duty, and should not be debarred from getting on; as a rule, however, witness favours the appointment of a better class of officers, 7993–98.

Mr. J. B. Manning.—A prison of 100 prisoners is too important to place in charge of a uniformed chief warder, it is right though to have some small governorships reserved for chief warders, 770–75.

Capt. W. J. Stopford.—Chief warders (taken from convict or local services indifferently) are in charge of prisons having 100 prisoners or less, 83, 97–102; few complaints against this system, but it would be better to have a smaller number of prisons in charge of warders, 103–106.

Mr. Edwin Taylor.—All officers in charge should be styled "governors," and be classified to 5th or 6th degree; promotion from ranks not to be stopped, however, but should not be extended to clerks and storekeepers; promoted warder to have no more than 50 prisoners, 9387–90, 9469–72.

INDEX.

CHIEF WARDERS IN CHARGE—*cont.*

Mr. M. J. Walker.—Does not approve of system of placing chief warders in charge of prisons containing 100 prisoners; limit should be lower, say 50, 1826–33, 2035, 2036.

Capt. H. K. Wilson.—"Chief warders in charge" and "warder acting as matron": titles should be "governor" and "matron" respectively; matrons might be classified to 5th, 6th, 7th, or 8th degree; does not object to promotion of chief warder, 9852–61.

See letter from Admiral Tinklar, governor of Birmingham Prison. *Appendix* IX. (p. 610).

CLASSIFICATION OF JUVENILES.

Miss M. J. Bell.—First offenders should be detained in a separate prison, 5441, 5446; case practically hopeless after second or third offence, and classification would not apply, 5444–5.

Mr. E—— (ex-convict).—Young prisoners might be kept apart and allowed to converse at exercise, 9778.

Col. M. C. Garsia.—In favour of the extension of the "star class" to local prisons, 6478, 6500–501.

Mr. R. Gorst.—In favour of boys being purged by punishment *before* their admission to reformatory, and there should be an interval to be passed in houses of detention (as a substitute for prison) under county councils, where the boys might be sifted and the proper school found for each, 6119–29, 6141, 6155, 6203; penal and reformatory elements should be separated, 6212–30.

Capt. F. Johnson.—No "star" class at Dartmoor; first offenders removed to Portland and Parkhurst, 8706–13; no classification except that the young convicts are put to work at trades as much as possible, 8714.

Major James Knox.—Would treat as a separate class persons guilty of offences which fall short of "crimes," 7876–84; such offences enumerated, 7881; re-convictions in this class 40 per cent., 8244–45.

Miss E. Little.—First offenders should be kept as much as possible apart, 5224–5256; Strangeways Prison, however, too crowded to allow of separate department for this class, 5270.

Mr. J. B. Manning.—Juveniles under 16 should not be sent to prison; they lose the dread of prison, and generally the punishment loses its deterrent effect, while, at the same time, the stigma of having been in prison clings to them through life, 866–82, 973–1000; difficulty of interim between sentence and committal to reformatory should be met by providing some place other than a prison for detention, 1047–60, 1119–28; Act of 1893 should have been compulsory; the danger is that children will still be sent to prison before going to a reformatory, 883–91; young offenders up to 20 and 21 carefully sifted, so as to exclude habituals of that age), should be treated as a class apart, 894–941, 1001–11, 1103–18.

Rev. G. P. Merrick.—Suggests as a classification separation of prisoners under 16 from those over; of the relatively innocent from the vicious; and of cases where the viciousness is hereditary from cases where it is the result of circumstances; much, to this end, can be done under existing system by zealous officials, 1570–76, 1594, 1692–96; approves suggestion of separate prison with special treatment for juveniles, but doubts advantage of fixing age higher than 16; soon after that age character is more or less formed, 1577–82, 1595–1603, 1693, 1771, 1772.

Dr. T. D. Patmore.—Witness objects to terms of classification "first offender" or "first conviction." Some period of youth (that period a low one) should be fixed for the purpose of classification, but there should be no strict adherence to a particular age, say 16; classification should be according to actual physical age; a youth of 17, undeveloped, might be classified with others not so old; juveniles to be kept apart, 6271–5.

Capt. W. J. Stopford.—As to circular issued by the Home Office in December 1893, with reference to contamination, 400–403, and *see* 426, 592–9.

CLASSIFICATION OF JUVENILES—*cont.*

Mr. M. J. Walker.—Juveniles under 16 kept entirely apart; in favour of so treating young offenders between say 17 and 21; little danger at present of contamination, but there is danger of recognition outside, 1932–52; birching better for boys than prison, 1998–2002; boys should only be sent to prison as a last resource and an absolutely separate prison for them would be a good thing, 2004–9, 2019–25, 2075; at all the prisons witness has had experience of, save perhaps Leicester, which is too small, a part might be enclosed off for some particular class, 2151–56; with regard to young offenders between 16 and 20 extension of reformatory system would do good, 2026–28.

CLASSIFICATION OF PRISONERS GENERALLY.

Dr. Brayn.—Ample facilities for classification of prisoners at Woking, 4812; facilities for placing jealous and quarrelsome prisoners apart, and for separating "star class" from others, desirable, and are adequate, 4814–16; star class, 4817–20, 4960, 4976; old women, 4916–18.

Mr. D—— (ex-prisoner).—As to evil effects of association and necessity for classification, 8528–29.

Mr. Michael Davitt.—A proper classification would remedy many existing evils, and promote the interests of order and economic management, 11,302; prisoners convicted of unnatural offences and murder, first offenders, those intellectually weak and the utterly depraved to be separately treated, 11,305–10. *See* witness's evidence before the Kimberley Commission in 1878, and article in the "Nineteenth Century" of December, 1894.

Sir E. F. Du Cane, K.C.B., R.E.—As to classification, there are at present kept separate in local prisons juveniles, debtors, first-class misdemeanants, and those awaiting trial, 10,921, 10,922; advisable to extend classification to mentally weak, 10,773–75, 10,923, 10,951; and habitual drunkards who need special treatment, 10,924–35.

Mr. E—— (ex-convict).—Present system of first, second, and third class unsatisfactory; convicts should be separated according to their moral character; some of the best behaved in prison are the worst characters outside; such are aided in avoiding offences by better education or fuller knowledge of prison disciplines; certain ignorant convicts unable to meet officers' wishes lose thereby the whole of their remission, 9674–7, 9772–7.

Mr. E. J. Ruggles-Brise.—In favour of classification; but beyond convict "star" class very difficult; system must not be too rigid but must leave much to discretion of governor and local magistrates, 10,015–21; if inebriates and epileptics were separated and age for reformatories raised no doubt prison population would be much reduced, 10,031–36. Suggests that category of first-class misdemeanants might be extended to bring in persons not ordinarily regarded as criminals, *e.g.* education, vaccination, &c., cases, but not debtors, 10,396–8.

Dr. T. C. Shaw.—The class commonly called weak-minded should be seen medically every day, but it is on admission that there should be an exceedingly close medical inspection, and this is an immense undertaking, 6026, 6062–5; the proper way of dealing with this class is to keep them in an institution on the principle of Broadmoor, 6074–8.

CONFERENCES. *See* "Annual Conferences."

CRIMES AND OFFENCES.

Crimes generally, and crimes against property. *Diagram* No. 1 (facing p. 540).

Offences against the person, and malicious injury to property. *Diagram* No. 2 (facing p. 540).

Average number of persons tried for indictable offences in each period of five years from 1874 to 1893, and proportion per 100,000 of the population. *Appendix* III. (p. 539).

Number of persons with four or more previous convictions of larceny, who were convicted of larceny at assizes or quarter sessions in the West Riding of Yorkshire in 1893, and the average length of sentence inflicted upon them at each conviction; and similar particulars for the county of Lancashire, including Liverpool City sessions. *Appendix* III. (p. 540).

CRIMES AND OFFENCES—*cont.*

Proportion of females sentenced for indictable offences in 1893 at each period of age. *Appendix* III. (p. 541).

Proportion of young offenders among persons tried for indictable offences in 1893. *Appendix* III. (p. 541).

Proportion of number of persons at each period of age convicted of indictable offences to total population at that age, for the year 1893. *Appendix* III. (p. 541).

Relation between offences (trials) and density of population (estimated), and pauperism (outdoor and indoor). *Tables* IV. *and* V. (facing p. 538).

And *see* explanatory memorandum by the Rev. G. P. Merrick. *Appendix* III. (p. 539).

CRIMINAL LUNATICS.

Dr. David Nicolson.—Broadmoor inmates, 480 males and 160 females. 53 per cent., taking both sexes, have committed homicide. Mortality about 3 per cent. per annum, 9268–78. Cost of a prisoner's maintenance, excluding outlay on the building, from 43*l.* to 44*l.*, 9307–11, 9334–36. Only a small proportion of the inmates have committed minor offences, 9325. Only the convicts, numbering about 100, are on sentence; the "Queen's Pleasure" inmates, about 540, are dealt with on order of Court, 9329–30. All cases of lunacy occurring in convict prisons are sent to Broadmoor, and the establishment would require enlargement if local prisoners were included, 9331–33. From 15 to 20 convicts are received in a year; some are received who ought not to have been sentenced; their insanity at the time of their trial should have been certified, and they should have come as "Queen's Pleasure" patients, 9343–44, 9363–65. Suicides, three in 18 years, but attempts are not at all infrequent, 9357–59. In witness's opinion a very large proportion of criminals are sane, and responsible for their actions, 9279–83. Is frequently consulted by the Secretary of State in cases of criminals under sentence of death with regard to whom allegations of insanity have been made, 9287–88).

Dr. T. C. Shaw.—Practically all criminals being lunatics should be treated more as patients than prisoners; punishment should be entirely subordinated to medical treatment, 5997–9, 6012. Witness's experience of criminals, that of an asylum physician not that of a prison doctor, 5995.

Table showing the offences and sentences of insane convicts transferred to Broadmoor during the five years, 1869–73, and 1890–94, together with the period in each case between date of conviction and date of admission into Broadmoor. *Appendix* VII. (pp. 587–88).

Paper relative to criminal lunatics in Banstead Asylum. *Appendix* VII. (p. 589).

DEBTORS.

Capt. Helby, R.N.—Average number of debtors at Wandsworth, 9 or 10; they are a well-behaved class, and are kept quite apart, 4163–7; sees no reason for treating debtors and other prisoners alike as regards diet, 4312.

Sir Godfrey Lushington, K.C.B.—Debtors a dishonest class: no reason whatever why they should not be treated as criminal prisoners, 11,511.

Lieut-Col. E. S. Milman.—Debtors now committed to prison should be treated as ordinary prisoners, except perhaps some committed in respect of rates, 6826–33.

Mr. E. J. Ruggles-Brise.—Category of first-class misdemeanants might be extended to bring in persons not ordinarily regarded as criminals, *e.g.*, education, vaccination, &c. cases, but *not* debtors, 10,396–98.

DEPUTY GOVERNORS.

Sir E. F. Du Cane, K.C.B., R.E.—As to deputy governors, prison population of 700 a good enough standard, 10,787–89; a prison of 1,200 not too large given the assistance of a deputy governor, 10,784–5.

Capt. Helby, R.N.—Deputy governors desirable in large prisons, but not required with only 500 or 600 prisoners, 4172–82.

DEPUTY GOVERNORS—*cont.*

Miss E. Little.—A deputy matron essential in a large prison, 5102.

Sir Godfrey Lushington, K.C.B.—In a large prison (and the line should be drawn at a much lower level than it now is) there should be a deputy governor, 11,417.

Mr. J. B. Manning.—Does not think more than 600 prisoners can be managed without a deputy, 764–68, 1135–41; thinks it better to have one prison of 1,200 with a governor and deputy than two prisons of 600 each with a governor alone, 769.

Rev. W. D. Morrison.—No strong opinion as to appointment of deputy-governors to prisons of over 700, save that it affords useful field of training for governors, 2951–57.

Mr. E. J. Ruggles-Brise.—There should be a deputy governor with 500 prisoners all told, but he must, of course, understand he has more than mechanical duties to perform, 10,341–43.

Mr. J. H. Stone.—Very desirable that person who acts as deputy governor and has to supervise chaplain and medical officer, should be one in higher position than chief warder, 2652–61.

Capt. W. J. Stopford.—Deputy-governor only appointed for prison with more than 700 prisoners, 83–85, 96; relative positions of governor and deputy-governor, 86–92.

Mr. M. J. Walker.—Has no deputy at Liverpool, though prison population averages over 1,000, of whom more than 700 are men; in his absence chief warder is in charge, and under him the matron on the female side, 1802–18; the same is the case at Strangeways, 1819–24; well satisfied with arrangement, so far as he is concerned; has very efficient chief warder, 1825, 2029–42.

See letters from Admiral Tinklar, Governor of Birmingham Prison. *Appendix* IX. (p. 610).

DIETARIES.

Dr. Ancrum.—Prison diet sufficiently good, but absolute uniformity of diet undesirable. Stirabout refused by the ordinary Gloucestershire prisoner (the agricultural labourer), but in the North of England the prisoners, accustomed to porridge, would doubtless eat it, 9197–9200.

Miss M. J. Bell.—No. 1 diet much disliked and is largely the cause of insubordination at Holloway, 5380–5. A large number of women are in repeatedly with short sentences (out on Saturday, in on Monday), the No. 1 diet in a number of these cases is departed from, 5416–22. Alternative diet recommended a pint of gruel (made with 2 ozs. of meal), and 6 ozs. of bread at breakfast; and a pint of gruel with 5 ozs. of bread for dinner and supper respectively 5423–4.

Sir E. F. Du Cane, K.C.B., R.E.—Approves of No. 1 diet *quâ* punishment; it is controlled by the medical officer, 10,847–49. As to sufficiency of diet for convicts, two Royal Commissions on which were medical men investigated it, and have been satisfied; modifications on medical grounds may always be allowed, 10,850–55.

Mr. E—— (ex-convict).—Convict prison diet sufficient in case of sedentary employment, but not for men on the works, 9625–30; they lose weight unless allowed extra diet, 9745.

Miss J. T. Gee.—Would abolish No. 1 Diet (19 out of 20 women refuse it, they are not in a fit state to eat it), and give something warm in the morning (a pint of gruel); is satisfied with other classes of diet, 5837–42.

Dr. R. M. Gover.—Dietaries based on reports of committees; not prepared to recommend any alteration; No. 1 is frequently modified according to circumstances, 1265–75, 1453–59, 1471–83.

Miss E. Little.—1st class diet insufficient, 5128–9; modification suggested, 5130.

Rev. G. P. Merrick.—No. 1 diet may become practically continuous in case of repeated short sentences; this perhaps salutary in cases of drunkards; but the rule is frequently modified by the medical officer, 1720–26.

u 82573.—Ind. 1.

DIETARIES—*cont.*

Lieut. Col. E. S. Milman.—There is no alternative diet to stirabout, the latter according to his experience being universally rejected, 6795.

Mr. R. S. Mitford.—Thinks convict diet adequate both for those who work indoors and those who work out of doors; figures in proof of this, 10,731–41.

Rev. W. D. Morrison.—No. 1 diet too low; practically continuous in case of repeated short sentences unless modified by medical officer, 3331, 3475–80, 3571–76.

Capt. E. Schuyler.—Would allow all prisoners of over seven days to commence on second class diet, 3164, 3165, 3225; the doctor's business to settle diet in cases of continuous short sentences, 3226–30, 3248–56.

Capt. W. J. Stopford.—No. 1 diet for seven days not injurious, 636–39; but, contrary to experience in the north, Indian meal not liked so well as oatmeal by female prisoners in London, 639–41; alteration of diet a serious consideration, 641.

Dr. Walker.—As to diet, has represented that stirabout is not liked, and is largely wasted, 3757–59, 3891–900; danger of No. 1 diet becoming continuous in case of successive short sentences; has suggested a revision of the diet, increasing amount of nutriment, 3760–70; a low diet in prison, *e.g.*, if the stirabout is rejected, may lead in the case of habitual drunkards to excessive drinking when released, 3928–33; this low diet does not act as a deterrent, 3771, 3772.

See also "Dietary Punishment."

DIETARY PUNISHMENT.

Miss M. J. Bell.—For light offences at Holloway a day's close confinement; sometimes, but not frequently, No. 2 diet; favours latter punishment for prisoners receiving a fairly good diet, 5370-1.

Dr. Brayn.—Governor can give bread and water for three days, directors up to 42 days; the latter very unusual, 4882; lowest diet is No. 4 local prison diet, 4880; No. 2 (the usual punishment diet) is 2 ozs. Indian meal and 2 ozs. oatmeal made into about a pint of stirabout, 4878.

Sir E. F. Du Cane, K.C.B., R.E.—Approves of No. 1 diet *quâ* punishment; it is controlled by the medical officer, 10,847–49.

Mr. E—— (*ex-convict*).—Dietary punishment of men in quarries of 1 lb. of bread a day with water, too severe, 9631–6, 9708–10; sentence of 28 days bread and water by director (governor cannot punish with more than three days) for threatening officer at Portsmouth, 9711–7.

Miss E. Little.—Dietary punishment not much resorted to at Strangeways; has a lowering effect on constitution; would be glad of an alternative, 5086–92, 5293–7.

Sir Godfrey Lushington, K.C.B.—Dietary punishments, if strictly limited, the least objectionable, 11,518.

Rev. G. P. Merrick.—Objects to dietary punishment, and would substitute for it, in the case of women, a light form of handcuff; this better too than punishment cell; loss of marks not sufficient, 1517–27, 1724, 1725; women more difficult to deal with than men; more given to "breaking out"; statistics on this head deceptive, since latitude is allowed to women, 1528–31, 1737–40.

Mr. R. S. Mitford.—No explicit statutory authority for the infliction of dietary punishment by visiting justices, but that they have the authority is implied in the general continuance by the Act of 1877 of their duty of sitting in judgment on prisoners and punishing them if necessary, 10,762, 10,763.

Dr. David Nicolson.—Not in favour of long dietary punishment. As to No. 1 diet, stirabout is not liked and should be improved, 6323–25.

Capt. E. Schuyler.—Objects to substitution of light handcuffs for dietary punishment, 3166, 3167.

Mr. Edwin Taylor.—Advocates No. 1 diet for seven days. No lowering effect on male prisoners, 9473–8.

DISTRIBUTION OF PRISONS AND REFORMATORIES (ENGLAND AND WALES). *See* Map facing p. 456.

EDUCATION OF PRISONERS.

Mr. Michael Davitt.—Education in convict prisons insufficient; the status of the schoolmaster should be improved, and he should be allowed to visit prisoners in their cells as does the chaplain; teaching should be as far as possible manual and technical, 11,250–3; advocates lectures on industries, thrift, &c., by chaplain, governor, or deputy governor, or any competent person approved by the governor, during last 12 months of sentence, 11,254; favours Sir E. Du Cane's view that music should be taught, 11,255–6. Choir practice at Dartmoor was considered a very great privilege, 11,361–4.

Sir E. F. Du Cane, K.C.B., R.E.—Thinks it a good thing for prisoners to be preached to by outside clergy now and then; also in favour of lectures to prisoners, and music and singing where any aptitude is shown, 11,009–14. As to schooling it was found that the teaching of prisoners in class led to abuses, hence education has been cellular; with compulsory education outside there cannot be so much need now for education in prison, 11,015; thinks it advisable that schoolmasters should be uniformed officers, a practice copied from that which obtained in local prisons before the transfer, 11,016.

Capt. C. W. Hill.—A warder acts as schoolmaster at Strangeways. His duties and hours explained, 7680–92, 7734–5.

Major James Knox.—A warder acts as schoolmaster at Leeds, and his hours are longer than if he were schoolmaster only, 8134–40.

Mr. R. S. Mitford.—Present system of secular instruction works well, except perhaps as regards the four months' time limit, 10,537–43; no objection to teaching in classes with proper supervision, 10,544, 10,545.

Rev. W. D. Morrison.—Prisoners should be allowed to send for schoolmaster who is nearer them in social position; his position unfortunately degraded in local prison service, a discipline officer now and wearing a uniform, which is a mistake, 3042–61. A question whether Nonconformist prisoners should not be allowed a choice of chaplain or schoolmaster, 3042.

Mr. E. J. Ruggles-Brise.—Present system of education in prisons not satisfactory; would abolish limit preventing education before four months of sentence are completed, 10,047–51, 10,310–14, 10,367–73; would not object to collecting prisoners in small classes for instruction, 10,315–20.

Mr. J. H. Stone.—Teaching should be in classes, not in cells, 2703.

Mr. Edwin Taylor.—Favours cellular teaching; increased work counterbalanced by fact that fewer prisoners now require instruction; schoolmaster should be uniformed officer; at York no master; the one man being taught is in chaplain's hands; has himself helped prisoner, 9451–55; no report made at York as to education of prisoners as a body, 9563–67.

Admiral Tinklar.—The attempts at educating illiterate prisoners are too faulty and limited. *See Appendix* IX. (ii.) (p. 610).

Capt. H. K. Wilson.—No special report made as to state of education of prisoners as a body; illiterates 20–21 per cent., 10 years back much higher proportion, 9962–64.

See also "Books for Prisoners."

"ELIZABETH FRY REFUGE."

Miss Fry.—Refuge started in memory of Mrs. Elizabeth Fry; has been in existence nearly 50 years; female prisoners (but not of the lowest class) received, principally from Holloway, and are kept about six months; any period above six months exceptional; a year's detention would give the authorities a chance to make respectable servant girls of the inmates. A gratuity of 1*l.* is received from the State with each woman; 32 can be received, and as a rule the refuge is full; age of reception, 16–40, 5456–60, 5507–10, 5557–62. Of late years, other cases failing, remand cases (first

"ELIZABETH FRY REFUGE"—*cont.*

offenders charged with petty theft as a rule and drunk and disorderly women), have been brought from the police courts. In 1893 of 91 cases 28 were of this class; they are very troublesome in the home, and when they go out to service; only four of the 28 have done well. After a term of imprisonment the women get on better. Drink perhaps has accounted for one half of the 91 cases; 56 are looked upon as hopeful, 27 doubtful, and of 8 nothing is known. Of the 91 women 61 were imprisoned for theft. The home is purely voluntary, except so far as the remand class is concerned: remand cases are not, as a rule, bound over in any recognisances, 5461–8, 5563–89, 5616–20. As a rule the women received are not of good constitution (impoverished by prison diet), 5623–30, and voluntarily stay in the Home for the whole period of six months, 5663–7; one of the drawbacks is that there are no compulsory powers of detention; this should be altered, 5669–70; women should be sent to a Home for a given period, and should be liable to be brought before the court again, 5672–3. Excellent matron at the refuge to whom the women become attached; discipline not disagreeable; rewards granted at end of a year if situations are retained and character good, 5472; given state aid would recommend extension of the Home, which is looked upon by the chaplain at Holloway as one of the first refuges, 5474; sufficiently large, however, for one matron, if a real influence is to be exercised over the women, 5643–7; women from the Refuge are favourites with a certain class who, anxious to help in philanthropic work, keep one servant, 5473. The first imprisonment no disadvantage to a woman who goes into service. If after a year she does well and enters another family the new employer is not informed of prison record of servant, 5648–53. Of the convicts received for nine months before being set at large some have done well. The presence of convicts has an evil influence on the other women, 5475. No convicts at present; have had cases not suited to the Home, and have raised objection, 5501–3. Has heard no complaint from convicts with three years' sentence that they are debarred the benefit of a Home, 5504–6.

"ELMIRA REFORMATORY" (NEW YORK STATE). *See Appendix* I. (p. 526).

EXERCISE.

Dr. Brayn.—Exercise at Woking Female Convict Prison never less than one hour a day, more on Sundays, 4852–54.

Sir E. F. Du Cane, K.C.B., R.E.—Doubts if the loss of exercise on Sunday is a serious one; medical advisers were consulted before Sunday exercise was abolished in order to allow warders a Sunday off, and did not object on medical grounds; so long as the prisoners have books there is nothing terrible in their being kept in on Sundays; if Sunday exercise were instituted it would necessitate increase of staff, 10,904–13.

Sir Godfrey Lushington, K.C.B.—Sunday exercise a necessity for all prisoners, 11,507–8.

Dr. T. C. Shaw.—For females some light form of exercise combined with work in the open air, *e.g.*, gardening, would be the best thing, better than walking round and round a yard, 6031–8.

Mr. J. H. Stone.—Staff at Birmingham adequate, even to secure Sunday exercise, to dispense with which would be a mistake, 2704–11; one hour a day exercise is sufficient, 2712, 2713.

Capt. Stopford.—No Sunday exercise in local prisons; insufficient staff for the purpose, 687–90.

FEEBLE MINDED. *See* "Weak-minded Prisoners."

FEMALE PRISONERS WITH INFANTS.

Dr. R. M. Gover.—Knows of no serious trouble arising from a mother being deprived of a child born in prison, 1391–96.

Miss E. Little.—Present treatment of infants in prisons satisfactory; prisoners with infants excluded from associated work, 5131–3.

FIRST OFFENDERS. *See* "Juvenile and First Offenders."

FRENCH STATISTICS.

Number of persons at each period of age tried at Courts of Assize in France in 1891; and comparison of age at which maximum of crime is reached in England and France. *Appendix* III. Tables G. and H. (p. 541).

GRATUITIES TO PRISONERS. *See* "Marks System" and "Special Class."

HABITUAL CRIMINALS.

Mr. Michael Davitt.—In 1875 or 1876 when convicts were allowed to talk at exercise and on Sunday, witness conversed with every class of criminal, and has no hesitation in saying, notwithstanding evidence given before the Committee to the contrary, that the hardened offender does not dread solitary confinement; he uses this period for malingering purposes in order to get invalided to some prison where he may escape hard manual labour, 11,197–11,201, 11,289–91, 11,311–3, 11,322–5; witness's experience of solitary confinement, 11,284–8; "the irreclaimable class who are thieves by conviction" should be kept in a separate prison; these criminals in the process of time become men of very weak intellect; treatment recommended: not long or severe punishment (does not believe in cumulative sentences), but detention (with productive labour, 11,296–9), and such treatment as experts in mental diseases and kindred ailments would suggest; similar treatment to be extended to those guilty of larceny, petty theft, &c., if over 30 years of age, 11,211–9; under 25 or 30 they might be reclaimed; not much hope for "third timers," 11,214. 11,257–8. Irreclaimable criminality a form of insanity, 11,242, *see* conversation with well-educated burglar at Dartmoor to bear out this view. 11,293; no belief in reclamation by punishment, 11,294–5.

Sir E. F. Du Cane, K.C.B., R.E.—Thinks habitual or frequent offenders should be more severely treated than those who have been only once or twice guilty, but prefers to leave such severity to the discretion of a judge than to have a mechanical system of cumulative sentences, or the indeterminate sentence implying there is somebody who has the power of telling when a man is reformed, which person does not exist, 10,946–49.

Mr. E—— (*ex-convict*).—Is sure 80 per cent., perhaps even 90 per cent. of habitual criminals would work if they could obtain employment, 9607; only way to reclaim 10 per cent. hardened criminals is to keep them from their old associates, 9617; treatment recommended for hardened criminal who with, say, six convictions and intervals of crime is convicted a seventh time, three or four years in a local prison; monotony much dreaded, and worse punishment than convict prison, 9615; favours suggestion of half-way house between convict prison and liberty; if Government establishment were set up the men would voluntarily enter, 9618, 9619.

Col. M. C. Garsia.—Short sentences of no use to reform habitual criminals in favour of cumulative sentences, 6479–80.

Capt. C. W. Hill.—Habitual criminals should undergo cumulative sentences, 7337–43; and should be detained in a special prison, 7341–47; said to be manufactured between the ages of 16 and 20, but witness thinks they commence their career much earlier, 7377–81. Thinks that the comparative destruction of prison industries under the present system has nothing whatever to do with the increase of old offenders, 7733.

Capt. F. Johnson.—For habitual criminals favours long sentences arrived at by a cumulative process, but deterrent effect of same nil, 8807–12.

Major James Knox.—Cumulative sentences advocated, 7892–95, 8241–42. Of the prisoners at Leeds 25 per cent. are of this class; 30·58 of the women, 8696.

HABITUAL CRIMINALS—*cont.*

Dr. Bevan Lewis.—The habitual criminal simply a degenerate offspring of a very degenerate stock; given a certain environment you will have crime, a more favourable environment simply insanity, 9083.

Supt. G. E. Smith.—Does not think habitual criminals are manufactured by lads meeting in prison with men more hardened than themselves, 2272, 2273; boys growing up in evil surroundings slide easily into crime; they associate with others of about their own age, and not with older men, 2274, 2284–88; sometimes a man or lad drawn into crime again through difficulty of obtaining employment on discharge; in this respect prison acts harder on young than on old offenders, 2275–78; the difficulty of getting employment not so great in the case of women, 2315–18; women do not work in gangs so much as men, 2319, 2320; man not often drawn back into crime by meeting men he had become acquainted with in prison, 2275.

Mr. Tallack.—The habitual criminal and the habitual misdemeanant should be treated in separate prisons, and there should be a more gradual and certain cumulation of penalty in both cases, 6863. Short sentences a cause of recurrence of crime, 7060–70.

Mr. Edwin Taylor.—Favours cumulative punishment; sentences now too short, 9441.

Capt. H. K. Wilson.—Cumulative sentences a failure, short sentences not a deterrent, any sentence more or less useless for hardened offenders, 9798–9800, 9804, 9805.

See also "Classification" and "Recidivism."

HABITUAL DRUNKARDS.

Miss J. T. Gee.—The removal of this class from the prisons would have a good effect on prison discipline; they should be in a separate institution, which, if laundry work could be found, should prove self-supporting, 5937–45.

Dr. Bevan Lewis.—The habitual drunkard should be compulsorily detained, and, accorded special treatment, he might thereby be saved from ultimate insanity, 9128–29; would be inclined to keep this class entirely apart, but sees no reason why they should not be associated with the feeble-minded in large asylums, 9130.

Sir Godfrey Lushington, K.C.B.—Habitual drunkards would be more effectually treated in an asylum than in a gaol. The practical difficulty is whether they could be committed long enough (the period of deprivation from drink must be a long one) to produce good results without causing excessive hardship to themselves and to their families, 11,509–10.

Mrs. Meredith.—Habitual drunkards should be kept in homes for inebriates for at least five years. Their craving for drink aggravated by prison diet. Greater attention should be paid to food and medical treatment in convict prisons, 5714–5, 5743.

Dr. T. D. Patmore.—Favours separate treatment and enforced detention for a year at least, 6320–21.

For number of prisoners classed as Habitual Drunkards and as Inebriates, on 15th February 1895. *Appendix* III. (p. 531.)

See also "Classification."

HOME FOR PRISONERS DURING LAST YEAR OF SENTENCE.

Sir E. F. Du Cane, K.C.B., R.E.—Not in favour of homes on the intermediate system; if the association of criminals in common lodging-houses be dreaded, regulated homes perhaps the less of two evils, 11,627–29.

Col. Plummer.—For the majority of prisoners (a small minority would refuse to take advantage thereof), an Aid Society's Home, (if such a place could be found) in which to spend a year before expiration of sentence, would be beneficial; this last year would be very useful for the teaching of trades, 9032–45, 9059.

HOMES FOR CHILDREN OF PRISONERS. *See* "Princess Mary Village Homes."

HOMES FOR PRISONERS ON RELEASE.

Miss J. T. Gee.—For long-sentence female prisoners on release there should be some institution where they could have partial freedom; does not favour mitigation of sentence, 5891–3

See also "Elizabeth Fry Refuge," "Salvation Army," and "St. Giles' Christian Mission."

INDUSTRIAL SCHOOLS. *See* "Reformatory and Industrial Schools."

INFANTS. *See* "Female Prisoners with Infants."

INSANITY. *See* "Lunacy and Health."

INSPECTION.

Mr. Michael Davitt.—Favours independent inspection of all prisons, the privilege to be extended to all Magistrates, Members of Parliament and County Councillors of visiting and reporting independently to the Home Office, 11,224.

Col. M. C. Garsia.—Duties as Inspector, 6396–7. There are four Inspectors who relieve Commissioners by their visits of inspection, and reports; they hear prisoners' grievances, grant extra letters, &c. but have no executive power, though their being in touch with the Commissioners gives their suggestions some of the force of an order, 6398–6404. Some danger of inspection becoming perfunctory owing to permanence of districts, 6405, 6520–5.

Capt. Helby, R.N.—Inspector visits Wandsworth once a month (for three or four hours a day), not once according to rule, the prison being a large one; he has no power to give orders, but can call governor's attention to any matters, 4138–44.

Capt. C. W. Hill.—Attaches importance to work of Inspectors, and is satisfied with existing arrangements, 7512–16.

Sir Godfrey Lushington, K.C.B.—In the local as distinguished from the convict prisons the Commissioners rarely inspect themselves, and the inspection by the inspectors is not altogether satisfactory, for they can never have the same personal influence on the governor and warders as a commissioner; one inspection from a commissioner would be worth three or four from an inspector. If necessary there might be an additional commissioner in lieu of the inspectors, 11,417.

Mr. R. S. Mitford.—Inspectors report each to the Commissioner for his district, 10,597–600, 10,610; some dangers from the inspectors having fixed districts of inspection running into grooves, 10,611–14.

Mr. E. J. Ruggles-Brise.—Inspectors are under the Board and report to it: but each Commissioner also sees individually the inspector for his district, 10,011–10,012; danger of inspection degenerating into routine; would have no fixed district for inspector but order him here and there; much of the routine might be done by visiting committees, 10,356–65; no lady inspectors, but in favour of having one, 10,014–10,015; against having inspectors report direct to Home Secretary, 10,026, 10,357; witness's views as to the possibility of the visiting justices replacing the Inspectors, 10,272–9.

Capt. Stopford.—Duties and functions of inspectors, 49–54; no power beyond reporting, 55.

Admiral Tinklar.—The inspection of prisons by a Commissioner three or four times a year instead of monthly by an Inspector, might materially reduce the superior and clerical staff at the Home Office, while adding greatly to efficiency of the prison service generally. *See* letter from Admiral Tinklar *Appendix* IX. (p. 610).

Capt. H. K. Wilson.—Visits 16 prisons each once a month but without notice and at irregular intervals, 9781–85, 9965–67; visiting explained, 9789; reports once a year to the Commissioners and to his Commissioner personally or in writing each time he returns from a visit; not empowered to report to Secretary of State direct, 9848–50; favours Inspector having charge of one district, 9933–36; provisions in Act of 1865

INSPECTION—*cont.*

directing Inspectors to report by letter addressed to visiting justices does not apply to Inspectors under 1877 Act; not in favour of that course being adopted, 9873–8.

INTERMEDIATE PRISONS.

Sir E. F. Du Cane, K.C.B., R.E.—Not in favour of homes on the intermediate system; if the association of criminals in common lodging-houses be dreaded, regulated homes perhaps the less of two evils, 11,027–29.

Col. Plummer.—Long-sentence convicts should have some relaxation of prison discipline during their last year; a small prison might be given over to this class, where those of over five years' sentence might be allowed more talking, and greatly increased visits, to fit them for life outside, 8971–74; or, for the majority of prisoners (a small minority would refuse to take advantage thereof), an Aid Society's Home, if such a place could be found, would be equally beneficial; this last year would be very useful for the teaching of trades, 9032–45, 9059.

Mr. E. J. Ruggles-Brise.—Does not think an intermediate establishment between prison and liberty practicable, 10,037.

Capt. H. K. Wilson.—Favours suggestion of intermediate establishment between prison and absolute freedom, 9869–70.

JUVENILES AND FIRST OFFENDERS:

Miss M. J. Bell.—Is opposed to imprisonment of young girls; perhaps even to the age of 18 or 19 they should receive other treatment, 5442–51.

Miss Fry.—The first imprisonment (the disgrace of being in prison, prison discipline, and diet) has a wholesome effect, except in the case of low women. Not in favour of the First Offenders Act, 5469, 5514–6, 5595–5604, 5631–4; thinks Mr. Trevarthen of Redhill Reformatory is right when he expresses himself anxious that all boys sent to him should have been purged by imprisonment, 5469.

Miss J. T. Gee.—Chaplain at Liverpool takes great interest in first offenders; young prisoners (two at present aged 17) generally kept in a ward apart; cases under 14 reported at once to Secretary of State, 5817–20; first sentence not harmful, may have good effect, 5863–4.

Mr. R. Gorst.—In favour of boys being purged by punishment *before* their admission to reformatory, and there should be an interval to be passed in houses of detention (as a substitute for prison), under county councils, where the boys might be sifted and the proper school found for each, 6119–29, 6141, 6155, 6203; penal and reformatory elements should be separated, 6212–30.

Miss E. Little—Girls of 12 14, or 15 (even up to 17) sentenced for the first time should be sent direct to reformatories, not first to prison, 5236–47.

Sir Godfrey Lushington, K.C.B.—Is entirely opposed to the imprisonment of children under 16; this could be avoided if the Bill brought in by Mr. Henry Matthews in 1891—the Summary Jurisdiction (Youthful Offenders) Bill—were brought into operation; the Bill was opposed because it authorised flogging; even without that proviso it would be worth having, 11,492–3; witness is in favour of whipping, 11,526–30.

Mr. J. B. Manning.—Juveniles under 16 should not be sent to prison; they lose the dread of prison, and generally the punishment loses its deterrent effect, while at the same time the stigma of having been in prison clings to them through life, 866–82, 973–1000; difficulty of interim between sentence and committal to reformatory should be met by providing another place than prison for detention, 1047–60, 1119–28; Act of 1893 should have been compulsory; the danger is that children will still be sent to prison before going to a reformatory, much as before, 883–91; young offenders up to 20 and 21 carefully sifted, so as to exclude habituals of that age, should be treated as a class apart, 894–941, 1001–11, 1103–18.

JUVENILES AND FIRST OFFENDERS—*cont.*

Rev. G. P. Merrick.—Juveniles under 16 should be (and are as far as possible) kept apart; there is the danger of contamination in prison, and perhaps more on women's than men's side, 1555–57; it is after 16 that the real criminal age begins; instances in support of this view; criminal habits rather than criminal instincts the cause, 1558–60, 1567–69; suggests as a classification separation of prisoners under 16 from those over, of the relatively innocent from the vicious, and of cases where the viciousness is hereditary from cases where it is the result of circumstances; much to this end can be done under existing system by zealous officials, 1570–76, 1594, 1692–96; approves suggestion of separate prison with special treatment for juveniles, but doubts advantage of fixing age higher than 16; soon after that age character is more or less formed, 1577–82, 1595–1603, 1693, 1771, 1772; would not look for substantial diminution in prison population if age for committal to reformatories were raised above 16, 1604, 1605, 1620–35.

Rev. W. D. Morrison.—Imprisonment for children under 14 should be abolished, and Home Secretary should be apprised, as in Belgium, of imprisonment of child under 16, 3104–3106, 3316–18; 18 not too old to deal with children in a reformatory, but if in prison those between 18 and 21 should be subjected to educative influences, 3319–21; it is not realised what a high per-centage of the general population between 16 and 21 come into our prisons; hands in returns showing this (*see* Appendix III.) and the parentage, social condition, and occupation of young prisoners, 3106–3108; also returns showing per-centage of labourers to general and to prison population; the relation between crime (juvenile and other), and density of population; between pauperism and crime; and between pauperism and illegitimacy, 3109–13; these returns show juvenile offender the product of bad parental, economic, and social conditions, therefore juveniles between 16 and 18, or 16 and 21, should be placed in special establishments, or, where few, in special divisions of prisons, administered more on reformatory than prison lines, under officers of proved character; their diet should be good, and their employment non-cellular; on discharge juvenile offenders from towns should be found employment in country; *e.g.*, the German Prison Code, 3113–18, 3123, 3124; criminal juveniles more immature in proportion to age than children of well-to-do, 3119–21; in classification of first offenders, juvenile or otherwise, would allow considerable discretion to prison authorities, 3516–19.

Capt. E. Schuyler.—First offenders should be kept separate, 3174; not prepared to express opinion as to young offenders up to 21, though there is a chance of reclaiming the young, 3175–79.

Capt. W. J. Stopford.—Youths of over 17 should be sent to prison, 585–91, 678, 679; age of young offenders for separate treatment should be limited to 18, 439–40; behaviour of young offenders should affect their treatment, 441–44; question of first offenders dealt adequately with by the First Offenders Act, 449–52; first offenders of mature age are dealt with differently in the convict and local prisons, 453–56.

Mr. J. Trevarthen.—Act of 1893, (abolishing necessity for prior imprisonment) mistaken policy, and has caused confusion. There must be an interval between the sentence and the finding of a reformatory; some boys are actually sent for some days to a workhouse despite danger of contamination, 2801–809, 2889, 2898–908. True that the objection to imprisonment was crippling reformatories, but the First Offenders Act and the too free use of "voluntary homes" has had much to do with it, 2813–23, 2868, 2869.

Mr. M. J. Walker.—Juveniles under 16 kept entirely apart at Liverpool; in favour of so treating young offenders between say 17 and 21; little danger at present of contamination, but there is danger of recognition outside, 1932–52; birching better for boys than prison, 1998–2002; boys should only be sent to prison as a last resource and an absolutely separate prison for them would be a good thing, 2004–9, 2019–25, 2075; at all the prisons witness has had experience of, save perhaps Leicester,

JUVENILES AND FIRST OFFENDERS—*cont.*

which is too small, a part might be enclosed off for some particular class, 2151–56; with regard to young offender between 16 and 20 extension of reformatory system would do good, 2026–28.

Mr. W. Wheatley.—Objections generally to imprisonment of juveniles, 7122, 7140; bad effect of remanding to prison pending selection of reformatory, 7166, 7172–78; necessity of classification in prisons, 7167–71.

Mr. Edwin Witheford.—Objects to imprisonment for mere children, though not prepared to speak very favourably of reformatories, 4034–42.

Conditions producing juvenile crime. *Appendix* III., explanatory note (p. 539).

Ratio of juvenile prisoners between 16 and 21 to the general population. *Appendix* III., Table VII. (p. 538).

Number of prisoners under 18 years of age on 15th February 1895. *Appendix* III. (p. 531).

Number of prisoners in local prisons under 16 years of age, and 16 and under 21, during the years 1890–94. *Appendix* III. (p. 533).

Returns handed in by Sir E. Du Cane of young offenders of various ages in custody on 3rd March 1894. *Appendix* III. (p. 533).

Proportion of young offenders tried for indictable offences in 1893. *Appendix* iii. (p. 541).

Diagram showing relation between juvenile offences (commitments to prison and industrial schools) and density of population. Table III., *Appendix* III. (facing p. 538).

See also "Classification of Juveniles," and "Reformatory and Industrial Schools."

LADY VISITORS:

Dr. Brayn.—No regular lady visitor at Woking; 4902; doubtful whether a general system of lady visitors is desirable, 5032.

Sir E. F. Du Cane, K.C.B., R.E.—In favour of lady visitors, who may exercise a moral influence over women in prison, and help them when they come out; plan has been adopted in local prisons, but did not work well in convict prisons, 11,020, 11,021.

Col. M. C. Garsia.—In favour of lady visitors under proper regulations to avoid interference with matron and chaplain, and the carrying of messages, which would break down the marks system, 6546–51.

Miss J. T. Gee.—Would allow ladies to address prisoners in chapel or in a room in the prison, but would object to visits to individual prisoners, 5861–2, 5913–22, 5935–6.

Mrs. Meredith.—Favours a return to the system of lady visitors which obtained prior to 1877, but would not allow private interviews in the cells. Ladies should be allowed to address prisoners in chapel or one of the large rooms of the prison, and female Scripture readers should be appointed. Lady Elizabeth Biddulph would be useful on the Prison Commission to regulate such matters as visiting, reading, &c., by volunteers, 5752–8, 5770–8.

LUNACY AND HEALTH:

Dr. Anerum.—Cases carefully watched at Gloucester. Few prisoners are insane though many feign insanity, 9219. The mere fact that a man is a criminal would not constitute an objection to his transfer to an ordinary lunatic asylum, 9221–4. Suspected cases carefully treated and put into association, 9225–6.

Dr. Brayn.—Medical condition of prisoners inquired into on reception at Woking, 4821; the "medical history" sent with them from local prisons is verified at convict prison, 4823; "Hospital cases," which include everything however trivial, average about 7 per cent., 4872. Figures laid before Committee as to insanity deceptive, 4966; daily average of prisoners an unfair basis, 4966, 5044; insane paupers much more numerous than insane prisoners; never knew a case of insanity produced by prison life, though vicious habits in prison may have had some effect in one case, 5046.

Sir E. F. Du Cane, K.C.B., R.E.—Criminals drawn from a class mentally, morally, and physically below average of population, therefore higher ratio of

LUNACY AND HEALTH—*cont.*

insanity naturally to be expected, 10,968–72; doubts whether separate system increases any morbid predisposition; Dr. Gover's figures tend to show that insanity rate diminishes the longer prisoners stay in prison, 10,973–82; power and duty of medical officer to modify system where any suspicion of mental unsoundness, 10,983; medical officers of large prisons might be required to have some special training in lunacy, but there are difficulties in carrying out the proposal, 10,983–87.

Mr. E—— (*ex-convict*).—Mental or nervous deterioration in consequence of imprisonment due to minuteness of rules, 9739; and to change from separate confinement to public works, 9740–44.

Dr. R. M. Gover.—In 1893, 34 prisoners became insane who were fairly sane on admission to prison, 1204–27, 1432–41, 1446–52; growing practice of magistrates sending for examination persons of doubtful intellect, 1430, 1431, 1487–95; naturally prison doctors have less cause than ordinary practitioners for reluctance to sign up an insane prisoner, 1442–45; doubts whether imprisonment is the actual cause of insanity in any instance, 1211–15; in very few cases low diet may have contributed, but this is guarded against by the medical officers, 1218–25.

Major James Knox.—Prison discipline not productive of insanity; quotes an instance, however, of a prisoner being removed to an asylum after receiving 30 lashes with 20 to follow; the medical officer being of opinion that the man's mental condition was due to fear of the second punishment, 8005–16, 8141–42.

Dr. Bevan Lewis.—Lunacy not manufactured in prison, but there are cases in which prison treatment may have hastened the development of insanity, 9124. The proportion of all classes of lunatics in a town of 10,000 inhabitants would be about 30, 9097–99.

Sir Godfrey Lushington, K.C.B.—Witness believes there are sufficient safeguards against penal treatment being imposed upon, or continued to, persons who are insane or on the verge of insanity; the statistics as to insanity offered to the public can hardly be accepted, 11,503–6; of the conditions of prison life the first shock of imprisonment is the most liable to lead to insanity, 11,539; thinks there would be considerable difficulty in the way of a compulsory entry in the calendar as to the state of a man's mind; would not suggest this course until the judges generally had been approached on the subject, 11,531–8.

Mr. J. B. Manning.—Prisoners showing signs of insanity are placed in observation cells, 856; the weak-minded, but not insane, kept as a class apart, and placed in hospital association room if isolation bad for them, 1031–37; prisoners are sometimes sent to prison even though there are *primâ facie* grounds for supposing them to be insane, 856–58; prison life no tendency to produce insanity; the strain greatest during first portion of first imprisonment, 860–4.

Dr. T. D. Pateore.—Very few prisoners of a decidedly low mental type on entering prison, say 1 in 30, 6259–61. Imprisonment not conducive to insanity, 6258.

Dr. T. C. Shaw.—Banstead receives pauper patients, and during 18 years the number received from prison has been 68, 36 males, 32 females; not aware how many of the latter are cases which have been sent to Holloway for examination, 5948, 5958–64. The majority of prisoners under witness's observation have been addicted to use of tonic agents, 6000; and short sentence recidivists, *e.g.*, inebriates, who are especially liable to mental instability, 6007–11. On question of insanity of prisoners generally admits that he would feel bound to find evidence other than the crime committed, but would fully expect to find it, 6014–24. Aware of cases in which insanity has been developed in prison; kind of evidence which leads him to this conclusion mainly derived from questioning the patient himself, 5965–71; admits that he may not discover or be told of periods of temporary insanity in earlier life, 6039–47; and that in a number of cases prison life may merely develop seeds of insanity previously existing, 6079–85. (Case of a girl, C. A., received from Wormwood Scrubs; she

LUNACY AND HEALTH—*cont.*

clearly developed adolescent insanity in prison, 5972–7. As to prison treatment is strongly opposed to low diet and prolonged separation; latter fosters hallucinations, increases subject consciousness, and leads to self-abuse, 5978–80, 6030: want of sufficient open-air exercises, especially want of Sunday exercises, is also bad, 5987–91, 6027, 6068–73; a modified separation with good food, four hours a day exercise, and work, might last a considerable time, 6001–6. Present system whereby medical officer has full power where he thinks fit to order association and better diet is right, 5981–6. The great and growing disinclination on the part of medical men to certify as to lunacy, increases the neurotic condition of individuals and population of prisons, and is likely to lead to disastrous consequences; many think that there is more neurasthenia about now than their used to be, 6086–91. No moral insanity without brain impairment; if you examine prisoners by psycho-physical processes you will almost universally detect a neurotic taint, 5992–4, 6048–53; fear of punishment has not a psycho-physical effect with the insane, but admits that lunatics are more or less amenable to rewards or punishments, 6054–8; personal castigation unnecessary, 6059–61.

Standing Order 134; as to treatment of prisoners unfit on medical grounds for separate confinement. *Appendix* VII. (p. 579).

Standing Order 172; instructions for the medical officer in local prisons. *Appendix* VII. (p. 578).

Return giving rates of mortality, and cases of insanity and sickness in six principal prisons for 1893–4. *Appendix* VII. (p. 579).

Return of cases of insanity in local prisons from 1872–3 to 1892–3. *Appendix* VII. (p. 581).

Abstracts of reports on 60 cases of insanity in local prisons, 1893–4. *Appendix* VII. (p. 579).

Memorandum on insanity in prisons by Dr. Bridges. *See* p. 48 of Report of Committee (C. 7702).

Memorandum by Sir E. Du Cane on insanity in local prisons. *Appendix* VII. (p. 589).

Medical report on case of J. B. R. (Questions 8411–26). *Appendix* VII. (p. 511).

Reports as to state of health of J. E. at Wandsworth prison. *Appendix* VI. (p. 575).

See also "Criminal Lunatics," "Suicide," and "Weak-minded prisoners."

MARKS SYSTEM:

Dr. Brayn.—The system of marks should be the same in every prison, 4913–15.

Mr. E—— (*ex-convict*).—Convict prison rules so minute that prisoner can hardly fail to infringe them, 9638, 9639; mental and nervous condition suffer in effort to earn remission, 9739; it should be possible to earn money until discharge, 9678–80.

Col. M. C. Garsia.—Not in favour of allowing prisoners to earn premiums, but they should be allowed to earn better gratuities than now, 6760–1. A prisoner in the infirmary would not earn the gratuity of 10*s.*, this is a hardship; but a check must be put upon malingering. Witness favours very liberal consideration being given to these cases on medical recommendation, 11,690–3.

Mr. J. B. Manning.—Present marks system good, and works equally, 794–797.

Col. Plummer.—Very satisfied with working of marks system. If, at Borstal, an officer stops a mark, the prisoner is down to see the governor on the following day. This interest on the part of the governor has a good effect; 220 convicts in 1893 went unpunished, 8995–99.

Capt. E. Schuyler.—Thinks prisoner in hospital should not have withheld from him, as at present, grant of marks towards gratuity, 2591–99.

Capt. W. J. Stopford.—Maximum of marks that prisoners can earn, 191–97; power of visiting justices and directors to restore marks forfeited, 198–200; number of prisoners who earn maximum number of marks, 201–3; marks earned in local prisons do not procure remission, 204–5, 207; in local prisons certain advantages as to treatment, 206; the rates of marks in convict prisons, 207–9; a three years' penal servitude man can earn remission, 210; a

MARKS SYSTEM—*cont.*

three-years' man better off than a two years' in a local prison sentenced to hard labour, 211–13, 228, 229, 230–34; mark system in convict and local prisons set out in Standing Orders 494, 495, and 203 respectively, 221–28; marks system would have to be applied differently to local prisoners if it were to affect sentences by remission, 238–44; all classes in convict prisons arranged by marks, 245–48.

Mr. Edwin Taylor.—It should be possible to earn more money, 9435.

Admiral Tinklar.—The marks system requires thorough revision and extension. *See Appendix* IX., ii. (p. 610).

Mr. M. J. Walker.—Marks system works admirably, 1883, 1884; no inequality between strong and weak prisoners save that a prisoner in hospital does not earn marks towards gratuity, 2191–202; against allowing local prisoners to earn remission, because sentences nowadays are too short, 1885–87; suggestion only reasonable in case of sentences of 12 months or more, 1975–93, 2090.

Capt. H. K. Wilson.—Prisoners sentenced for one year, 18 months, or two years should earn gratuity and remission in same way as does prisoner sentenced for eight months or under; such is the case at Prison de la Santé at Paris, 9810–13.

MAT-MAKING IN PRISONS.

Memorandum by *Sir E. Du Cane*, 1888. *Appendix* IV. (p. 565).

See also "Prison Industries."

MATRONS.

Capt. C. W. Hill.—In absence of the governor, thinks it as well that the male chief warder should be in charge rather than that the responsibility should rest with the matron, 7479–84. No third-class matron at Strangeways; it has been given in evidence that this class of matron has no power to visit the prisoners; this should not be, 7485–90, 7640–42.

Major James Knox.—Matron at Leeds, whether 1st class or 3rd class, visits the female prisoners each day, 7978–83. Present relation of matron to the chief warder in governor's absence satisfactory, 7984–85.

Miss E. Little.—Staff at Strangeways insufficient. In a large prison a deputy matron is essential; a good active matron ought not to have to control more than 200 prisoners. Is allowed six weeks' leave, but, being short-handed, generally takes three; responsibility rests with chief warder in matron's absence, 5099–107. Matron's influence over warders and prisoners would be improved if she were not a uniform officer, 5189–94.

Mr. Edwin Taylor.—Approves suggestion that matron should act as unpaid agent of Prisoners' Aid Society in case of female prisoners; even with 200 prisoners in her charge could give time to work of society, 9541–45.

MEDICAL INSPECTOR.

Col. M. C. Garsia.—Medical inspector does not pay periodical visits, which would, perhaps, be an advantage, 6414–7.

Mr. E. J. Ruggles-Brise.—Present medical inspector does not pay periodical visits; doubts whether this is necessary, 10,244–6.

Capt. W. J. Stopford.—Dr. Gover's exact official position, 357–60; appointed in consequence of recommendation of the Royal Commission of 1878, 361–63.

MEDICAL OFFICERS AND THEIR DUTIES.

Dr. Brayn.—Medical condition of prisoners inquired into on reception at Woking, 4821; the "medical history" sent with them from local prisons is verified at convict prison, 4823; "hospital cases," which include everything however trivial, average about 7 per cent., 4872.

Mr. D—— (*ex-prisoner*).—Medical treatment satisfactory, 8538–40.

MEDICAL OFFICERS AND THEIR DUTIES—*cont.*

Sir E. F. Du Cane, K.C.B., R.E.—No reason to suppose medical staff is not up to the mark for dealing with mental cases, 10,772; Describes present method of appointment salaries, 10,988–92.

Mr. E—— (*ex-convict*).—Medical supervision unsatisfactory at Portsmouth and Woking, 9659–60, 9662.

Miss Fry.—A certificate is furnished with women received at the "Elizabeth Fry Refuge" from Holloway to the effect that they are free from disease, and a medical man attends the home once a week and sees every new arrival; women are sent to London Hospital as out-patients, 5674–5.

Capt. C. W. Hill.—Two medical officers at Strangeways; an assistant needed, 7860–64.

Major James Knox.—No resident medical officer at Leeds; he has frequently to be sent for, 8111–25. Room for improvement, 8127.

Dr. Bevan Lewis.—Such men as have not special psychological knowledge or training are not the men for the prison service, 9110. To detect malingering requires a large experience in the study of mental diseases, 9113. Advocates a much more thorough inspection, under different conditions, of the whole prison community, 9125; all important that there should be ample opportunity and facilities for a correct diagnosis of a man's mental condition when taken to prison, 9133. A medical officer should be recognised as an enthusiast in the study of craniology, and should have, say, six months' preparatory training in an asylum, 9134; occasionally an officer is drafted from the asylum service, but this class would be very largely in the minority, 9135. 50 admissions a day would tax the energies of one medical officer if duties were efficiently performed, 9137–40.

Sir Godfrey Lushington, K.C.B.—Questioned whether more could not be done to encourage suggestions by medical officers (the Secretary of State making it understood by the Prison Commissioners that such suggestions were to be encouraged and not discouraged), witness replied:—"The Secretary of "State would be willing to do anything which was "necessary for that purpose; but I think he would "be unwilling to do anything which threw the "slightest doubt upon that being the rule at "present." It is not for every medical officer to be constantly reviewing the whole of the prison system, but it is certainly his duty to refer to any special practice in his prison which he considers to be injurious, and if he has a strong opinion upon the physical result of any general feature of prison life he ought to state it. Again if he considers that the time allowed for the examination of prisoners was not sufficient or that his duties were excessive, it is undoubtedly his duty to make a representation, and the Secretary of State could only rely on the Prison Commissioners to bring the matter to his attention. Medical Officers' reports do not necessarily come before the Home Office. In the annual reports extracts are given, 11,543–50.

Rev. W. D. Morrison.—Medical Officers should have opportunity before appointment of studying lunacy, 3486.

Dr. David Nicolson.—Medical Officers should have facilities for recreation and exercise; this is not the case at Holloway, and the same remark is applicable, no doubt, to other prisons, 9292–95.

Dr. T. D. Patmore.—Medical staff at Wormwood Scrubs (medical officer and one assistant) insufficient, 6282, 6361–62, 6367–75. The principal officer should not be trammelled by too many routine duties, 6392. Witness's duties explained, 6283–89.

Mr. E. J. Ruggles-Brise.—Important to have medical officers conversant with mental disease, but this not insisted upon at present in their qualifications, 10,227–31, 10,242; medical staff at Holloway (a special case) perhaps not strong enough, 10,243.

Dr. T. C. Shaw.—Present system whereby medical officer has full power where he thinks fit to order association, and better diet is right, 5981–6.

Mr. Tallack.—Proposes that medical examination should be conducted by physicians and surgeons with hospital experience, 6909–11.

MEDICAL OFFICERS AND THEIR DUTIES—*cont.*

Dr. Walker.—Medical officer's duty to inspect prisoners on admission at Holloway; daily average about 70; maximum about 160; they come in as early as 10 a.m., and as late as 10 p.m., 3693–97; description of a full day's work at Holloway, which falls on surgeon and assistant-surgeon on alternate days, from 9.30 until 9 or 10, 3698–3700, 3852, 3861–84; two men can do the work, but not properly, 3885, 3901–3904; evening group of admissions most numerous; the numbers make it necessary for the examination to be rapid, 3701–13; mental cases from 2 to 10 a day; many of them remanded from police courts for inquiry; their examination the most responsible work, which the surgeon does not leave to his assistant, 3714–28, 3870–74, 3883, 3884; a large number of these are cases of attempted suicide, 3861–65. More responsibility at Holloway than even in a convict prison, largely because of observations as to mental condition, 3773, 3774; about 600 remanded annually for observation, 3775–78; out of 88 cases of insanity in 1892–3 in Holloway, 72 were remand cases; some of them had frequently before been in asylums or prisons, 3780–91; bad cases are observed in hospital, others in ordinary observation cell, 3794–3800; agrees with opinion expressed by Prison Commissioners in 1880 that means should be devised to secure proper care of persons whose imbecility has conduced to crime, 3792; prisoners a class physically degenerate, and from which cases of insanity might be expected to spring, 3942–49.

NINE MONTHS' SEPARATE CONFINEMENT OF CONVICTS.

Dr. Brayn.—Would prefer to have prisoners for the first nine months without detention in local prisons, 4910–12, 5021; existing arrangements, 4982.

Mr. D—— (*ex-prisoner*).—Convicts in local prisons undesirable, 8544–46.

Mr. Michael Davitt.—Nine months' solitary confinement should be abolished, or, failing this, reduced to one or two months at the beginning and the same period at the end of a sentence for first offenders, only the old offenders being sent at once to hard labour; by this means prisoner would have the benefit of such reformatory influence (visits from chaplain and schoolmaster) as could be brought to bear upon him, just before his release. Solitary punishment has an injurious effect on prisoner's temper and bodily system, and produces insanity; several cases at Millbank during witness's nine months' experience of that prison. In 1875 or 1876 when convicts were allowed to talk at exercise and on Sunday, witness conversed with every class of criminal, and has no hesitation in saying, notwithstanding evidence given before the Committee to the contrary, that the hardened offender does not dread solitary confinement; he uses this period for malingering purposes in order to get invalided to some prison where he may escape hard manual labour, 11,197–11,201, 11,289–91, 11,311–3, 11,322–5; witness's experience of solitary confinement, 11,284–8.

Sir E. F. Du Cane, K.C.B., R.E.—Keeping of convicts for nine months in local prisons no new thing; was contemplated when Pentonville was established in 1842 as a model cellular prison for convicts prior to transportation; the nine months' separate confinement practically a necessary preliminary to the milder atmosphere of a public works prison; there is economy in selecting 10 or 12 local prisons as collecting prisons in which this first stage shall be passed, and, given efficient governors, there is no difficulty in managing both convict and local prisoners, 10,811–24; save in cases recommended by medical officer, hopes there will be no change in this salutary rule, 11,000.

Col. M. C. Garsia.—Does not see much advantage in keeping convicts for their nine months' separate confinement in a local prison, but with an intelligent governor there can be no harm, and the plan is economical, 6454–9, 6510–3, 6631–8.

Capt. F. Johnson.—Not opposed to prisoners coming direct to a convict prison after conviction. Often receives separate confinement prisoners at Dartmoor, mostly from Wormwood Scrubs when that

NINE MONTHS' SEPARATE CONFINEMENT OF CONVICTS—*cont.*

prison is overcrowded, 8696–705; nine months solitary system debilitating, 8891.

Dr. David Nicolson.—In witness's recollection no harm, physical or mental, has resulted therefrom, 9298–9301.

Dr. T. D. Patmore.—As to convicts being admitted to local prisons witness thinks that better management would be ensured, given only one class of prisoners to control, 6270.

Col. Plummer.—From the point of view of discipline sees no advantage in the arrangement of sending convicts to local prisons for the first nine months; would shorten period to three months, 8964–9.

Dr. T. C. Shaw.—Strongly opposed to prolonged separation, which fosters hallucinations, increases subject consciousness, and leads to self-abuse, 5978–80, 6030.

Mr. Edwin Taylor.—Has witnessed no ill-effects of present practice, but convicts an undesirable element, being more difficult to manage; no other objection; no danger of contamination owing to separate treatment; larger staff necessary; evidence applies only to Aylesbury and Knutsford; no convicts at York, 9442–49, 9483–88, 9515–26.

Letter from Sir James Graham (Home Secretary) to the Commissioners of Pentonville Prison in 1842. *Appendix* IX. (p. 609).

OPEN SPACES WITHIN PRISON BOUNDARIES.

For return *see Appendix* IV. (p. 556).

POLICE SUPERVISION.

Mr. Michael Davitt.—The ticket-of-leave should be reserved for old offenders; it operates against the first offender to have to report to the police, and this class should work out a short sentence instead; very strong grounds for complaints against detectives. Has, in conversation with prisoners who have returned after a first conviction, heard frequent complaints as to not being allowed a fair chance on discharge, 11,314–5; even in the case of a third or fourth term prisoner would give governor, chaplain, and doctor power to recommend discharge, without ticket, given real evidence of reformation, 11,369, *see also* 11,374; objection to ticket-of-leave system would fall through if regulations (which are admirable), were carried out, but they are not, 11,371–3.

Mr. E—— (*ex-convict*).—Demoralising effect of, 9603, 9604, 9685–96.

Rev. G. P. Merrick.—Has heard, but generally speaking does not credit, statements that prisoners after discharge are harassed by the police, 1668–69.

Supt. G. E. Smith.—Not true that police sometimes unnecessarily give information as to the antecedents of a discharged prisoner, 2334–44.

Capt. H. K. Wilson.—Baneful effect of police supervision illustrated, such cases of frequent occurrence, 9801–2, 9871–73.

See also "Ticket-of-leave."

"PRINCESS MARY VILLAGE HOMES."

Mrs. Meredith.—These Homes have at the present time 200 children whose parents are prisoners. They are taken in at as early an age as possible; preferably soon after birth. No money is received from the Government until the children are seven years of age. They remain until 16 and are principally trained for domestic service. Failures about four per cent. 5734–8. Once in three months on a proper recommendation they see their parents or relations; but only if the latter are of good character, 5739–41.

"PRINCETOWN SCHOOL."

Capt. F. Johnson.—A school for the warders' children. Managed by a school board, of which witness as Governor is chairman and correspondent, but children in the neighbourhood admitted, 8922–23.

PRISON ADMINISTRATION. *See* "Prisons Board."

PRISON ACT, 1877 (GENERAL EFFECT OF):

Capt. Helby, R.N.—Transfer of prisons a success, 4047–8; old system less progressive, though personal experience at Lewes most satisfactory, 4185–7; the Act of 1865 discouraged industrial labour: penal labour was too heavy: reduction to one month a distinct advantage, 4188–9. Dietary more varied and more satisfactory than under the old system: governor has sufficient discretionary powers, 4190–6. Better field of promotion now for officers, and prisoners are better protected. Headquarters sufficiently in touch with prisons through medium of the inspectors, 4208–15.

Sir Godfrey Lushington, K.C.B.—Transfer eminently beneficial, not merely as the cause of a better administration of the law, but as being much more humane towards prisoners. Immediate purposes of transfer, economy and uniformity, entirely fulfilled. The prisons under the Commissioners are as a whole superior in every respect but one, the use of productive labour, 11,389, 11,393–4. Speaking of the period before the transfer witness thinks that the personal influence of the justices over prisoners has been very much exaggerated, and that the question whether the visiting committee has a greater or smaller share in the actual administration of the prison than was enjoyed by the visiting justices does not affect prison administration as a whole, 11,390–2; under the Act of 1877 it is possible for visiting committees to exercise a very direct power of interference with the administration of the prisons, but not advisable, 11,410–3.

Mr. J. B. Manning.—Transfer of local prisons to Government has been a distinct change for the good all round, 960–66, 971, 972; such unfair anomalies as variations in dietary put an end to, 967–70, 1024–30.

Rev. W. D. Morrison.—Present system too centralised, insufficient discretion being allowed to officials of prisons, 3125–27; this is where the old system of local control was superior; there is now a want of elasticity, 3311–15; would allow more latitude to prison officials (medical officer for choice) in discriminating between prisoners according to their antecedents, especially in the matter of visits, diet, occupation; this difficult in face of public feeling, 3322–45; had no personal experience of system before transfer of local prisons to Government, but is of opinion that the magistrates now do not know as much as formerly, 3378–80, 3390–98.

Mr. M. J. Walker.—Results of transfer of local prisons to Government satisfactory in respect of economy, discipline, and treatment of prisoners; anomalies, *e.g.*, marks at Leicester, got rid of, 1792–95, 2219–26; but would be glad if visiting justices had some share in administration, better *locus standi* for recommendations, and a qualified power of appointment of officers, 2227–48.

Capt. H. K. Wilson.—Act of 1877 a success in many ways, greater uniformity and regularity, but present system of doubtful benefit as regards reformation and deterrence; sending prisoners abroad beneficial, 9801; provisions in Act of 1865 directing inspectors to report by letter addressed to visiting justices does not apply to inspectors under 1877 Act; not in favour of that course being adopted, 9873–8.

Brief history of prison system in England and Wales. *Appendix* I. (p. 457).

PRISON INDUSTRIES.

(*a.*) *Before the transfer.*

Mr. James Duncan.—Under old system of prison labour administration remunerative occupation held a prominent place, though in a few prisons penal labour predominated. Governors and other officers encouraged by bonuses and other payments to take an active interest in trade. Trade profits taken largely into account by visiting justices when dealing with applications for increase of pay, 4331–3. For sale of goods a commercial traveller was appointed. Trade managers controlled industrial department. Deserving prisoners were rewarded by gratuities and in other ways, 4331–5. In many prisons the inmates not sentenced to hard labour, or who were excused hard labour by

medical officer, were employed in industrial pursuits instead of as now being confined to their cells for the first month. This practice might be resumed in a modified form, 4340–1. Total earnings in local prisons for year ending 30th September 1876 111,710*l.* 12*s.*, an average of 5*l.* 18*s.* per man. Average earnings of mat makers at Preston 18*l.* 5*s.* 2*d.* per man, and of laundry women 22*l.* 5*s.*, 4336–8. Mat making was probably the most suitable as well as the most flourishing of all prison industries. 2,800 prisoners so employed when prisons were taken over, 4351: about 70 now employed. When agitation outside first arose prison mat makers exceeded by 23·87 per cent. the number given in the Census Returns as employed outside, 11,809–13. At one time 5*l.* or 6*l.* profit per ton was made by oakum picking; now it is difficult to make both ends meet; but at the present moment there is a slight improvement, 4352–9.

Col. M. C. Garsia.—Before 1877 when prison labour was supervised by the justices there may have been more work for prisoners, but statements to this effect generally exaggerated, 6570–6.

Mr. Charles Hall.—Industrial work carried on at Lewes was considerable before the transfer, but afterwards reduced, 4566, 4589; *e.g.*, mat-making by 40 or 50 men produced 1,000*l.* a year profit, 4567, 4718–28, 4746–48.

Comparison of the industries in local prisons under the late authority in 1875–6, and under the Prisons Commissioners in 1892–3. *Appendix* IV. (p. 560).

Comparative statement of the systems of industrial labour at Lewes Prison under the late and the present authority. *Appendix* IV. (p. 561).

(*b.*) *Nature and extent of now.*

Col. T. Barrington.—Articles made for the War Office, (representing money value for the present financial year of 2,440*l.*) rugs, mats, baskets, and oil cans. For these articles the prisons find their own material and tender as a contractor would outside. Last year a departure was made; 12,000 bed and bolster cases were ordered, the materials being supplied and carriage paid by the War Department. The contract is being continued this year on the same scale; the prison department anxious, however, for increase of orders. Prisons employed last year, Holloway, Pentonville, Wandsworth, and Wormwood Scrubs. This year five additional prisons, Knutsford, Liverpool, Stafford, Strangeways, and Wakefield (but *see* 11,462; as to matmaking at Lewes, Bedford, and Canterbury). Country prisons fairly up to time. No appreciable difference so far as quality of work is concerned between country and metropolitan prisons, 11,462–4. Quantities of articles made in the last five years: 26,766 oil bottles, 7,000 door mats, 1,700 passage mats, 1,800 hearthrugs, and 18,866 baskets. Quality of the work very satisfactory on the whole, especially the tin work. Rejections much lower than in the case of an outside contract. Deliveries fairly punctual, 11,451–61, 11,473. Difficulties have arisen in connexion with brush making at Gosport the short waste material having been utilized; this is used outside in the manufacture of small brushes, but the prison authorities have no outlet for it; it might possibly be sold periodically, 11,464–6; prison prices compare favourably with trade prices, 11,475.

Miss M. J. Bell.—Little opportunity to teach work at Holloway owing to short sentences, 5357; prisoners not anxious to receive instruction, 5360; those who can do nothing else employed picking oakum, others make mail-bags and mattresses for the War Department; the mail-bag work can be learned in a few days, 5361–3; thinks the dislike for oakum-picking at Holloway does but point to idleness and dislike for work in any form, 5367–9; has not noticed that prisoners' fingers are torn at this employment; the stain of tar complained of as preventing laundry work can be washed off in half a day, 5437–8; associated work popular, 5376–7.

Dr. Brayn.—Work at Woking is productive, and carried on partly in cells and partly in association

in the manufactory, 4841, 4842, 4843; knitting, sewing, twine spinning, and laundry, 4844; is beneficial to the women, 4849; 134 of whom work, 4842; twine spinning is for the roughest women, 4920; laundry work the most useful after expiry of sentence, 4922; star class cook for officers, 4960.

Mr. John Collett.—Articles supplied include coal sacks and bags, hammocks, baskets, mats, matting, and clothing for the Royal Hospital School at Greenwich, value of work some thousands of pounds a year, 11,104–7. Quality of work rough, but satisfactory, 1114–6; articles very seldom rejected, 11,126; what little tinware is still made by hand is given to the prisons; it would not pay to set up machinery in the prisons in connexion with this industry, 11,127; there are difficulties in the way of giving orders for skilled work, the simpler the articles the better, 11,132–5. System of contracts and accounts with prisons explained, 11,105–6, 11,112–3, 11,128–31; orders are given for a year's requirements and difficulties as to supply of articles are now met by keeping a six months' stock of goods in hand, 11,119. The tendency of late years has been for the prisons to refuse orders on the ground of having too much work in hand. In 1889 they were offered the supply of uniforms for Admiralty messengers. For one year the work was undertaken, after that refused; an immense amount of delay and inconvenience was experienced. Then in May 1891, a small order for hampers (rough work that could easily be performed), and in February 1892 an order for canvas dresses for dockyard hands, were refused, 11,108–11,111.

Mr. James Duncan.—Industries existing before the transfer supplemented in an important degree by the introduction of manufacture of articles for prison use, 4342–50. Laundry work the most profitable industry for women; 20*l.* a head made at Strangeways in 1894, 4496–7. Hammock making introduced into local prisons in the last year or two, 4531; rough estimate of value of prison labour, 117,000*l.*, 4536–7. Government departments (the large providing departments) of late far more accessible. The Post Office the department most ready to help; but War Office and Admiralty now assisting in every possible way, 4395. Work done for these departments and for Board of Trade explained, 4397. Prisoners employed in manufacturing for War Office, 28; Admiralty, 289; Office of Works, 16; Post Office, 624; if skilled instruction were provided an immense extension of work for War Office and Admiralty would result, 4398. The question of the valuation of labour has been for some time under consideration, 4522. Explains cessation of Admiralty coal sack making at Lewes a few years back. The prison now undertakes the work again, an order for 1,000 sacks having recently been given. Very large order for coal sacks, hammocks, &c., (154,910 articles in all) lately received from the Admiralty. Excellent work done at Reading. Output of sacks increased from 1,000 to 8,000 a year, 11,814–5.

Mr. E—— (*ex-convict*).—Industrial work good for prisoners, but no man on leaving prison qualified for high-class work; cannot compete with outside public; knows of cases, however, of work learned in prison proving useful, 9670–72.

Col. M. C. Garsia.—Describes steps taken by Prisons Board to get work, mainly from government departments, 6577–8. If sack-making taken away from Lewes it was a temporary measure, 6579. No difficulty in setting convicts and long sentence prisoners to work on public works, 6581–3; printing as at Parkhurst, 6584–6; bootmaking, 6587–91; no lack of work for convicts at the present time, 6592.

Miss J. T. Gee.—Prison work at Liverpool: washing for prisoners and officers only, and knitting; oakum picking, which has an ill-effect, is being replaced by bean picking, 5803–11; also mail-bag making, 5908; short sentences mitigate against teaching of prison industries; laundry work leads women to the public laundries, with evil results, 5880–90; a warder superintends laundry; good work can be taught in a week, 5822–3, 5903–5.

Capt. Helby, R.N.—System of associated prison labour at Wandsworth works very well: the best

conducted long sentence prisoners associated, 4101–7; would not, however, approve of any considerable extension thereof, with short sentences: separate confinement is better as a deterrent, 4197; *see also* 4198–4200. No need for any great extension of workshops at Wandsworth, work done almost entirely for Government, 4108–4110. Artizan warders superintend shoemaking and brushmaking, and two tradesmen the pouchmaking for postmen, legging making, &c.: in favour of extra pay for these officers, 4126–31; no labour master at Wandsworth, industrial population under no special superintending control but the governor's, 4281–4; with regard to task expected of prisoners, and appropriateness of same, the governor is much in the hands of a subordinate officer, whose observation enables him to judge; no officially recorded standard for each form of work, 4285–91.

Major James Knox.—40 or 50 hand-looms in the cells at Leeds for weaving of flannel; it is very undesirable that they should be placed there, owing to dust and diminished air space, but witness has no alternative, 7932–39. Trades acquired in prison not in witness's experience followed when prisoner is released, 7940–42. At Gloucester witness learned printing and some 16 or 17 prisoners were taught the calling, does not think one of them afterwards became a printer; industrial labour in prison more likely to prove a moral than an industrial training, 7943–47. At Gloucester the female prisoners earn 240*l.* a year at washing; at Leeds the prison washing only is done; this is as much as can be performed, 8067–71. Some women are employed on needlework and knitting, 8072. Effect produced by the change of administration in 1878 at Gloucester, so far as industries are concerned, 8161–66.

Miss E. Little.—Strangeways possesses a very good laundry (employing about 46 prisoners), and does high-class work for the Judges on circuit, Members of Parliament, and private families, over 1,000*l.* a year earned; prisoner's training completed in a week; the work is liked, and has a beneficial effect, 5131–49, 5209–10; skilled instructors not employed, if warder has no previous knowledge of industry she qualifies after arrival, 5211–14; other industries, mail-bag making, sewing, knitting, and making surplices for English prisons; excellent needlework done by hand only, 5150–2; prisoners capable of performing laundry work have no difficulty in obtaining employment outside, are accepted without character, 1*l.* and 30*s.* a week earned; has heard no complaint from outside as to skilled laundry work done at Strangeways, 5281–4.

Mr. Primrose.—The only articles now supplied to the Office of Works are tin paper-trays, and baskets for the Post Office, 11,137; considerable delay is often experienced, mainly owing to the locality of the prisons (Portland and Dartmoor) undertaking the work. The Prison Commissioners decide where the work shall be performed. Nothing in the nature of a prison labour conference between Commissioners and Office of Works during the past eight years; communications are of an informal kind, either verbal or by note, 11,138–41. Work discontinued owing to delay and other causes. Mat-making in 1892, owing to delay alone, 11,137–11,146; the prison department has been urged to keep a stock of common articles constantly asked for; the principle of the Office of Works until quite recently has been to avoid stores, and the consequent stores accounts; a small store of household articles now kept. Raw material all found by prison department. Value of mat-making industry for London 100*l.* a year, 11,146–9; carpet-beating was undertaken from 1884 to 1889, then refused on the score of the health of the prisoners, noise, and dirt. Work now done by contract at a cost of 450*l.* a year, 11,137.

Mr. Algernon Turnor.—Articles made for the Post Office. All the mail bags, pouches, and straps, and a variety of small articles, estimate for these articles for 1896, 20,000*l.*; also all the string required for the mail bags in London and in the travelling post office; stamping pads, notice boards, packing cases and boxes, estimated at 12,000*l.*; and waist belts, pouches, and leggings, representing another 1,000*l.* Total about 33,000*l.* a year. Work fairly done;

delivery fairly punctual. No occasion to rescind orders or to cease giving orders, owing to bad workmanship, 11,421, 11,423, 11,429, 11,433. Tenders in the open markets not invariably asked for. In many cases the prison authorities are employed from year to year, and to a certain extent enjoy a monopoly. Prison prices considerably lower than the outside tender, 11,437–41.

Return showing the kinds of labour in use in 1893–4, and the numbers employed. *Appendix* IV. (p. 543).

Statement showing approximately how local prisoners were employed in 1893–4. *Appendix* IV. (p. 560).

Number of mat-makers employed 1886–90, with names of contractors, copies of advertisements of contracts and of the form of tender; and memorandum on mat-making in prisons by Sir E. Du Cane, 1888. *Appendix* IV. (pp. 562–6).

Instructions relative to the scale of weekly tasks, and the valuation of prisoners' labour in local prisons. *Appendix* IV. (pp. 556–9).

Return of open spaces within prison boundaries; also of prison workshops, and hand looms and other machines. *Appendix* IV. (p. 556).

Description and plan of workshops at Wandsworth Prison. *Appendix* IV. (p. 566).

(*c.*) *Development of, and improvements.*

Mr. Rowland Bailey.—Warders should have some incentive to take further interest in the work of teaching and supervising prison industries, and there should be a better supply of skilled artizan teachers.

Col. J. T. Barrington.—Work which might be undertaken. Sand bags, corn bags, sackings for beds, sacks of various kinds, barrack sheets, tent valises, pin bags, and canvas fencing jackets. The tin work at present is almost exclusively confined to oil bottles. Articles which might be added are meat dishes, funnels, dust pans, pudding shapes, baking tins, and drums and cylinders for oil and paint. Then in woodwork, inventory, knife, and notice boards, boxes, cradles for camp kettles, trestles, bed boards for field service, and soldiers' boxes (each soldier gets a box); and the brush and bass broom industry could be extended, 11,465.

Mr. D—— (*ex-prisoner*).—Importance of associated labour, 8514–17. Mat-making and oakum-picking should not be carried on in cells where prisoners sleep, 8507–12. Need of skilled instructor at Reading in prisoner's time, 8579–81. Associated labour advocated, 8507–18.

Mr. Michael Davitt.—Development of prison labour would not interfere with the free industry; the views of certain trade unionists are very narrow; competition in the mat-making industry would be infinitesimal as compared with foreign labour; opposed to under-selling the product of skilled industry outside, 11,242–7; utterly opposed to treadmill and crank, 11,249.

Mr. James Duncan.—List of additional articles which could be supplied to Office of Works, 4400. In favour of a furniture department, 4402. Believes that enough work could be found in Government departments for the whole prison population if facilities existed for instructing prisoners in workshops, 4463–4. An extension of workshops with necessary instructing officers would, he believes, in spite of heavy outlay, prove very nearly, if not quite, a financial success. As regards workshops, Wandsworth might be taken as a model, 4435–40. Skilled officers should receive extra pay, and the ordinary warder encouraged to take an interest in trade with a view to promotion, 4444–47. Favours revival of trade gratuities to prisoners, 4459–60. Any unfairness, so far as prisoners on domestic work are concerned, might be met by granting rewards, 4504. The prison most likely to prove self-supporting would be one for female prisoners engaged in laundry work, 4496–4503. Few instructing officers since transfer, and officers not so highly qualified as prior to 1877. No incentive, 4403–5. Improved industrial system would leave no ground for agitation, as the per-centage of increased interference with outside labour would amount only to ·04, 4482–4; or, taking the labour of a prisoner to be half that of a free workman, ·02 per cent., or 1 in

PRISON INDUSTRIES—*cont.*

5,000 workers, 11,802. Long-term prisoners more readily trained, should be kept together in convenient prisons. Short-term prisoners might be engaged in gardening and mat-making, which can be learnt in seven or eight days, 4448–53. No case of a prison proving self-supporting, 4477. Convicts in convict prisons to the number of 700 employed on work for Government departments (hammock and coal-sack making for the Admiralty, for instance), which would be a boon to local prisons, if work in quarries could be found for the convicts, 4472.

Col. M. C. Garsia.—Facilities for indoor work for short-sentence prisoners what is wanted, 6593. Industrial employment for prisoners from the time they enter prison strongly advocated. Hard labour prisoners should at once be put to work at their own trades; task work, 11,676–9; 11,759–61.

Mr. Chas. Hall.—Instructors difficult to get; warders able to act as instructors, 4597–4611; but do not care for the work, 4602–3; under the county management they used to receive extra payment, 4603–10, 4651–54, 4703–10; tradesmen and skilled artizans rare in prison, 4687–89; there should be inspectors of prisons as regards the work carried out, 4779; and skilled instructors exempt from discipline duties, 4784–88. Quality of prisoners' work good, but lacking finish, 4616–18; work rejected sometimes because not of description desired; inspection of work by qualified men would obviate this, 4623–28; introduction of a little machinery would improve work, but it is objected to in prisons, 4669–72, 4679. A central prison store or depôt would obviate inconvenience caused by fluctuations in number of prisoners and orders received, 4619–22.

Capt. C. W. Hill.—Favours the introduction of a greater number of skilled workmen, with special remuneration, 7432–33: would be glad to revert to mat-making, 7806–9.

Capt. F. Johnson.—On the question of the better distribution of labour between convict and local prisons agrees as to the desirability of giving to the local prisons that class of work most suited to them, coal-sacks, hammocks, mail-bags, &c., 8742–48. Difficulty experienced, not want of skilled warders but insufficient work, 8751.

Miss E. Little.—Warders have not always the training required so far as prison industries are concerned, this defect should be remedied by an addition to the regulations of appointment, 5153–7; favours occupation being found for untried prisoners in their cells, they often apply for work, 5187–8; prisoners might be allowed to earn wages, not, however, to be expended in luxuries, 5215–9. Speaks of beneficial effect of a higher standard of work as a reward for good behaviour; prisoners should always have some occupation, and their work should be as advanced and cheerful as possible, 5250–3.

Rev. G. P. Merrick.—Labour should not be unproductive, but such as will exercise the mind; the cessation of prison industries, *e.g.*, mat-making, owing to opposition of trade unions, a misfortune, 1775–79.

Mr. Primrose.—Industries which might be undertaken. In 1889 brush work was applied for, correspondence ensued with Treasury and Home Office without result. Total cost of London supply of brushes and brooms was at this time 1,600*l.* a year. One half of the articles (the commoner kinds), representing about 800*l.* a year, might be supplied by the prisons, 11,137. The present cost of washing for the Government departments is 3,500*l.* a year. Some five years back Manchester prison was understood to be willing to undertake the work, 11,145; knows of no objection to giving laundry and needle work to the large rescue homes, but as each department manages its own laundry work the authority of Government would be required before the present system could be altered, 11,151; other possible industries sewing and hemming of dusters and towels, and the supply of firewood, *i.e.*, the small quantity of bundle wood required, faggots are principally used, 11,149–50.

Mr. J. J. Rudge.—Witness agrees that so far as the outside markets are concerned the result of prison labour has been very much exaggerated, 11,045; and that the estimated value of prison labour (120,000*l.*) is an almost infinitesimal proportion of the labour of the country, 11,046–50. The mat-making industry is seriously affected to-day by foreign prison labour, 11,057; in fact is suffering more seriously from competition to-day than a few years back, 11,059. Trades unions could not complain if regulations were framed for putting the products of prison labour on the market at a fair market price, 11,060–63. Agrees that articles supplied by the prisons to Government departments are probably of a special character, demands for which constitute a special class of work; and that prison labour in this direction would not come into competition in the sense that it might in the mat-making industry, 11,065–7; also as to the necessity for employing prisoners productively, but the Government should not become manufacturers on too extensive a scale, 11,082–90; knows of no industry, other than mat-making, which specially interferes with outside labour, 11,102.

Mr. J. H. Stone.—Would extend associated industrial work, not for short sentence but for long sentence prisoners, 2640–46, 2714–17; this need not involve large increase in staff, 2718–20; disapproves of unproductive labour; none at Birmingham, 2647–51; aware of agitation against prison labour, but of opinion that local authority in a better position than Government to resist pressure of trade unions, 2618–21; open-air employment at Birmingham in stoneyards; this good for the men and popular, 2721–28.

Mr. Algernon Turnor.—Work which might be undertaken. Boots for the telegraph messengers, 11,432; no boots made at present, 11,422; given punctuality, is quite prepared to extend work, 11,436; very much doubts the expediency of employing prisoners in making uniforms. An enormous quantity needed at a given date. At present there is one contract for the whole of Great Britain, and another for Ireland. Averse to splitting up of a contract into very small divisions, 11,442–8.

Capt. H. K. Wilson.—Prison labour should be developed; very much against tread-wheel and crank, 9814; favours associated labour, prisoners associated not to exceed 12, 9815; association rooms at Prison de la Santé at Paris, 9813; system of skilled instructors works well; whether prisoner can hold his own with outside world on discharge depends on length of sentence and good instruction; difficult to avoid competing with outside; produce should if possible be sent abroad; few kinds of work in his district; governors should find work and submit samples to Commissioners for approval; satisfactory results of washing at Gloucester for infirmaries, &c., under his governorship, 9816–29.

(*d*) *Organization of.*

Mr. Rowland Bailey.—The reason for the discontinuance of the supply of various articles (principally mats, baskets, and tin-ware) is mainly want of organisation. It was arranged with the prisons that a stock of articles should be kept, but this was not carried into effect. The present state of things could not exist if prison industries received proper attention at the board; everything is subservient to discipline; the governors have no object in keeping a manufacture, and the warders (witness speaks now from personal observation) lack interest, receiving nothing for superintending prison industries, 11,157–61, 11,166, 11,169–70. There should be no difficulty in allocating the industries to the proper centres, but this is not done; tin paper-trays should not be made at Portland, nor baskets for Government use at Dartmoor, but in London; then there was the proposal to do washing for the public offices at Manchester, 11,162–4. Carpet-beating not unhealthy; feels sure the difficulties raised came from the staff, 11,167–9. A highly responsible official in the prisons department should be entrusted with the organisation of labour, according to local requirements, and the individual capacities of prisons to produce certain articles, 11,180–4.

PRISON INDUSTRIES—*cont.*

Col. J. T. Barrington.—Explanation of, and suggestions as to, arrangements for manufacture and delivery of stores by the Prisons Department, *see* 11,467–72.

Col. M. C. Garsia.—Care should be taken in distributing work suitable for the long and short sentence prisoners; this would be facilitated by a more systematic grouping of prisoners, 6433–8. A store depôt would secure greater punctuality in the execution of prison orders, 6439–42.

Mr. R. S. Mitford.—Would be glad to extend prison labour, which is not perhaps at present arranged to the best advantage; to make one particular official responsible would be good, but not necessarily better than the present responsibility of the Commissioners; more openings for work wanted, 10,546–54.

Mr. E. J. Ruggles-Brise.—The organization of work generally is open to improvement, 10,321–6.

And see "Prison Labour" and "Prisoners Available for Trades."

PRISON LABOUR.

Dr. Ancrum.—In favour of associated prison labour but not at the outset. The principle introduced by Maconochie is better. Separate treatment at first, 9252.

Sir E. F. Du Cane, K.C.B., R.E.—Labour in associated workshops only advisable when prisoners have served some time, and masses of local prisoners are only in for periods up to three weeks, 10,834–44.

Mr. James Duncan.—Productive labour beneficial; does not attach much importance to strict isolation in regard to the work of prisons, 4423–4. Strongly in favour of a substitute for the treadwheel, 4426–7. Oakum picking should be strictly confined to penal purposes; it is viewed by prisoners as a degrading form of occupation, and an alternative form of employment is being sought for, 4428–34.

Col. M. C. Garsia.—Has strong views as to the advantage of. Cites case of Wormwood Scrubs which was built by convicts, and is a record of prison labour, 6419–20. Not afraid of contamination resulting from associated labour if you have classification and supervision, 6421–3, 6426. The convicts who built Wormwood Scrubs were trained by skilled instructors, 6424–5. Opposed to treadwheel, which involves premature association of prisoners, and is not deterrent, 6502. Explains cases in which prisoners are kept to No. 1 hard labour beyond the statutory period, 11,672–5.

Mr. Chas. Hall.—Agriculture and gardening good work for prisoners, 4633; the prison garden supplies all vegetables, 4634–42; is not highly penal work, 4690, 4691, but suitable for first offenders, and it is not considered light, 4696, 4697; and tasks could be proportioned for town prisoners and agricultural labourers, 4759–63.

Capt. Helby, R.N.—Oakum picking not followed at Wandsworth if any other form of employment is available, number of oakum pickers reduced of late, sack making for private firms having been started, 4111–5; digging could only be introduced by extending prison area, building large wall, and adding to prison staff, 4123; necessity for real form of hard labour, crank and treadwheel therefore upheld. The first month only of prisoner's sentence given over to hard labour; 85*l.* a year saved by pumping water, 4116–25.

Capt. F. Johnson.—Prison labour at Dartmoor almost entirely associated, 8724. Of the 1,030 convicts 300 are employed on the farm, 8725–26. Of this number 80 would be employed reclaiming land (1,050 acres are under cultivation and about 950 acres require to be reclaimed), and 14 are engaged building a wall as part and parcel of the reclamation of the land, 8727–29. Work on the land a very good form of prison labour, 8734. A convict is kept to his own occupation, but he sometimes considers it a grievance that he is not allowed on the farm instead, 8732–39. When farm labour is interfered with by the weather, stone-breaking, and oakum-picking or other indoor labour is resorted to, 8905–15. No unproductive labour except (as a punishment) the crank, 8740–41.

PRISON LABOUR—*cont.*

Major James Knox.—Not in favour of unproductive labour, 7920, 7930–31. No crank in the cells at Leeds, 7922. The treadwheel grinds the whole meal for Stafford, Derby, and Wakefield, and for witness's use, 7921.

Sir Godfrey Lushington, K.C.B.—Absolutely unproductive labour should be abolished, or at all events never imposed, except as it is in convict prisons by way of a special punishment. For prisoners under sentences too short to admit of their being taught a trade, labour not useless but purely mechanical seems the very last resource; but for all others work requiring some intelligence should be found. The lowest class of useful labour—the treadmill which grinds. It may be necessary to remove prisoners to a greater extent away from the prisons near which their friends reside, 11,512–5. Wherever it can be managed it would be a great advantage to employ prisoners in outside labour. The extra cost involved should not be allowed to prevent this being done, 11,517.

Rev. J. B. Manning.—As to labour, about one-fourth of prisoners in Pentonville in association at treadmill, in workshops, laundry, bakehouse, &c., 815–22; no great belief in reformatory influence of associated labour, 823–825; no unproductive labour at Pentonville; would welcome introduction of suitable employment, *e.g.*, matmaking, loss of which is much to be regretted, 826–844; some prisoners on entry physically quite unfit for skilled labour, 835; out-door agricultural work would be most valuable, specially for juveniles and the weak-minded, 1045; the maximum hours of hard labour not too high, 838–840.

Dr. David Nicolson.—Utterly opposed to useless labour except for tramps and vagabonds, 6295–96. Open-air work advocated, 6338–40; especially in cases where a tendency to mental disease is apparent, 6341–44.

Col. Plummer.—Borstal exists to make fortifications for Chatham. In addition, there are the shops for prison work, such as a little tailoring (chiefly mending), a little carpentering, and the mending of tools for the War Department, 8982–85. About 15 men are engaged on the farm of 70 acres; a very satisfactory form of employment, 8987–90. No unproductive work except as a punishment. No provision for trades at Borstal; this a serious weakness, 8992–93. Would be very sorry to see the crank done away with; very valuable as a punishment, 9011–12.

Mr. E. Witheford.—Labour employed at Dorchester is treadwheel for first-class labour, and oakum-picking and ordinary work about the prison for second class, 3971–78; prisoners not employed on ground round prison, 3992–95.

See also Letter from Admiral Tinklar, Governor of Birmingham Prison. *Appendix* IX. (p. 610).

Return showing the kinds of labour in use in 1893–4, and the numbers employed. *Appendix* IV. (p. 543).

Return of open spaces about prisons, workshops and machinery. *Appendix* IV. (p. 556).

Instructions relative to the use of the scale of weekly tasks, and the valuation of prisoners' labour in local prisons. *Appendix* IV. (pp. 556–9).

PRISON POPULATION.

Capt. H. K. Wilson.—Decrease in number of prisoners under present system attributed to education, the great safeguard in the future, and to the working of the "Summary Jurisdiction Act" and "First Offenders Act," 9793–97, 9805, 9961; good effect of sending prisoners abroad, 9801.

Number of prisoners on 15th February 1895, classed as epileptic, feeble-minded, inebriates, and drunkards, and juveniles. *Appendix* III. (p. 531).

Number of prisoners on 6th March 1894, classified according to length of sentence. *Appendix* III. (p. 532).

Careers of various classes of offenders. *Appendix* III. (p. 534).

The physical and social condition of prisoners. *Appendix* III. (p. 537).

Average prison population and proportion to general population for the last four quinquennial periods. *Appendix* III. (p. 539).

PRISON POPULATION—*cont.*

Comparison of the decrease of prison population and of committals to prison between 1883 and 1893. *Appendix* III. (p. 539).

Tables showing average number of persons tried for indictable offences for the last four quinquennial periods, and proportion per 100,000 of population. *Appendix* III. (pp. 539–40).

Proportion of females and young offenders among prisoners convicted in 1893 of indictable offences. *Appendix* III. (p. 541).

Total number of persons convicted of indictable offences in 1893, with proportion per 100,000 of population of same age. *Appendix* III. (p. 541).

List of local prisons in England and Wales, showing in each case the daily average population during 1893–4. *Appendix* VIII. (p. 598).

List of convict prisons in England and Wales, showing in each case the daily average population during 1893–4. *Appendix* VIII. (p. 599).

Number of convicts in custody on 6th July 1894, who had not served their minimum term, and of those detained beyond it. *Appendix III.* (p. 533).

Returns showing gain or loss of weight by convicts at Dartmoor and Portland. *Appendix* VII. (p. 585).

Dr. Walker's article on vital statistics in convict prisons. *Appendix* VII. (p. 582).

PRISON SYSTEM (ENGLAND AND WALES). Brief history of. *Appendix* I. (p. 457).

PRISON SYSTEM OF FOREIGN COUNTRIES. Report on. *Appendix* I. (p. 462).

PRISONERS' AID SOCIETIES.

Dr. Ancrum.—Prisoners' Aid Society at Gloucester quite independent of Government, and more than adequate, 9252–57.

Col. Barker (Salvation Army.)—The Salvation Army desires to be placed on an equality with other agencies, 8284, 8293–94. Measures should be taken to prevent unscrupulous prisoners taking advantage of different societies, 8286–92. Co-operation necessary, 8293. A number of agencies but few prisoners' homes in England, 8292. A notice should be handed to each prisoner before discharge giving the names of societies willing to help; representatives from special societies should be allowed access to the prison on certain week-days in addition to the ordinary visiting committee, 8295. The advantages enjoyed by the Army over other aid societies, better appliances and more agents, 8454–56; more highly organised, 8457. Communication with prisoners prior to discharge very desirable; a great help abroad, 8279–81, 8460–62, 8474. Failing this, prisoners should be allowed to put their names down to be met at the prison gate, and this should be communicated to the Army, 8475. Visiting and conducting service in prisons at Kimberley and Cape Town explained, 8466–73.

Col. Buchanan (Secretary to the Royal Society for the Assistance of Discharged Prisoners.)—As to the society's origin and constitution, 7210; its connexion with Wormwood Scrubs, 7211–3, 7217; its competition and co-operation with other similar societies, 7214–6, 7223–4, 7269–76; its procedure in dealing with discharged prisoners, 7222, 7225; number of prisoners aided, 7279; its government grant, 7280–3. Is opposed to undue competition amongst prisoners and societies, 7263–8; amalgamation impracticable, 7277–8. Difficulty in dealing with habitual offenders, 7230–1. Importance of interview before discharge, 7225; and separation of discharged prisoner from old surroundings, 7229.

Mr. D—— (*ex-prisoner.*)—Prisoners need a home not money, on leaving prison. A large number of prisoners would, if they had a chance, go into the Salvation Army Home, 8592–96; and *see* 8661–64. Favours prisoner's gratuity being handed over to a home, 8595, 8647–49.

Mr. Michael Davitt.—Has no knowledge of the working of these societies, but the prisoners' views, gathered in conversation, are not favourable; they say the societies are too much under the control of Scotland Yard, 1278.

PRISONERS' AID SOCIETIES—*cont.*

Sir E. F. Du Cane, K.C.B., R.E.—Thinks it would be detrimental to allow more than one aid society access inside a prison; there should not be more than one accredited channel of communication between the prisoner and rescue agencies; let the prisoner if he likes select the agency he prefers, and let the recognised aid society of the prison communicate with that agency; individual agencies, such as the Salvation Army, do good, no doubt, but competition for a prisoner's favour is bad, 10,875–96; case of Mr. Wheatley, of the St. Giles' Christian Mission, from whom the privilege of standing under an archway was taken away because the Salvation Army claimed to have the same privilege, 10,899, 10,900.

Mr. E—— (*ex-convict.*)—Prisoners' Aid Societies satisfactorily distribute money earnt, 9678–84; powerless to aid habitual criminal, 9602.

Capt. Helby, R.N.—Very efficient Prisoners' Aid Society at Wandsworth worked by visiting committee; several hours each week spent in considering cases; and the St. Giles' Mission Room is outside. If prisoners express a wish to see the agent of a particular society leave is granted, 4145–6.

Capt. C. W. Hill.—The Manchester Prisoners' Aid Society commenced its work at Strangeways in March 1894, and up to the 28th November of that year had helped 432 prisoners. An effective society, witness himself one of the agents, the other agent is outside the prison, Government grant 100*l.* a year, 7517–28. System explained, 7529–39, 7571–83.

Capt. F. Johnson.—In favour of opportunities being afforded to accredited officials to see prisoners before discharge. Agrees that anything which would give the societies a better hold on a prisoner should be encouraged, 8786–93. A home where a discharged prisoner could shelter for a time would be of benefit, 8929–30.

Major James Knox.—One society at Leeds and one at Bradford; admirable work done. The Leeds society has a very good male and a very good female agent, who visit the prison every morning and see prisoners before they leave. It was the custom at Leeds before witness's time for these agents to be allowed inside in the prison. At Gloucester witness had authority from the Commissioners to allow such visits, 8024–31; and *see* 8249–55.

Miss E. Little.—No lady visitor ever at Strangeways, 5176; work of Prisoners' Aid Societies explained, 5178–83.

Sir Godfrey Lushington, K.C.B.—Attaches very great importance (perhaps more than most people) to the action of these societies; they could to a certain extent be helped by the visiting committee taking a personal interest in the prisoners; this help to be efficient must consist of a methodical sifting of the antecedents of prisoners about to leave prison, 11,392; hitherto the work of these societies, except so far as formal communications with the governors are concerned, has been altogether outside the sphere of prison administration; and witness is inclined to think it had better remain so; they should be more sub-divided, however, and in some respects have greater facilities allowed them, 11,485. Recognises the evil of societies competing for prisoners; arrangements might be made by the governor for an equitable distribution of work amongst the various societies; good work might be done in aiding families of prisoners during their detention, 11,487; agrees that more inter-communication between societies for the purpose of identifying criminals who make an improper use of the societies is necessary, 11,488–90.

Mrs. Meredith (Discharged Prisoners' Aid Society for Female Prisoners).—For 25 years engaged in mission work. Prison Commissioners are communicated with, and women are also met at the prison gate by one of the Sisters and are asked if they want employment, 5678–87. Industry followed is laundry work; average takings 100*l.* to 150*l.* a week; require 80 or 100 women daily, could find work for 200, but cannot get the women, and a few paid hands are necessarily employed, 5688–91; laundry established at cost of 6,000*l.* or 8,000*l.*, anxious for public support to recover heavy outlay; quite self-supporting, but not profitable, owing to unremunerative nature

PRISONERS' AID SOCIETIES—*cont.*

of the work, 5692–3; 78 women at present employed, mostly from Holloway; of this number 12 are convicts; this class preferred because of their prison training, 5694–7, 5707–10; the women are sent to lodging-houses in the neighbourhood, the society guaranteeing cost of lodging; has always been opposed to their living in the institution, 5698; system works well, but under no circumstances are two women placed in one house, 5716; they earn 1*s.* a day, of which 4*d.* is stopped to pay for lodging; women paid each night; is afraid the 8*d.* is spent on beer, 5716–26; there is a penny bank, however, and those who will may put in money once a week, buying clothes from the institution with the amount saved, 5728–30; after two years hopeful cases are helped to buy furniture, 5730–1. Hours 8 a.m. till 7 p.m.; meals supplied (but no drink) out of the Prison Mission Fund subscribed to by the public, 5701–4; women perfectly free to leave when work is finished; would be glad, however, of police supervision, though the fact that the women work until they are tired is a safeguard, and further they are refused admittance in the morning if they do not arrive before 8 o'clock (prayer time), 5699–700; if a woman leaves to resume evil habits the police are informed, and the society has nothing more to do with her until a further sentence has been served, 5744–6. Some women go from 10 to 12 years with no breakdown; so long as work can be provided and the women be made to feel comfortable they keep from prison, 5705–6. *See also* 5744. Result of work perfectly satisfactory, 5747.

Rev. G. P. Merrick.—A number of Prisoners' Aid Societies at Holloway; there is practically provision for every case where assistance is asked for by the prisoner; he is allowed to make his own choice of the agency to help him, 1542–44, 1561–66.

Rev. W. D. Morrison.—Ladies attached to Prisoners' Aid Societies should be allowed under conditions to visit female prisoners and boys under 16, 3062, 3368, 3369; there are women visitors now in certain cases, 3463*a*–66. Present system of Prisoners' Aid Societies works satisfactorily, 3064–68. Dangers in allowing a prisoner to see list of all societies willing to help him, and to make a choice, 3069–3072.

Col. Plummer.—Prisoners' Aid Societies not supported by the public as they ought to be; each society would benefit by a small capitation grant; and they should be allowed better opportunities of seeing prisoners before discharge, 8975–80.

Mr. E. J. Ruggles-Brise.—Methods of Prisoners' Aid Societies open to improvement; there should be uniformity and the chaplain should always act as honorary secretary, 10,038–41; in favour of adding to list more rescue homes for female prisoners and admitting to prisons all representatives of societies officially recognised by Home Secretary, 10,060–65; so too with rescue agencies generally, *e.g.*, Salvation Army, for such agencies the only hope for recidivists, 10,295–308.

Capt. E. Schuyler.—As to Prisoners' Aid Societies, witness disagrees with a minute of an inspector requiring agents to apply to the Commissioners in first instance, and would allow any bonâ fide society access at governor's discretion, 2570–81.

Capt. W. J. Stopford.—As to Discharged Prisoners' Aid Societies, 128–30, 562–67; recent Home Office circular as to these societies, 131–9; fact that prisoners desiring help from other agencies than the aid society specially attached to the prison have to apply through that society places great responsibility in its hands; to this there are objections, 140–44; danger of allowing societies to compete for prisoners, 145, 146; no objection to let prisoners before discharge see list of agencies and make his choice, 147.

Mr. Edwin Taylor.—The York Castle Prisoners' Aid Society, with fund of 50*l.* per annum, besides subscriptions from magistrates, &c. (no Government grant), does much good; of 1,300 men passed through the prison 300 or 400 have been assisted; agent sees prisoners before they leave in their cells or in governor's or chaplain's office on permission from governor, but only such prisoners as are recommended by chaplain, who is honorary secretary of

PRISONERS' AID SOCIETIES—*cont.*

society; equally satisfactory arrangements at Aylesbury and Knutsford, 9399–9410; good done rests in great measure with governor, 9539, 9540; approves suggestion that matron should act as unpaid agent in case of female prisoners; even with 200 prisoners in her charge could give time to work of society, 9541–45.

Mr. M. J. Walker.—Receptions at Liverpool average about 20,000 a year, and the total number aided in 1892–3 by Prisoners' Aid Society was 581; there is in addition a branch of the Church of England Temperance Society which meets prisoners on discharge, 1844–52, 1958–60; approves suggestion that prisoner should be enabled to see a list of agencies willing to help him, 1853–56.

Capt. H. K. Wilson.—Good done by societies only temporary, 9867–68.

Memorandum setting out regulations governing Prisoners' Aid Societies and the Government grant. *Appendix* V. (p. 570).

Prisoners' Aid Society for Female Prisoners. Paper handed in by Mrs. Meredith giving lists of her institutions. *Appendix* V. (p. 571).

See also "Salvation Army" and "St. Giles' Christian Mission."

PRISONERS AVAILABLE FOR TRADES.

Mr. James Duncan.—Of the total prison population, 3,825 are on first-class hard labour; 3,261 are non-effective; domestic service engages 2,450; and 35 per cent. or 5,077 remain, of which number it is already possible to employ 3,004. A proportion of the residue, 2,073 (classed as oakum pickers) would under improved system, be taken for industrial pursuits, and the output of the 3,004 would be increased, still there would be no ground for agitation as the increased interference with outside labour would amount only to ·04 per cent., 4462, 4478–81, 4482–4. Or, taking into account the fact that the amount of work done by a prisoner is much less than that performed by a free workman, ·02 per cent., or 1 in 5,000 workers would be the more reliable figures. These figures refer only to the particular trades proposed to be increased, the addition to the present number of workers being estimated at 1,100. Estimates the total present interference with outside labour at ·053 per cent., or 1 prisoner to every 1,886 free workmen; the total interference after proposed increase of prison workers would be ·063 per cent., or 1 to every 1,587. *See* 11,799–808.

PRISONS BOARD.

Sir E. F. Du Cane, K.C.B., R.E.—Regular Board meetings not often held, as they are not often required; system works automatically, 11,005–8.

Sir Godfrey Lushington, K.C.B.—The general administration of prisons might be improved in one or two particulars; too great importance cannot be attached to the *personnel*; everything should be done to secure the utmost influence of the Commissioners on the governors and superior officers, and of the governors upon the officers and all the warders. In the local as distinguished from the convict prisons the Commissioners rarely inspect themselves, and the inspection by the inspectors is not altogether satisfactory; for they can never have the same personal influence on the governor and warders as a commissioner; one inspection from a Commissioner would be worth three or four from an inspector. If necessary there might be an additional Commissioner in lieu of the inspectors. Some of the Commissioners' visits should be surprise visits, others would be pre-arranged; in the latter case a notification should be sent to the visiting committee to give them an opportunity of attending. The Commissioners and the visiting committees should be brought into as close contact as possible, 11,417. A periodical revision of prison administration by an independent body has been suggested; is quite certain that a yearly revision would degenerate into a mere form, but advocates an occasional revision, the Secretary of State to nominate members from time to time; in the intervals the revising body to be non-existent, 11,414–6.

PRISONS BOARD—*cont.*

Mrs. Meredith.—Lady Elizabeth Biddulph, an excellent lecturer, would be useful on the Prison Commission to regulate such matters as visiting, reading, &c. by volunteers, 5777–8.

Mr. R. S. Mitford.—As to constitution and duties of the Board, 10,555–59, 10,561–67, 10,592, 10,593, 10,595, 10,596. Chairman is accounting officer and responsible for expenditure, *10,568–73*; he would not necessarily discuss with the Board the proposed closing of a prison, 10,574–84. Officials below governor and deputy-governor appointed by chairman and his private secretary as head of the staff department, 10,585–94; Board does not always meet to consider the report of the Commissioners; practically it is drawn up by the chairman, 10,625–28.

Capt. W. J. Stopford.—Constitution and procedure of Board of Directors and Commissioners, 14–23, 542–46; paper work and visiting greatest part of business, 24–26; convict prisons visited by directors once a month, local prisons by inspectors once in two months, and by Commissioners once a year, 27–31; treatment of prisoners' complaints, 32–36; final appeal by prisoner to Secretary of State, 37, 38; punishment of prisoners, 39–48.

PUNISHMENTS AND OFFENCES.

Dr. Brayn.—Caution usually given for first offence, then separate confinement, then loss of marks or privileges, 4877, *4896*; outbreaks of disorder occasional, 4874; handcuffs never used, loose canvas restraint jacket used for protection, not punishment, 4896–99.

Mr. Michael Davitt.—Prohibition of speech absolutely indefensible; a fruitful source of offence against prison rules, and an encouragement to deceit and cunning, helping to keep in activity practices and faculties peculiar to the criminal class, 11,318.

Sir E. F. Du Cane, K.C.B., R.E.—Approves of No. 1 punishment diet; it is controlled by the medical officer, 10,847–49; besides case of "J. E.," apparently sentenced by the visiting committee to an illegal punishment, which, however, was never carried out, recollects a case of illegally placing in irons, to prevent recurrence of which Secretary of State was asked to make a rule, 11,001–5.

Mr. E—— (ex-convict).—Four cases of suicide at Portsmouth attributed to severity of punishment, 9660, 9661, 9726–38; also cases of malingering at Chatham and Portland, 9664, 9755–61; punishments for speaking, three or four a day at Portsmouth; talking when necessary at work sometimes leads to punishment; *convict entirely* at mercy of officer, 9719–23; punishments at Portsmouth for not keeping step when going to chapel, 9640–2; malingering he believes to be due to severity of punishment; instances at Chatham and Portland, 9664, 9755–61. For Prisons Board reply, *see Appendix* IX.

Col. M. C. Garsia.—On the subject of prison punishment, points out the impossibility of instituting a reliable comparison between one prison and another, the classes of inmates differ, and so do the classes of punishments—cumulative in some prisons, not in others, 6685–92, 6756–9. No reason why the inspectors should not certify that they have examined the punishment book; they virtually do this now. Witness explains the perfect system of check on the governor that prison punishments are strictly correct, adequate, and legal. This system obtains in every convict prison, and in local prisons as regards convicts. The same system should be extended to the local prisons, 11,747, 11,777–8.

Capt. C. W. Hill.—Approves of the plank-bed, but not of flogging, which should be avoided if possible, 7394–97; favours suspension of privileges rather than the penal method, 7398; would not give three days bread and water for a first offence, unless a very serious case; too severe punishments defeat their own purpose; no revolt amongst prisoners at Strangeways, 7736–40.

Major James Knox.—Would allow publicity to the trial by visiting justices of such offences as may entail corporal punishment, 8147–50.

PUNISHMENTS AND OFFENCES—*cont.*

Miss E. Little.—Salutary effect of withdrawal from associated work; very little trouble caused by breaking of prison rules, 5093–97.

Sir Godfrey Lushington, K.C.B.—Dietary punishments, if strictly limited, the least objectionable. The *system of marks seems well adapted to diminish* the number of special punishments, but defective in stopping short when the full gratuity has been earned. If there are objections (witness is not aware of any) to extending the system in this *direction, it would be advantageous that a prisoner* with more than a seven months sentence should, like a convict, be able to earn some remission. To meet the case of violently refractory prisoners, visiting committees might be empowered to add to a sentence, within very strict limits, say not more than a period equal to the original sentence or not more than a month, whichever was the least, 11,518.

Mr. J. B. Manning.—Present system of punishments satisfactory; they should be light and short, but progressive, 776–79; cannot go far with dietary punishment, 783; flogging should only be a last resort, 784–86, 1134; no punishment cell at Pentonville, 792, 793; magistrates more inclined to inflict severe punishment than governors, but the system works well, 788, *789*; power of governor is not too limited, nor does it call for further limitation, 790, 791.

Mr. R. S. Mitford.—Cannot account for higher punishment rate in English than in Irish prisons, especially with regard to flogging, 10,689–704; nor for higher death-rate, 10,705.

Rev. W. D. Morrison.—Three times as many offences in local as in convict prisons, 3074–77; many produced by nature of prison life and degrading labour, 3073; by action of indiscreet or inexperienced officers, 3078, 3089; outbreak at Wormwood Scrubs arose from indiscreet handling of prison, *e.g.*, in inflicting undue punishment, 3078–84; *see* case of prisoner J. E——, 3085–95, 3443–63, 3532–34; flogging, how ordered and carried out, 3535–42; *recommendations* in respect of prison offences, 3096; diet should be improved, 3096, 3097, 3331; hours of officers should be shortened, and power of prison directors to inflict punishment abolished, 3097; doubts wisdom of *suggestion that in case of women a light* form of leather handcuff should be substituted for penal diet, 3098–3100.

Col. Plummer.—Proportion of punishments to prison population has materially decreased in the past 10 years; in Borstal to a marvellous extent, 9002–3. 220 *convicts in 1893 went* unpunished, 8995–99, 9014–16. Cases of corporal punishment at Borstal accounted for by the periodical outbreak of certain prisoners. Irish statistics under this head very remarkable; difficult to account for absence of corporal punishment for a whole year, 9019–31.

Capt. E. Schuyler.—As to prison offences, more frequent with those imprisoned for the first time, and in early stages, than with habituals, 2582–83. Governor has sufficient discretion, 2584; thinks some punishments inflicted by visiting justices, *e.g., 14 days on No. 1 punishment diet, too severe*, 2585–90; in connexion with prison offences, prisoners at Wandsworth allowed to call other prisoners as witnesses, 3128–31. Would abolish plank bed except as special punishment, 3162, 3163, 3241–44.

Mr. J. H. Stone.—Would give visiting committee power to punish prison offences by *extending term* of imprisonment, 2630–38; punishment at Birmingham very slight, and this policy is right, 2635, 2686–87; governor might have discretionary power to relax punishment, 2693–700; would abolish dark cell, 2638.

Capt. W. J. Stopford.—Regulations governing prison offences and book of rules, 148; rules based partly upon Act of 1865 and partly upon Act of 1877, 149–52; rules always read to prisoners, 153–56; no complaints from prisoners as to insufficient information about rules, 157; chief offenders against prison rules from the idle class of prisoners, 158; habitual criminals *more amenable to prison rules*, 159–60; average number of offences against rules by female prisoners less than by males, 161;

PUNISHMENTS AND OFFENCES—*cont.*

"breaking out" not common with men but still prevalent among a certain class of women, 162–64; "dark cell" system has been abolished, 167; variations in number of punishments in local prisons, 168–69; prisoners in agricultural districts better behaved than those in manufacturing districts, 170; different results with *different governors* of prisons, and different systems of management, 171–79; London prisoners show more offences than country, 172; limitation of governor's power to punish, 180; limited by Act of 1877 and Standing Orders, *e.g.*, No. 94, 181–84; Act of 1877 diminished the powers of governors with respect to confinement in punishment cell, 185; no disadvantage resulted from this diminution, 186–87; recommendations of Royal Commission of 1878 not acted upon as far as English prisons are concerned, 188–89; no necessity for acting upon them, 190.

Extracts from Prison Acts 1865 and 1877, relative to prison offences and punishments, and abstracts of rules and orders governing punishments. *Appendix* VI. (p. 573).

Ratio of prison offences to daily average population in convict and local prisons for 1892–93. *Appendix* VI. (p. 575).

Return of offences at Wandsworth during April, May, and June, 1894. *Appendix* VI. (p. 575).

Number of convicts in Portland Prison during 1894, who did or did not earn full remission. *Appendix* VI. (p. 576).

Return of complaints against officers by convicts at Dartmoor and Portland during 1894. *Appendix* VI. (p. 574).

Offences and punishments of convicts at Wormwood Scrubs during eight days ended 19th December 1891, the date of the Wormwood Scrubs *outbreak*, and particulars of all convicts reported in connexion with the disturbance. *Appendix* VI. (p. *574*).

See also "Dietary Punishment."

RECIDIVISM.

Sir E. F. Du Cane, K.C.B., R.E.—*The present system* has been so far deterrent that of those who once enter prison two-thirds do not come back, 10,841, 10,842.

Rev. G. P. Merrick.—It is after 16 that the real criminal age begins; instances in support of this view; criminal habits rather than *criminal instincts* the cause, 1558–60, 1567–69. Does not consider proportion of re-committals to be relatively large; those who come back to prison come back frequently, 1588–93, 1610, 1611; short sentences partly the cause of increase of *committals* and *re-committals*, 1612–15; these short sentences have done good as regards first offenders, but cumulative sentences advisable in case of habituals, 1616–19.

Mr. C. E. Troup.—Previous convictions of prisoners: 55 per cent. of persons convicted at assizes and quarter sessions in 1893 had *one or more previous* convictions (this percentage refers to a total of 9,600 cases, *see* 11,586); the proportion, however, in *only 48 per cent.*, when all previously convicted prisoners, whether tried at assizes, quarter sessions, or by courts of summary jurisdiction are taken into account; probably, however, a good many escape identification. In 2,988 cases the previous convictions had been on indictment, and in 2,347 on summary process only, 11,569–71. In London, the *proportion having previous* convictions recorded against them is only 47 per cent., as against 70 per cent. in Lancashire, Yorkshire, and Staffordshire, 79 per cent. in the boroughs of Liverpool, Birmingham, and Bradford, and 61 per cent. in the counties of Norfolk and Suffolk; which seems to show that in an enormous place like London *the police* are less able to trace a prisoner's previous history, and to *record his convictions*, 11,572–8. Proportion of second to first convictions for 1893 is 28 per cent.; very little increase, 11,592–3. For figures showing large increase in the number of prisoners having several previous convictions (due, partly at any rate, to improved means of identification) *see* 11,594–11,601. Proportion of re-committals in different classes of

RECIDIVISM—*cont.*

crime. Offences against the person, 30 per cent.: offences against property, with violence, 66 per cent., and without violence, 64 per cent.; malicious injuries to property, 42 per cent.; forgery and coining 37 per cent.; other offences in Class VI., 25 per cent. Offences particularised: larceny, 79 per cent.; simple larceny, 78 per cent.; burglary and housebreaking and kindred offences, 66 per cent.; robbery, 64 per cent.; false pretences, 44 per cent.; receiving stolen goods, 47; 11,579–80. Sir E. Du Cane's figures very forcibly point to an improved system of identification rather than to an increase of recidivism, 11,637–42; a great advance in the last 10 years in this system at Scotland Yard, also at Birmingham, 11,643–4.

Table showing number of commitments to prison for the first time, second time, third time, &c., and the per-centage of re-commitments in each case for each of the years ended 29th September 1872, 31st March 1883, and 31st March 1893. P. 10 of Report of Committee (C.—7702).

Number of persons with four or more previous convictions of larceny, who were convicted of larceny at *assizes or quarter sessions* in the West Riding of Yorkshire in 1893, and the average length of sentence inflicted upon them at each conviction, and similar particulars for the county of Lancashire, including Liverpool city sessions. *Appendix* III. (p. 540).

Number of re-committed prisoners in Leeds prison on 14th November 1894. *Appendix* III. (p. 534).

Variations of committals between 1880 and 1894, and average length of sentence for each of these years; also per-centage of previous committals to committals, and per-centage of first re-committals to committals, 1884–1894. *Diagrams* III., IV., V., VI., *Appendix* III. (*facing* p. 534).

See also "Habitual Criminals."

"REDHILL REFORMATORY."

Mr. John Trevarthen.—History of the Reformatory (based on that of Mettray, in France, the institution being broken up into families), 2736–48; admissions to Redhill (about half from London and half from southern counties) are confined as far as possible to the worst cases of criminal boys, practically habitual criminals, 2749, 2763, 2812, 2879–88; would be glad, as before Reformatory Act, to take boys under conditional pardon, 2738–41, 2836; in their five *houses attempt* some classification of older and younger boys, and boys of different characters, 2764, 2852, 2853; have some *youths up to* 21, though Act of 1893 will prevent boys being detained in future after 19, 2765–69; boys of mature age retained for their own sake, not, as suggested by Mr. Rogers (in alleging scanty use of license system), because they are profitable, 2770–73; if older boys are taken, Treasury grant should be increased, 2796–98; school has no large annual income, and has suffered severely from agricultural depression, 2799, 2800; Redhill compares unfavourably with other schools as to licenses, because of the number who are emigrated or passed into the Army, 2774, 2775, 2877; of licenses at Redhill about one-fifth revoked; the cases give no *special trouble afterwards*, 2873–76; disapproves of Act of 1893 limiting age for detention to 19, 2775–77; would extend age for reception up to 18, 2778, 2779; does not consider 60 youths of from 17 to 20 necessarily an unmanageable item in one house, 2854, *2859*; *would not be afraid to attempt* reform of *habitual* criminals between 16 and 21, 2889–92. An institution half-way between reformatory and prison might be useful, but objects to the name "penal reformatory," 2893–97; Redhill system of classification by houses might be extended to a system of classification by schools, for senior cases over 15 on admission, and for *junior cases* under 15 on admission, 2780–87; does not mean that a boy under 15 on admission should be transferred when over 15; each school should have a variety of ages within certain limits, 2870, 2871; no use a boy coming for less than three years, 2786. *outbreak at Gladstone House*, Redhill, in 1892, not serious; ringleaders have turned out well, 2847, 2848. Punishment used at Redhill: birching,

"REDHILL REFORMATORY"—*cont.*

caning, and cell confinement on bread and water for about a couple of days; this last very rare, 2849–51; house staff at Redhill consists of schoolmaster, who is as it were father of the family, and labour master; but there is a general superintendent for each department of the school, and there is a gymnasium which has been of immense service, 2855–59, 2916; there are, as a rule, three dormitories for the 60 boys in each house, 2860; keeps record of cases discharged, and, taking an average of 10 years, finds about 92 per cent. doing well, about 7 per cent. re-convicted, and a little over 1 per cent. unknown, 2791–96, 2878.

REFORMATORY AND INDUSTRIAL SCHOOLS.

Mr. Michael Davitt.—Strongly in favour of raising the age of admission to 18, and the establishment of a half-way house between the reformatory and the prison, 11,259–63.

Sir E. F. Du Cane, K.C.B., R.E.—Prefers to leave reformatories in the hands of voluntary agencies, but no reason why a Government reformatory should not be successful, 10,919, 10,920; doubtful about advisability of raising age for reformatories from 16 to 18; age a very uncertain test; but a special reformatory on the Parkhurst lines for the older and bad lads a good idea, 10,936–38; Parkhurst Reformatory was a farm establishment for juveniles sentenced to long terms; it was not a failure, but died out in consequence of the establishment of reformatories all over the country under the Act of 1863, 10,914–18; figures to show large proportion of criminals between 16 and 21 years of age, 10,939, 10,940; to young offenders a long sentence to a reformatory might be more deterrent than a short sentence to prison, 10,941, 10,942; to the Government or penal reformatory might be transferred, on a magistrate's order, boys who could not be coped with by the voluntary agency, 10,943–45.

Col. M. C. Garsia.—If you raise age for admission to reformatories up to 18, you must have classification, so as to separate the older lads from young boys, 6481–3.

Mr. R. Gorst (Secretary of National Association of Certified Reformatory and Industrial Schools, representing two-thirds of schools under Government inspection).—Redhill the leading institution of its kind, 6117–8; agrees with Mr. Trevarthen that age for admission for both boys and girls should be raised to 18, and limit for detention (lowered by Lord Leigh's Act) raised to 21, 6111–6, 6189–92; if age raised, Treasury grant must be increased, 6153–4, 6157; in favour of boys being purged by punishment *before* their admission to reformatory, and there should be an interval to be passed in houses of detention (as a substitute for prison), under county councils, where the boys might be sifted and the proper school found for each, 6119–29, 6141, 6155, 6203; penal and reformatory elements should be separated, 6212–30. Association does not think having been in a reformatory, with preliminary imprisonment, leaves a taint interfering with subsequent employment, but English and Scotch opinion differs on the subject, 6146–50, 6204–7; chief sources of income to reformatories the Government and the local authority grants; these, with earnings from labour, make most self-supporting, 6130–3; there are 50 reformatories, not too many, although, of late, admissions have been falling off, 6134–5; falling off due to sentiment against sending children to prison, a difficulty now removed, 6208–9, 6220–1; believes that from 80 to 86 per cent. of boys who have passed through reformatories lead honest lives; inquiries on the subject are carefully made, 6136–40; not generally true that managers are tempted to keep older boys longer than necessary because of their earnings, 6142; in cases of long sentences favours a power of conditional discharge in managers' hands for emigration, &c., 6143–5; reformatories should be classified as schools for boys and girls between 10 and 12 or 14, and between 14 and 18, and for cripples, &c., 6151–2; such classification essential if age is to be raised, though the classification might be contrived by having entirely separate houses in the same school, 6193–6202; schools

REFORMATORY AND INDUSTRIAL SCHOOLS—*cont.*

necessary for cripples, &c., in order to receive boys ill-suited to industrial training and therefore rejected by ordinary reformatories, 6231–6, 6242–4; some reformatories more successful than others in a pecuniary sense, but knows of none where a profit realised is appropriated to private uses, 6162–71; not aware of any special observation as to insanity in reformatories, 6172–4; very little exists beyond moral insanity, which, however, he regards as something more than the result of some physical defect, 6175–6; admits that some reformatories show better results than others; this due to some being more favourably circumstanced than others as to the material they get, and their means of disposing of it afterwards; also, perhaps, to character of manager, and structure of buildings, *e.g.*, the exceptional means of classification at Redhill cannot but lead to good results, 6177–84. as to failures, there must be a certain percentage of incurables; dishonesty the main cause of failure, 6185–8; objects to penal reformatories except as a special institution, with severe discipline, to which unmanageable boys can be drafted, 6212, 6222, 6226. Association is anxious to memorialise Home Secretary on the danger of too much use of voluntary homes not under Government control, and the confusion in magistrates' minds as to the spheres of the different classes of schools, 6240–1; and is in favour of a power to Secretary of State to transfer cases from an industrial to a reformatory school and *vice versâ*, 6240.

Capt. Helby, R.N.—On question of extending age of admission thinks a separate institution would be necessary; a working-class boy between 16 and 17, generally speaking, has acquired all the habits and notions of a man, and should not mix with the younger boys, 4153–8; no objection to experiment of some kind of reformatory treatment for persons over 16 being made, 4202–7.

Capt. C. W. Hill.—Is satisfied with the present age limit; prisoners from reformatories the most troublesome, 7348–57. A very complete system of classification essential, 7362–63. Thinks, with proper treatment, the prison is a better reforming agency for boys and girls between 16 and 21 than the reformatory, 7365, 7372–74, 7540–43, 7596–7601. As much good might be done in prison in three months under judicious treatment as in a reformatory school under a four years' term, 7602–5. It is the herding together of bad boys in reformatories which does the mischief, 7606; *see also* 7607–12. Favours the idea of a Government penal reformatory, a mid-way house between the prison and the reformatory, 7383–89. Why Parkhurst was a failure, 7390–91.

Major James Knox.—Does not favour a hard and fast rule as to age, but would take from the prison as many of the younger prisoners as possible and detain them in reformatories; advocates separate institutions for the younger boys and girls, 7896–7911. It should be possible to transfer an offender who is incorrigible from a reformatory to a prison, 7916.

Sir Godfrey Lushington, K.C.B.—Not in favour of a Government reformatory where boys could be subjected to a long period of penal treatment without the stigma of having been in prison; a new Parkhurst would be a prison in another name, 11,494; witness's objections extend to a penal reformatory for a rather older class of youthful offender; does not share the view that such an establishment would have a reforming influence; as it is, reformatory managers notoriously keep the boys too long, 11,496–7; and they are anxious to extend the age of detention, 11,497; this, witness would not accede to, 11,502; agrees that the system of conducting Redhill reformatory is the right one, 11,500; witness, asked whether his views as to reformatories were due to their not having been well administered during the last 20 years, replied:—
"No, I should not like to say that; I would
"rather say that at its best the life offered by a
"reformatory has most serious defects, however
"vigilant and kindly managers may be; that these
"defects are liable to be aggravated by special
"causes, as by insufficiency of funds, or by the
"inmates being too numerous for good manage-

REFORMATORY AND INDUSTRIAL SCHOOLS—*cont.*

"ment, or, in rare instances, by remissness on
"the part of the managers," 11,551.

Mr. J. B. Manning.—Reformatories have done great good, 910.

Mr. Henry Rogers (Assistant Inspector of Reformatory and Industrial Schools).—Fifty-one reformatory schools, 140 industrial schools, 22 day industrial schools, 14 truant schools, 2380–82; the different characters of the two classes of schools to be noticed in the two sets of boys, 2382–86; preliminary imprisonment a barrier to committals to reformatory schools, 2387–89; feeling as to this stronger in Scotland than in England, 2390–92; though prison not always bad for a boy about to go to a reformatory, thinks after 40 years' experience you can get on as well without it, 2393–95; boys less criminal now, old training gangs broken up, 2396–402, 2534; very few incurably bad, and the younger the more hopeful the case, 2535–37; for special cases age of admission might be extended to 18, 2403, 2404; this involves classification, *e.g.*, schools for those above 16 on admission, and for those below 16; no difficulty in this, 2405–17, 2423–37, 2528; license system not so much used as it should be; older boys kept because they are profitable, 2418–23, 2450–76, 2481–87; therefore approves Act of 1890 limiting age of detention to 19, 2449; effect of that Act, 2518, 2519; reformatory schools a great success; at the lowest estimate 70 per cent. reclaimed, 2438–46, 2522; various reasons for different success of different schools, 2496–503; if older boys taken necessary to increase Government grant, 2447, 2448; present voluntary system works better than would one more under official management, 2477–80; reformatories supported by Government grant of 6*s.* per head, by grant from committing authority, and by subscriptions, which have of late fallen off, 2484–87; knows of no case of Home Office actually revoking the certificate of a reformatory, though it has happened in the case of Industrial Schools, 2488, 2489; objects strongly to the mixture of reformatory and industrial school cases at Feltham, 2490–95; thinks limit of size for a reformatory should be 60, 2507; agricultural training invaluable for improving physique, 2508–12; would not give sedentary occupation, or anything like oakum picking, or the crank to boys, 2523–25; some boys do follow trades learnt in a reformatory, 2513, 2514; needlework, knitting, and machine work good for the girls, 2515; boys and girls invariably drilled to improve physique, 2516, 2517; does not think grave abuses in the way of punishment exist; there is corporal punishment, and every punishment is registered, but discipline mostly carried on by marks and rewards for labour, 2529–33, 2538.

Mr. John Trevarthen.—Results of reformatory system successful on the whole, 2837, 2838; boys should be kept as long as necessary, even to last hour of sentence, 2839, 2840; aggregation of large numbers is a mistake, 2841, 2842. As to labour, farm training pre-eminently the best, both morally and physically, 2843–46. Act of 1893, abolishing necessity for prior imprisonment, mistaken policy; and has caused confusion. There must be an interval between the sentence and the finding of a reformatory; some boys are actually sent for some days to a workhouse despite danger of contamination, 2801–809, 2889, 2898–908. True that the objection to imprisonment was crippling reformatories, but the First Offenders Act, and the too free use of "voluntary homes" has had much to do with it, 2813–23, 2868, 2869; believes that he represents generally the views of reformatory masters, 2788–90; as regards prior imprisonment certainly represents views of South of England, though not perhaps of the North and of Scotland, 2901–903. Admits that varieties in rules of reformatories (some taking only the mildest cases under the Reformatory Act), introduces confusion between reformatory and industrial schools; the real distinction between them should be accentuated, 2824–29. Defines criminal class of boys not by number of convictions, but by character; bad boys may long elude conviction; not surprised that there are many such boys in Poor Law schools; pauper lads going to Redhill generally unsatisfactory, 2830–35. Not many boys who would be rejected by all reformatories as unfit for industrial training; hardly enough to justify a special institution, which would be difficult to work, 2862–67; class of boys in reformatories largely those whose environment has led them astray; in happier domestic circumstances would have turned out as well as others, 2912–15.

Mr. W. Wheatley.—Advocates raising age of admission to 18; provision for more classification and separation of classes, 7126; preference for "ship" as a reformatory, 7185; necessity for relegating "runaways" to "ships," 7198, 7203–5; in sufficient ships, 7199–202.

For physical and mental condition of children in industrial and other schools. *Appendix* III., Table VIII. (p. 538).

See also "Redhill Reformatory."

REFORMATORY INFUENCE OF PRESENT PRISON TREATMENT.

Col. Barker (Salvation Army).—Present treatment of criminals a failure so far as reformatory influence is concerned. More discrimination and individual attention needed, 8299–304.

Dr. Brayn.—Reformatory effect of prison discipline only occasional; Woking prisoners mostly incorrigible, many with 40 or more convictions, 4888.

Mr. D—— (*ex-prisoner*).—Reformatory influence of present prison system nil, 8685–88.

Sir Godfrey Lushington, K.C.B.—As to reformatory character of present prison system, points out the elements in prison life which seem to make for, and those which seem to make against, reformation, 11,480; does not think it possible to introduce a reformatory element into the prison, 11,481–3; the prison system should be simply punitive and deterrent; does not see how any effort to produce a contrary effect can be made successfully, 11,484–5. On the question of deterrence *see* 11,476–9. Witness says:—
"I regard as unfavourable to reformation the
"status of a prisoner throughout his whole career;
"the crushing of self-respect; the starving all
"moral instinct he may possess; the absence of
"all opportunity to do or receive a kindness; the
"continual association with none but criminals,
"and that only as a separate item amongst other
"items also separate; the forced labour and the
"denial of all liberty. I believe the true mode of
"reforming a man or restoring him to society is
"exactly in the opposite direction of all these.
"But, of course, this is a mere idea. It is quite
"impracticable in a prison. In fact, the unfavourable features I have mentioned are inseparable from prison life," 11,482.

Mr. Edwin Taylor.—Hopeful view as to reclamation of prisoners; has seen many reclaimed, 9438.

And see "Recidivism."

REMEDIAL MEASURES ADVOCATED.

Mr. Rowland Bailey.—A highly responsible official in the prisons department should be entrusted with the organisation of labour, according to local requirements, and the individual capacities of prisons to produce certain articles, 11,180–4.

Mr. Michael Davitt.—Nine months' solitary confinement should be abolished, or failing this, reduced to one or two months at the beginning and the same period at the end of a sentence for first offenders, only the old offenders being sent at once to hard labour; by this means prisoners would have the benefit of such reformatory influence (visits from chaplain and schoolmaster) as could be brought to bear upon him just before his release, 11,197–11,201, 11,289–91, 11,311–3 11,322–5; witness's experience of solitary confinement, 11,284–8. "The irreclaimable class who are thieves by conviction" should be kept in a separate prison; these criminals in the process of time become men of very weak intellect; treatment recommended: not long or severe punishment (does not believe in cumulative sentences), but detention (with productive labour, 11,296–9) and such treatment as experts in mental diseases and kindred ailments would suggest; similar treatment to be extended to those guilty of larceny, petty theft, &c., if over 30 years

REMEDIAL MEASURES ADVOCATED—*cont.*

of age, 11,211–9; under 25 or 30 they might be reclaimed; not much hope for "third timers," 11,214, 11,257–8. No belief in reclamation by punishment, 11,294–5. Strongly urges the re-institution of local control and the decentralization of the present system, much of the unnecessary harshness of the present system of penal servitude due to a too centralized control. Favours independent inspection of all prisons, the privilege to be extended to all Magistrates, Members of Parliament, and County Councillors, of visiting and reporting independently to the Home Office, 11,221–5, 11,350–2. As to punishments awarded by directors, some 16 or 18 years back, floggings at Dartmoor were very frequent and generally undeserved, 11,220: no appeal from sentence by a director; a local magistrate or justice of the peace, with concurrent authority or power to appeal to the Home Secretary to stay punishment, should be present when a case is being investigated by a director, 11,346–7. Prisoners, whether convict or local, should be far more leniently treated; conversation should be allowed as a reward for good behaviour when the third class is reached after 12 months' penal servitude; hardened offenders, however, to be kept apart, 11,211, 11,226–34, 11,319–21. Organised systems of communication exist, but these subterfuges would in a great measure cease if present rules were relaxed, 11,268–9. Prohibition of speech absolutely indefensible; a fruitful source of offence against prison rules, and an encouragement to deceit and cunning, helping to keep in activity practices and faculties peculiar to the criminal class, 11,318. A pipe of tobacco on Sunday for prisoners in the third, second, or first class would be a wonderful inducement to good behaviour, 11,235. Prisoners should be allowed to ornament their cell walls if they have the taste and ability, 11,319. Favours "shorter sentences all worked out" instead of long sentences of penal servitude. The ticket-of-leave should be reserved for old offenders; it operates against the first offender to have to report to the police, and this class should work out a short sentence instead; very strong grounds for complaints against detectives; has, in conversation with prisoners who have returned after a first conviction, heard frequent complaints as to not being allowed a fair chance on discharge, 11,314–5; even in the case of a third or fourth term prisoner would give governor, chaplain, and doctor power to recommend discharge without ticket given real evidence of reformation, 11,369, *see also* 11,374; objection to ticket-of-leave-system would fall through if regulations, which are admirable, were carried out, but they are not, 11,371–3.

Sir E. F. Du Cane, K.C.B., R.E.—Removals from one prison to another cannot be effected without Secretary of State's warrant, but there should be no difficulty with proper foresight; it would save the Secretary of State much trouble if Commissioners would sign the warrants, 11,024–26.

Mr. E—— (*ex-convict*).—Advocates three or four years in local prison as an alternative to 10 years penal servitude, with two hours exercise a day and occasional permission to talk at exercise, 9746–54; six, or perhaps four years cellular confinement should be the longest term; evils of association avoided, 9764–71.

Major James Knox.—Would allow publicity to the trial by visiting justices of such offences as may entail corporal punishment, 8147–50.

Sir Godfrey Lushington, K.C.B.—A circular should be issued to the visiting committees every year by the Secretary of State (at the beginning of the year, perhaps, rather than at the end, or there might be two circulars), specifying the principal features of prison administration upon which he requests full observations and suggestions; the reports with an analysis to be laid before Parliament, 11,404–7. A periodical revision of prison administration by an independent body has been suggested; is quite certain that a yearly revision would degenerate into a mere form, but advocates an occasional revision, the Secretary of State to nominate members from time to time; in the intervals the revising body to be non-existent, 11,414–6.

REMEDIED MEASURES ADVOCATED—*cont.*

Mrs. Meredith.—Convicts should be found employment on leaving prison, and should be allowed partial freedom, not compelled to reside in a home; a kind of licence should be issued, and they should be under control for some months; would add a year of semi-independence to a five years' sentence, the woman to be detained in one neighbourhood where she should be sure of employment, 5748–51, 5762–6.

Rev. G. P. Merrick.—Would give governors discretionary power to allow more frequent intercourse between prisoners and reputable friends likely to do them good, 1532–38; but not too much to be expected from visits of philanthropic persons from outside, 1727–30; nearly all prisoners have some sense of shame, and this would be deepened as prisoner is elevated by such means, 1539–41.

Rev. W. D. Morrison.—Suggests form of return for insertion in Commissioners' Annual Report to show condition of each prison as to accommodation, 2949, 3469–74. And amendments of s. 17 of Act of 1865, 2950.

Col. Plummer.—Long-sentence convicts should have some relaxation of prison discipline during their last year; a small prison might be given over to this class, where those of over five years' sentence might be allowed more talking, and greatly increased visits to fit them for life outside, 8971–74; or, for the majority of prisoners (a small minority would refuse to take advantage thereof), an Aid Society's Home, if such a place could be found, would be equally beneficial; this last year would be very useful for the teaching of trades, 9032–45, 9059. Warders should be allowed to retire on pension after 26 years' service, 9009–10.

Mr. E. J. Ruggles-Brise.—Strongly in favour of encouraging local magistrates to exercise their powers under Act of 1877, but supremacy of Home Secretary must be maintained, 10,022–25; Commissioners might arrange to meet them on their visits, and the regulations might be a little altered, 10,268–79.

Other suggested reforms under various heads.

"SALVATION ARMY."

Col. Barker (Salvation Army).—(For 14 years an officer of the Salvation Army; secretary for the social operations of the Army in the Darkest England scheme.)

Work of the Army in Australia in connexion with prisons explained, 8260–82, 8295, 8483. The Prison Gate Home receives convicts and first sentence men; the casual is dealt with at temporary relief works, of which there are five in London. Since the Home was opened in February 1891, 1,197 discharged prisoners have been dealt with; of this number 383 have obtained employment after from one to 18 months (of these 87 per cent. are doing well, 10 per cent. have been lost sight of, 2 per cent. have returned to crime, and then there are the doubtfuls who, although not lost sight of, have not satisfied the authorities that they are reformed); 7 have enlisted in the army, 376 after working well and giving satisfaction, have left to seek work; 128 out of the 1,197 have been discharged as unsatisfactory and unwilling to work, 8310–18, 8385–95; perhaps three-fourths of the whole number are first offenders, 8396–400; of those received a great number are mentally weak and wasted, a considerable number colour blind, 8333–40; of the physically weak the larger proportion would come from the local prisons, the statement as to the feeble-minded applies more to convicts, 8401–29; the figures 1,197 apply to London alone, 8318–19. The various shelters cover 1,000 each day, mostly casuals; 20 per cent., perhaps, find their way to prison, 8352–56. All classes received, drunken and refractory cases not kept at the home, but sent to other departments of the scheme; they would number 264 out of the 1,197, 8364–73. Perhaps 10 a day, or 500 in the year, are received at the prison gate but do not pass into the Home, being sent elsewhere, and staying on an average two months; nothing definite known of their after movements, 8374–82. Women are sent to a home in Mare Street. Mrs. Bramwell

"SALVATION ARMY"—*cont.*

Booth recently reported that she has had 700 women through her homes, 395 of whom have been sentenced for criminal offences, 8383–84. The chief industry is the salvage (the collecting and sorting of waste paper mainly): other industries are tailoring, boot and shoe making, and mat-making, 8306. Men are received who have learnt a trade in prison, but they are few in number, 8319–20; weekly cost per man, 7*s.* Salvage pays for keep and something towards cost of administration. At present a loss is incurred, 8437–41. Salvage work explained, 8442–50. Task work is performed in the lower class of labour yards, and men are paid according to the value of their work; the highest rate of wage 5*s.* a week, in addition to food and lodging, 8448–49. The next step is promotion to be a foreman with, perhaps, 2*s.* or 2*s.* 6*d.* a day, 8451. The Army desires to be placed on an equality with other agencies, 8284, 8293–94. Measures should be taken to prevent unscrupulous prisoners taking advantage of different societies, 8286–92. Co-operation necessary, 8293. A number of agencies, but few prisoners' homes in England, 8292. A notice should be handed to each prisoner before discharge giving the names of societies willing to help; representatives from special societies should be allowed access to the prison on certain week-days in addition to the ordinary visiting committee, 8295. The advantages enjoyed by the Army over other aid societies, better appliances and more agents, 8454–56; more highly organised, 8457. Communication with prisoners prior to discharge very desirable; a great help abroad, 8279–81, 8460–62, 8474. Failing this, prisoners should be allowed to put their names down to be met at the prison gate, and this should be communicated to the Army, 8475. Visiting and conducting service in prisons at Kimberley and Cape Town explained, 8466–73.

Mr. D—— *ex-prisoner*).—Witness's last sentence remitted by Home Secretary on condition that he went to the Salvation Army Home, 8590. Prisoners need a home, not money, on leaving prison. A large number of prisoners would, if they had a chance, go into the Salvation Army Home, 8592–96; and *see* 8661–64.

Mr. Michael Davitt.—Selected officers of the Salvation Army would do far more good with certain classes of criminals than either the Protestant or Roman Catholic chaplains, 11,281–3.

Mr. E—— (*ex-convict*).—Rescued and started in business by the Salvation Army, 9600, 9605.

Testimony by Chief Justice of Victoria to the good work done by the Rescue Department of the Salvation Army in Melbourne. *Appendix* V. (p. 571).

SILENT SYSTEM. *See* "Talking."

SPECIAL CLASS.

Col. M. C. Garsia.—Witness does not agree with Colonel Plummer's evidence (*see* 9013) as to the unsatisfactory working of rules with regard to the "Special Class." An improvement, however, might be effected. What is most important to a prisoner relating to this class is the money gratuity attached to it, and when a man does not in the opinion of the governor merit the special class owing to some little misconduct in the latter part of the sentence (because a special class carries not only a special gratuity of 3*l.*, but a week's extra remission of sentence), then the extra remission should be withheld, to mark the difference between that man and the prisoner whose conduct is really exemplary, 11,730.

Col. Plummer.—Rules with regard to the special class do not work well, 9013.

"ST. GILES' CHRISTIAN MISSION."

Mr. William Wheatley.—Accommodation in the four mission homes, 7119; advantages of the homes, 7121; per-centage taking advantage of them, 7155–60; number of incorrigibles, 7162; medically unfit for hard work taken in, 7163–65; period of detention depends on circumstances, 7180, 7194, 7195; comparatively few cases of runaways, 7196, 7197. As to distribution of tickets to prisoners about to be discharged, 7096, 7097, 7102, 7104, 7156; access to prisoners refused by order of the Home Office, 7100, 7101, 7141; in favour of all similar *bonâ fide* societies having equal advantages, 7106–12, 7153–55; lists obtained from police of prisoners about to be discharged, 7113; no comments on the institution of the Government grant, 7115; interviews boys in prison on remand, 7141–52; difficulty of providing ships for boys who desire to go to sea, 7182–84; difficulty of disposing of boys with physical defects, 7186.

"ST. GILES' CHRISTIAN MISSION"—*cont.*

STAFF.

Sir E. F. Du Cane, K.C.B., R.E.—Statement of the various steps taken in fixing the staff of local prisons since their transfer, 10,765; warders bear a certain per-centage to officers, but allowances are made for the special circumstances of particular prisons; so too with medical staff, 10,776–83; female prisoners probably require more individual treatment than the men, and therefore larger staff, 10,766, 10,767; sleeping in to answer bells is not reckoned as night duty either for male or female officers, 10,768–71. No reason to suppose medical staff is not up to the mark for dealing with mental cases, 10,772.

Miss E. Little.—Staff at Strangeways insufficient, 5099–5114.

Dr. David Nicolson.—Convict prisons under-manned, 9360.

Mr. E. J. Ruggles-Brise.—Considers numbers and present proportion of staff generally sufficient, 10,108–14, 10,139–41, 10,352–55; and that assistant warders as a class are not more discontented than all large bodies of public servants, 10,127–31; a contented staff of great importance, 10,132; temporary officers still, but to a reduced extent, employed; does not think this results in trafficking, 10,133–38, 10,309; apparent discrepancy between staff shown on estimate and actual staff a source of discontent, 10,374–84; would, as in Scotland, take clerical from disciplinary staff by promotion and then let the clerical staff be eligible for promotion in the prison service generally, 10,346–48.

Mr. J. H. Stone.—Staff at Birmingham adequate even to secure Sunday exercise, 2704–11.

Dr. Walker.—As to discrepancy between actual number of officers and that shown on estimates, 3844–52; has noticed no effects of over-work on women warders, 3923–27; but infirmary staff too small, 3939–41; and general staff not sufficient to allow of exercise in the afternoon as well as in the morning, and Sunday exercise, 3952–56.

Return giving the superior staff of prisons in 1893–4, with details as to previous occupation, &c., of each officer; and return of number of governors of local prisons at the time of the transfer. *Appendix* VIII. (p. 592).

Number of the subordinate staff on the 28th June 1894, distinguishing between military men and civilians; and number of candidates similarly classed. *Appendix* VIII. (pp. 598–9).

Civilian appointments to the command of prisons by the Prison Commissioners. *Appendix* VIII. (p. 599).

Actual staff of the local prisons on 31st March 1893, and staff estimated for. *Appendix* VIII. (pp. 600–3).

Temporary officers employed during the week ended 17th November 1894, and corresponding weeks in 1891–3. *Appendix* VIII. (p. 604).

Subordinate officers discharged during five years ended 30th June 1894. *Appendix* VIII. (p. 604).

Papers relative to staff at Holloway Prison. *Appendix* VIII. (pp. 605–7).

And *see* "Deputy-Governors," "Matrons," "Medical Officers," and "Warders."

SUICIDE.

Mr. E—— (*ex-convict*).—Four cases at Portsmouth, attributed to severity of punishment, 9660–61, 9726–38. *See Appendix* IX. (p. 617) for reply of Prisons Board.

SUICIDE—*cont.*

Dr. R. M. Gover.—Statistics as to suicide; about 8 per annum in local prisons for last six years, tendency greater in local than in convict prisons, and early in sentence rather than later, 1199–1203, 1368–75.

Rev. W. D. Morrison.—As to suicide and insanity in prisons, tendency greater inside than outside prison, greater on first reception than afterwards, greater with prisoners under remand than convicted, greater with first offenders than habituals, 2998–3006, 3580–82. Prison population specially affected by congenital infirmities, but this insufficient to account for large proportion of insanity and suicides, which last has recently been reduced by mechanical means, transmuting the tendency to suicide into insanity, 2999, 3007–10, 3613–17.

Dr. David Nicolson.—Three cases of suicide at Broadmoor in 18 years, but attempts are not at all infrequent, 9357–9.

Number of persons tried for attempting to commit suicide in each period of five years from 1874 to 1893. *Appendix* III. (p. 540).

TALKING.

Dr. Brayn.—At Woking silence is enforced on those in separate confinement, others have one hour's talking in groups of two or three every day; talking also allowed in laundry and twine shop about the work, 4886–88, 4949, 5022–29, 5835; and among the old women, 4917; this is different from male convict prisons, 4937.

Mr. Michael Davitt.—Conversation should be allowed as a reward for good behaviour when the third class is reached after 12 months' penal servitude; hardened offenders, however, to be kept apart; 11,226–34, 11,319–21. Organised systems of communication exist, but these subterfuges would in a great measure cease if present rules were relaxed, 11,268–9. Prohibition of speech absolutely indefensible; a fruitful source of offence against prison rules, and an encouragement to deceit and cunning, helping to keep in activity practices and faculties peculiar to the criminal class, 11,318.

Mr. E—— (ex-convict).—Rules as to speaking too harsh; convicts should be allowed to converse at recreation on Sundays, 9656–58; talking without punishment due to lenient officer, 9764.

Mr. R. S. Mitford.—Thinks it would be a dangerous system to allow convicts to talk to one another; there are great difficulties in devising a classification reliable enough to render conversations among convicts innocuous; the silence at present is not absolute, men talk about their work, 10,479–99. Very large number of punishments for talking, but the rule against it is salutary, 10,706–709, 10,751–54.

Rev. W. D. Morrison.—Not afraid of prisoners talking to one another; danger in too strict a rule of silence, 2972, 2973, 3643–55, especially in convict prisons, 2973–76; of which, however, witness has not had much personal experience, 3426–42; association with conversation, though undesirable in local prisons, not in the same measure objectionable in convict prisons where not all are habitual offenders, 3346–60. Sitting close together in chapel a temptation to talk, which might be obviated by sending half the prisoners to chapel one day, and half the next, 2977–83, 3096.

Mr. E. J. Ruggles-Brise.—Does not think silent system, as carried on in convict prisons, works badly, 10,052–59, 10,086–10,087; as to changes consequent upon the report of the Kimberley Commission, 10,192–203.

TICKET-OF-LEAVE.

Mr. Michael Davitt.—The ticket-of-leave should be reserved for old offenders; it operates against the first offender to have to report to the police, and this class should work out a short sentence instead; very strong grounds for complaints against detectives; has in conversation with prisoners who have returned after a first conviction heard frequent

TICKET-OF-LEAVE—*cont.*

complaints as to not being allowed a fair chance on discharge, 11,314–5; even in the case of a third or fourth term prisoner would give governor, chaplain, and doctor power to recommend discharge without ticket given real evidence of reformation, 11,369, *see also* 11,374; objection to ticket-of-leave system would fall through if regulations, which are admirable, were carried out, but they are not, 11,371–3.

See also "Police Supervision."

TRADES UNIONS AND PRISON INDUSTRIES.

Mr. Michael Davitt.—Development of prison labour would not interfere with the free industry; the views of certain trade unionists are very narrow; competition in the mat-making industry would be infinitesimal as compared with foreign labour, 11,242–7.

Mr. J. J. Rudge (General Secretary of the National Flint Glass Makers' Trade Union).—Agrees that so far as the outside markets are concerned the result of prison labour has been very much exaggerated, 11,045; and that the estimated value of prison labour (120,000*l.*) is an almost infinitesimal proportion of the labour of the country, 11,046–50. The mat-making industry is seriously affected to-day by foreign prison labour, 11,057; in fact is suffering more seriously from competition to-day than a few years back, 11,059. Trades unions could not complain if regulations were framed for putting the products of prison labour on the market at a fair market price, 11,060–63. Agrees that articles supplied by the prisons to Government departments are probably of a special character, demands for which constitute a special class of work; and that prison labour in this direction would not come into competition in the sense that it might in the mat-making industry, 11,065–7; also as to the necessity for employing prisoners productively, but the Government should not become manufacturers on too extensive a scale, 11,082–90; knows of no industry other than mat-making which specially interferes with outside labour, 11,102.

Mr. J. H. Walker (Corresponding Secretary of the Manchester District Flint Glass Makers' Union).—Concurs.

TRAINING SCHOOL FOR PRISON OFFICERS.

Sir E. F. Du Cane, K.C.B., R.E.—Proposal to have training prisons for warders attractive, but there are difficulties, *e.g.*, the expense of moving the warders up to and down from their probationary stage, especially where you are dealing with married men, 10,797–801.

Col. M. C. Garsia.—Would make two or three large prisons training schools for warders, 6460–2. Same plan would work well for deputy-governors; it did obtain, so long as Millbank existed, 6463–6.

Capt. C. W. Hill.—Strongly in favour of warders, and, perhaps, deputy-governors, being trained at two or three specially selected prisons, 7467–71.

Sir Godfrey Lushington, K.C.B.—Warders before being appointed should pass through a period of probation, during which they should be regularly trained at certain prisons set apart for the purpose, 11,417–9.

Mr. Tallack.—Strongly in favour of certain prisons being used as training schools, 6899.

Mr. E. Taylor.—Favours suggestion that one or two of the smaller prisons be used as training schools for warders, 9463.

TRANSFER OF PRISONS. *See under* "Prison Act, 1877."

UNCONVICTED PRISONERS.

Mr. D—— (ex-prisoner).—Diet of remand and unconvicted prisoners very poor, 8606–7.

Mr. Michael Davitt.—Unconvicted prisoners were harshly treated, being placed in punishment cells, denied access to newspapers and visits from friends, except in the presence of prison officials; diet being the ordinary prison diet and insufficient in quantity unless prisoner provided his own food; had two

UNCONVICTED PRISONERS—*cont.*

days' experience of prison diet at Newgate, but could not eat it; then prisoners were roughly handled by the police when taken from the cells to the court, 11,188–93; no evils to be feared from visits without supervision, reasonable precautions being taken against admitting unsuitable visitors, 11,270–6.

Sir E. F. Du Cane, K.C.B., R.E.—Is satisfied with unconvicted prisoners' treatment as to diet; the diet is not a penal one, the food is adequate, and it may be modified to any reasonable extent by the prisoner's own action, 10,856–70.

Capt. C. W. Hill.—Diet of unconvicted prisoners unsatisfactory, 7496–511.

Major J. Knox.—Diet very meagre, 8017–8.

Lieut.-Col. E. S. Milman.—Satisfied on the whole with treatment of remand and unconvicted prisoners; they get a newspaper, but *prison* diet and accommodation, unless they pay for better food and accommodation, and the injustice of the distinction between rich and poor thus set up is more apparent than real, 6778–88.

Mr. R. S. Mitford.—Considers present treatment of unconvicted prisoners, as to food, &c., as fair, broadly speaking, as can be devised, 10,503–17.

Mr. E. J. Ruggles-Brise.—As to unconvicted prisoners, admits that those who have money and can buy better food than the best prison dietary have to that extent an unfair advantage over poorer men, 10,402–11.

VISITING COMMITTEES.

Dr. Ancrum.—Duties of visiting body in the past and at the present time compared, 9193–96; interest taken in work greatly diminished owing to present system, 9201–2. Old system of visiting justices led to improvements in prison management, 9208. Means by which the interest of the visiting justices might be restored, 9210–18. Reformatory influence of prisons lessened by lack of interest on part of visiting committees, 9216–17.

Sir E. F. Du Cane, K.C.B., R.E.—It is inconsistent with the position of visiting committees under the Act that they should take part in the *management* of the prisons, make contracts for supplies, &c., but they have really almost as much power as they had if they care to use it; they are independent judges to whom any prisoner may complain, and the whole life of the prison is open to their criticism, 10,871–4.

Col. M. C. Garsia.—In favour of encouraging visiting justices, much of whose work is similar to that of inspectors; section 14 of the Act of 1877 gives them great powers if they would only use them; good might be done by giving them more direct responsibility, *e.g.*, recommending candidates for prison offices, though final appointment should rest with central authority, 6406–13, 6744; at present the visiting justices, as indeed governors, are not informed of the visits of inspectors and commissioners, 6517–9; admits that the present powers of the visiting committee are mainly judicial rather than administrative, but they have a free hand to criticise, 6558–69, 6745–7. Cannot admit that the visiting committees could replace the inspectors altogether, 6748–55. Home Office letter to the Strangeways Visiting Committee in 1879 (the purport of which was communicated to other visiting committees) did not result in any marked increase of zeal in the performance of the duties imposed on the committees and individual justices by the Act of 1877, 11,651–9. Visiting Justices have no power to relax regulations as regards letters, but can extend the duration of a visit, 11,681.

Major Knox.—Visiting Justices' powers with regard to matters of prison discipline should be increased, 7871–74; they take no interest in the work of the prison at Leeds, never visiting except on quarter day, although asked to come oftener. At Gloucester they visited every other week, 8032–36, 8175–87. Does not favour the suggestion of a Ladies' Aid Committee to deal with the women's side of the prison, the female agent of the Aid Society is sufficient, 8037–39; justices' duties, 8060–66.

VISITING COMMITTEES—*cont.*

Sir Godfrey Lushington, K.C.B.—Attaches much importance to any means that can be devised for bringing outside feeling to bear upon the work of the Prison Commissioners; the best means now available for this purpose seem to be the visiting committees; they should, however, have little or nothing to do with the everyday affairs and arrangements of the prison; is quite opposed to a dual administration; their true and important function, in addition to hearing complaints in the prison, is in their annual report to review prison administration in its larger features, and to submit general observations and suggestions; this they occasionally do now, but not nearly so often as might be desired; a recent improvement effected by this means is the discontinuance of the small iron cells at Dartmoor; again, the question of useless labour has been referred to this committee owing to the remonstrances of the Bristol visiting committee; visiting justices and justices in sessions assembled have, to a great extent, tolerated useless labour for years, and bad cells too, 11,399–403; a circular should be issued to the visiting committees every year by the Secretary of State (at the beginning of the year, perhaps, rather than at the end, or there might be two circulars), specifying the principal features of prison administration upon which he requests full observations and suggestions; the reports with an analysis to be laid before Parliament, 11,404–7.

Mr. R. S. Mitford.—Would give visiting committees certain powers to grant extra visits, &c. to prisoners, but not to appoint warders, though their recommendation is always received gladly, 10,633–46.

Mr. J. H. Stone (Chairman of Visiting Committee at Birmingham).—Visiting committee visits in batches of two once a fortnight, 2684, 2685. Has only hearsay knowledge of working of system prior to transfer to Government, 2607; though not taking so strong a view as his predecessor, Mr. Manton, still, speaking as regards Birmingham, disappointed with results of Act of 1877, 2608–11; saving to Birmingham has been small, 2612. As to communications with prisoners, thinks governor and visiting committee should have power to relax regulations, 2622; would give visiting committee power to punish prison offences by extending term of imprisonment, 2630–38.

Capt. W. J. Stopford.—Visiting committees report direct to the Home Secretary, and have little contact with the Commissioners, 466–77.

Mr. Edwin Taylor.—Would not allow further powers in prison administration to visiting justices, 9377–79; but cannot endorse complaints of lack of interest, 9380–82; justices visit York once a month regularly, or at least 12 times a year, and examine and sign all books and journals; their powers and duties very similar to those of inspectors, 9546–52.

Mr. M. J. Walker.—Would be glad if visiting justices had some share in administration, better *locus standi* for recommendations, and a qualified power of appointment of officers, 2227–48.

Capt. H. K. Wilson.—Attendance unsatisfactory at Swansea, 9838–41, 9937–46; against philanthropic visits to prisoners, good justices sufficient, 9953–60; the most useful and only independent outside body; should be granted increased responsibility to enhance interest in their work, 9947–52.

See letter from Admiral Tinklar, Governor of Birmingham Prison. *Appendix* IX. (p. 610).

VISITS AND COMMUNICATIONS.

Col. M. C. Garsia.—Discretionary powers are better vested in the visiting committee, 6490–5. Prison Commissioners have recently issued a Standing Order, No. 228 (*see Appendix* V.) giving governors increased powers as to extra letters and visits, 11,681–4. Cannot agree with Captain Johnson that a prisoner having earned a visit should have that visit whether he be under punishment or not. Explains present practice, 11,727–9, and *see* 11,762–4.

Capt. Helby, R.N.—Recent arrangements suffice. Uses his discretion as to extension of existing privileges in cases of emergency, without consulting Home Office, but does not advocate general adoption of

VISITS AND COMMUNICATIONS—*cont.*

this course; visiting committee might decide in such cases. The "three months" rule a deterrent, and should be preserved, 4063–70.

Capt. F. Johnson.—Some further discretion should be given to Governors. If a visit is due prisoner should not be prevented from having it by a subsequent offence, 8770–2, 8903–4.

Miss E. Little.—Visits to prisoners under sentence not so frequent, as, according to regulations, they might be, 5172; letter-writing looked forward to, would be glad of an extension of this privilege, 5174–5.

Mr. J. B. Manning.—Does not advocate a freer system, 743–48, 949–59, 1046.

Rev. G. P. Merrick.—Would give governors discretionary power to allow more frequent intercourse between prisoners and reputable friends likely to do them good, 1532–38; but not too much to be expected from visits of philanthropic persons from outside, 1727–30.

Rev. W. D. Morrison.—As to communications with prisoners, regulations should be left as they are, so far as affects old offenders, save that children should not be allowed to visit them except under exceptional circumstances, *e.g.*, death in a family, 3033, 3036–38. Interviews should be allowed between husband and wife without humiliating barriers in case of first offenders, at governor's discretion, 3034, 3035. As regards juveniles, even up to age of 21, three months' rule should be relaxed in favour of parents, 3039, 3040. So too with first offenders, though what a "first offender" is is hard to know, 3041.

Col. Plummer.—Would give the governor greater discretionary power as to visits, 9000–1.

Capt. E. Schuyler.—As to letters, a relaxation in vogue at Wandsworth is to send in prisoners' behalf form "L. P. C. 3"; this, in place of governor writing for prisoner, which is infrequent, 2560–64. Would give a larger discretionary power to governors to allow special letters, 2565–67. No necessity for same relaxation with regard to visits, 2568–69.

Mr. M. J. Walker.—Present system operates well, but governors should have greater discretionary power, 1834–43.

Standing Order 213, regulating letters and visits of local prisoners; and summary of regulations governing visits to, and communications with, local and convict prisoners. *Appendix* V. (pp. 568–9).

Standing Order 228, of 8th February 1895, modifying previous regulations as to the letters of local prisoners. *Appendix* V. (p. 570).

WARDERS.

(1.) *Male.*

Mr. D—— (*ex-prisoner*).—Witness's experience is that they are as a whole well-selected men, 8541–43, 8636–40.

Mr. Michael Davitt.—Special cases of harshness towards prisoners at Dartmoor, 11,203, 11,326–7; strong disinclination amongst prisoners to report these cases, warders having power to refuse marks, and thus prolong sentence, 11,204–6, 11,339–40; cases reported do not furnish a fair standard of the amount of ill-treatment on the part of warders, 11,341; harsh treatment of prisoners explained if training of warders, mostly old soldiers and sailors who have undergone severe discipline, is taken into account; at Dartmoor certain officers were recruited from the agricultural class, and a few were artisans, they appeared to be more considerate and humane, 11,207, 11,380; a better class of men should be induced, by increase of pay and reduction of hours of labour, to enter the service, 11,210, 11,342; hours excessively long; strongly urges the application of the eight hours' rule to warders, 11,343–4.

Sir E. F. Du Cane, K.C.B., R.E.—Proposal to have training prisons for warders attractive, but there are difficulties, *e.g.*, the expense of moving the warders up to and down from their probationary stage, especially where you are dealing with married men, 10,797–801.

Mr. E—— (*ex-convict*).—Individual officers prejudiced against individual prisoners, 9724, 9725; ill-treatment of prisoners by warders at Portsmouth and Woking, 9650–53; some warders little-minded and uneducated, 9649; warders killed by convicts, 9653–5.

Col. M. C. Garsia.—Would make two or three large prisons training schools for warders, 6460–2. Same plan would work well for deputy-governors; it did obtain, so long as Millbank existed, 6463–6. Practice of employing temporary officers virtually at an end, as regards male staff, save in very exceptional cases, 6467. Male staff generally is adequate, 6468, 6471; Holloway staff in particular is adequate, 6719–23. And their hours (the subject of Lord De Ramsay's recent committee) reasonable, 6607–9. Female staff requires looking into, 6469. Admits a block of promotion generally, but not that it is due to the closing of prisons, most of those closed being small, and promotion having now a wider scope than formerly, 6702–12. As to apparent discrepancy between actual staff and staff estimated for, 6470. Trafficking between warders and prisoners' friends does exist, but not to any great extent, 6472–3. On the whole satisfied with the class of men got as warders, 6474. And their hours are fair, 6475–7.

Dr. R. M. Gover.—Warders' work not so depressing as to be productive of insanity, 1464–1466. Their hours reasonable, 1467–70.

Mr. Charles Hall.—Warders not so good now as under county management, 4644–46; more care was exercised in selection, 4736–40.

Capt. C. W. Hill.—Warders at Strangeways capable of training prisoners for productive labour, 7422–23. Favours the introduction of a greater number of skilled workmen, with special remuneration, 7432–33. Speaking generally, the warders are adequate for their duties, 7446; but harshness towards prisoners a general failure, resulting sometimes in the latter being unjustly punished by visiting committee; Strangeways is improving in this respect, 7612–39. A great deal depends on the governor, and the reforming influence exercised by him, 7741–50, 7765–71. Pay and hours satisfactory, 7447–48. Hours, night duty, &c., explained, 7449–62, 7673–79, 7551–57. Strongly in favour of warders, and, perhaps, deputy-governors, being trained at two or three specially selected prisons, 7467–71. A warder acts as schoolmaster; his duties and hours explained, 7680–92, 7734–35.

Capt. F. Johnson.—Is satisfied with the class of men as a whole. Cases of ill-treatment of prisoners very rare. They have not complained recently of their hours of labour, but might be allowed to come in at six instead of shortly after five, 8776–84.

Major James Knox.—Warders, as a rule, a very good class of men, 7960–61. Hours not too long; no complaint on this ground, 7963–64; but staff insufficient, 8126–28; temporary officer constantly employed at Leeds for the last two years, 8199–8209. Witness's experience of Gloucester is that it too was understaffed, 8188–98. Night duty is performed once a week, which means an addition to the ordinary 10 hours a day; when a warder has been kept up by special circumstances for two or three hours, witness has taken upon himself the responsibility of allowing that man two hours at another time. Warders' duties explained, 7965–77. Hours and duties on the female side, 8084–93. A warder acts as schoolmaster, and his hours are longer than if he were a schoolmaster only, 8134–40.

Mr. J. B. Manning.—On the whole, prefers military men for warders and prison officers generally; no danger of "militaryism" in the service; no bias is shown in favour of either a soldier or a civilian as warder; the latter, especially if he knows a trade, is very welcome, 798–802, 1129–33, 1164–68; since the transfer of local prisons to Government, a sounder system of appointment has been instituted, 802, 803; warders' hours not too long, 804–806.

Rev. G. P. Merrick.—Character of warders of great importance, and generally speaking the more educated the warder the better; has no bias in favour either of military or of civilian warders, 1764–66; hours of warders rather long, 1767–70; but their work generally very well done, 1731–36.

Dr. David Nicolson.—At Broadmoor the labouring man or artisan preferred to the military man, 9353–56. Convict prisons undermanned, 9360.

WARDERS—*cont.*

Col. Plummer.—Their hours not now too long, but promotion hopelessly slow; advocates scheme which would allow warders to retire after 26 years' service, 9008–10.

Capt. E. Schuyler.—Thinks on the whole that soldiers provide better warders than civilians, 2601; warders' hours are too long and the subject of complaint, 2602, 2603.

Mr. J. H. Stone.—In favour of better classification of warders, abolishing class of assistant warders, 2662; hours and holidays of warders very fair, 2663.

Capt. W. J. Stopford.—Conduct of prisoners influenced by warders in charge of them, 255–57; no difference between warders who have served in the Army and Navy and civilians, 258–59; comparison of duties of warders and those of London Police, 265–67; not much dissatisfaction in the service, 268; though otherwise adequate, staff not sufficient to admit of Sunday exercise, 687–94; probation of warders, 270–77; appointment of warders, 503–4; vacancies not advertised, 278; limits of age for male warders, 279–83; pressure of work admittedly greater in some prisons than others, but no provision for shorter hours in specially difficult prisons, *e.g.*, Holloway, 521–27; outside assistance for disciplinary purposes, 286–88; libraries for warders in all prisons, reading and recreation rooms in large prisons, 269.

Mr. Tallack.—Advocates the improvement of warders by means of instruction and periodical meetings, 6898, 6955–58; prisons as training schools for warders, and as a reserve staff, 6899; better pay and prospects of promotion, 6900; considers that warders show harshness in some cases, 6918–20; proposes extension of the powers of visiting justices to the selection and management of warders, 6931–38; considers that the majority of large prisons are under-officered, 6939–42; points out improvements which should be made in the condition of subordinate officials, 6944–54; prefers the civilian warder, 6955–58.

Mr. Edwin Taylor.—Warders on appointment should not be over 30 years of age; prefers civilian warders; favours suggestion that one or two of the smaller prisons be used as training schools for warders; one or two cases of harsh officers, but generally a satisfactory body of men; improvement since transfer, 9456–68; a good class of officers at Knutsford, 9501–9503; discipline of warders most unsatisfactory at York on his appointment; not properly trained; governor should not leave their training altogether to chief warder, 9489–9508; warders under witness when in charge of convicts; content with pay and hours, 9515; take their tone very much from governor, 9531.

Capt. H. K. Wilson.—Assistant warders discontented with prospects, the class should be abolished and warders commence at 60*l.*, rising to the maximum of that class, 9906–7; education of men passed by Civil Service Commissioners most defective, 9925. Warders take their tone very much from governor; no case of dismissal of warder on complaint of prisoner, but has reprimanded officer for harsh language, 9889–92; when warders report against prisoner, has heard every witness brought before him, 9898.

(2.) *Female.*

Miss M. J. Bell.—At Holloway, warders, three days out of four, are on duty from 6 a.m. to 6 p.m.; on the fourth day, from 6 a.m. to 10 p.m. (rarely later), with a break of 1¾ hours at 4 p.m.; warder on late duty afterwards sleeps in prison, and is liable to be rung up by prisoners; all the warders, excepting one in each wing, being in their quarters; the strain on officers is great, though sick warders more often suffer from colds than overwork; hours of duty should be shorter 5393–5407.

Col. M. C. Garsia.—Female staff requires looking into, 6469; is at times in excess of requirements so far as work to be performed is concerned. Dorchester, with an average of six female prisoners, would have at least two officers; and Oxford, with three prisoners, has two warders, the permanent staff: but a second officer is necessary for purpose of relief. Female prisoners have been drafted to other prisons to a certain extent, but this course meets with local opposition, 11,659–65.

Miss J. T. Gee.—At Liverpool prisoners are received up to 8 p.m.; two reception warders are told off to wait for the van and are relieved of late duty on that account, 5830–3; two warders sleep in guard-room and answer bells; the strain is great, but warders are not over-worked, 5870–6; do not complain of over-work; hours of duty 6 a.m. to 6 p.m. except on two days in the week when they are on duty till 10; on these days they have two hours' relief in the afternoon (40 minutes for breakfast, 70 minutes for dinner and tea respectively), 5824–9.

Capt. C. W. Hill.—Number of officers on women's side at Strangeways insufficient, 7463–65.

Miss E. Little.—Staff at Strangeways insufficient. Is allowed six weeks' leave, but, being short-handed, generally takes three; responsibility rests with chief warder in matron's absence; the introduction of temporary warders in time of pressure not good for discipline of prison; warders' hours respected as much as possible, but while on duty they have to work very hard, 5099–5114; warders all reside in prison and mess together; an officer should be appointed to cook for them, at present a prisoner acts as cook, 5299, 5338–44.

Dr. T. D. Patmore.—Female officers, hours at Wormwood Scrubs not too long, except that the duty of answering the bell at night should count entirely as night duty, the officer on this duty to sit up instead of retiring, but the occupation monotonous and depressing, 6227–33.

WEAK-MINDED PRISONERS.

Col. Barker (Salvation Army).—A great number of the discharged prisoners received at the Salvation Army Home are mentally weak and wasted, a considerable number colour blind, 8333–40; of the physically weak the larger proportion would come from the local prisons; statement as to the feeble-minded applies more to convicts, 8401–29.

Sir E. F. Du Cane, K.C.B., R.E.—Epileptic and weak-minded criminals might be concentrated under a specialist, if numerous enough, and the best way to deal with all whose weak-mindedness leads them into crime would be to keep them permanently under control, a step for which public opinion is not prepared, 10,773–75, 10,923, 10,951.

Dr. Bevan Lewis.—Treatment of prisoners under observation in prison calculated, so far as solitary confinement is concerned, to prejudice their mental condition, 9101–5. The mentally-enfeebled class should be segregated entirely apart from the criminal class; outdoor employment an all-important factor in their treatment, 9107–9; to concentrate in particular prisons for special observation the weak-minded and neurotic prisoners would be a most progressive movement, and one of vital importance, 9126; is inclined to think that there is a heavy per-centage of such cases, and that it would be found necessary to multiply such institutions if the question were once taken up, 9127.

Miss E. Little.—Few feeble-minded prisoners at Strangeways, 5279–80.

Mr. J. B. Manning.—The weak-minded (but not insane), kept as a class apart, and placed in hospital association room if isolation bad for them, 1031–37; out-door agricultural work would be most valuable, especially for juveniles and the weak-minded, 1045.

Rev. G. P. Merrick.—A number of weak-minded prisoners, who are not however fit subjects for an asylum, 1703–11; these are generally undergrown, 1712–14; such cases are kept under medical officer's observation and have light work, *e.g.*, needlework, in separate cells unless for medical reasons placed in association, 1715–19.

Dr. David Nicolson.—For half-witted criminals, some kind of intermediate institution advocated, where they could be kept firmly under detention, but not

WEAK-MINDED PRISONERS—*cont.*

definitely classed as lunatics. As to employment, out-door labour advocated, 9302–6. Such an institution ought to be worked at about half the cost of Broadmoor. This class probably amounts to from 2 to 3 per cent. of the prison population, and a building to accommodate 200 or 300 would meet all requirements, 9311–17.

Mr. E. J. Ruggles-Brise.—Many recidivists are weak-minded, 10,232–38; in weak-minded cases separate confinement should be modified, 10,923–41.

Dr. T. C. Shaw.—The class commonly called weak-minded should be seen medically every day, but it is on admission that there should be an exceedingly close medical inspection, and this is an immense undertaking, 6026, 6062–5; the proper way of dealing with this class is to keep them in an institution on the principle of Broadmoor, 6074–8. As to employment of persons in unstable or neurotic state, that in the open air and on the land is much the best, 6027*a*, 6028.

Number of prisoners classed as feeble-minded on 15th February 1895. *Appendix* III. (p. 531).

WORKSHOPS.

Mr. Charles Hall.—Workshop at Lewes formerly used by 50 mat-makers an excellent arrangement, 4585, 4586; work in cells does not give same opportunity of learning, 4673, 4674, 4680–82, and is sometimes dusty, &c., 4675; association at work when under proper supervision does not lead to bad results, 4590–95.

Capt. Helby, R.N.—No need for any great extension of workshops at Wandsworth; system of associated labour works well, 4101–10.

Rev. W. D. Morrison.—Strongly in favour of extending associated labour, which has beneficial effect on prisoners; provision at present insufficient, 2966–71, 3147–50, 3361–65.

Capt. E. Schuyler.—Would be glad to add to appliances for industrial training, particularly in association after the first month's imprisonment, 3146–50, 3212; this would necessitate increase in staff, 3202–6; benefits of associated labour outweigh the danger of talking, which is greatest in chapel, 3151–54.

Return of Prison Workshops. *Appendix* IV. (p. 556).

WORKSHOPS—*cont.*

Wandsworth Prison Workshops. Description of, and plan. *Appendix* IV. (p. 566).

WORMWOOD SCRUBS OUTBREAK, 1891.

Col. M. C. Garsia.—States that there were not two outbreaks, the outbreak which occurred has been greatly exaggerated, it was not due to cruel treatment of the prisoners; an officer went in command of the prison with but three months' experience of prison service, discipline was relaxed, and the prisoners got out of hand; the real origin of the disturbance was relaxed discipline, and the grievances of certain convicts, who were discontented with their treatment in a local prison, 6444–6, 6594–6606; case of local prisoner J. E. had nothing whatever to do with the outbreak at Wormwood Scrubs, which was confined to *convicts*, 6446–8, 6453, 6698–6701; nor was the outbreak due to young officers, for those in charge of the convicts were selected officers, 6453.

Sir Godfrey Lushington, K.C.B.—Outbreak explained. No recurrence of trouble either at that prison or elsewhere, 11,552–5.

Rev. W. D. Morrison.—Outbreak at Wormwood Scrubs arose from indiscreet handling of prison, *e.g.*, in inflicting undue punishment, 3078–84; *see* case of *prisoner* J. E——, 3805–95, 3443–63, 3532–34.

Dr. T. D. Patmore.—Wormwood Scrubs outbreak not due to undue severity, but rather to want of proper *firmness on part of the Governor*, 6301–12. Discipline improved by firm and judicious management, 6376–86.

Capt. E. Schuyler.—His experience at Wormwood Scrubs in connexion with the outbreak there, 3261–73.

Particulars of all convicts reported in connexion with this disturbance; and offences and punishments of convicts during eight days prior thereto. *Appendix* VI. (p. 574).

Memorandum by Captain Schuyler, and reply of Colonel Garsia. *Appendix* IX. (pp. 610–4).

YOUNG OFFENDERS.

See "Juveniles and First Offenders."

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