

## OUR CRIMINAL TREATMENT AND PRISON PUNISHMENTS.

ue that corporal punishment with a rod, or thin stick, up to thirty strokes, and punishment on laths, under certain restrictions, can only be applied after mature consideration and deliberation of the functionaries. On referring to the definition of the word functionaries, they appear to be officials under the rank of governor.

It is right to add that M. D'Alinge states that in his own prison (Zuichar) this punishment had not been used for ten years.

But this is not the question; for in our own prisons I have known large establishments conducted for several years without having to resort to corporal punishment. The question is as to the retention of the power of infliction. Now M. D'Alinge is the gentleman who has protested in the *Times* very energetically but very courteously, against what he calls the barbarism of our punishments; I submit, therefore, that I am justified in assuming that he cannot be aware that corporal punishment is with us not dependent upon the deliberation of the prison functionaries, but is surrounded with highly responsible safeguards.

This meeting will agree with me, that the power is only used by the visiting justices in extreme cases, in which all other punishments, from experience, would fail, and for acts endangering the lives and limbs of their officers and fellow prisoners. Moreover, it should be known that the shower-bath, the collar, the strapping-chair, and other punishments of this class in use elsewhere, would not be tolerated in this country. Our ordinary punishments are restricted to privation of privileges, reduction of diet, and solitude for limited periods in light and dark cells. Irons are occasionally used, under the strictest regulations, in cases where it is imperative to prevent serious mischief by precaution.

A reference to the actual inflictions of corporal punishment in England will, I think, amply show that this punishment is only resorted to in the most exceptional cases. I observe that in Birmingham, with a prison population of 3742 in 1870, there was no corporal punishment. In Worcester, with 1742, there was no instance of its exercise, and in Gloucester there were only two instances in a prison

population of 2086. In other gaols (excepting in cases in which great turbulence existed) the corporal punishments have been but few. I am very far from being an advocate of corporal punishment, but, after long experience, I believe the retention of the power, exercised only in very exceptional cases, is the means of preventing far worse evils.

Now, I pass to the subject of Penal Labour, which also appears to have been very imperfectly understood. It must have been the impression of those who spoke against it, that in England we advocate penal labour to the bitter end, and this was apparent from the observations made by M. Stevens, of Belgium, and some others. M. Stevens remarked, that if an indisposition to labour was implanted in prison, the prisoner, on release, would avoid labour; and this was his objection to penal labour. This observation was assuredly true, but it does not apply to our prison system. In England, we, above all things, desire by our system to implant a liking for industrial employments in the mind of the criminal before his release, and therefore we associate it in his thoughts as a privilege to be earned, and not as a punishment. The punishments we leave to be associated with penal labour, believing that the criminal's dislike to it may possibly prevent his returning to prison, but can in no way make him dislike the industrial employments to which he has attained by good conduct in prison, and which he should endeavour to follow on his release.

It will be seen that "Penal Labour" is thus utilized as a lever to industrial employment—it serves to deter, and thus proves exemplary to others—it serves to amend, because it is the stage of suffering held to be necessary by the highest authorities in all reformatory treatment.

I have always argued, and practical experience has convinced me that I am right, that with such a motive power judiciously utilized, even greater results from the industry of the prisoners may be expected to accrue than from an equal number employed from the beginning of their sentences in industrial occupations. Every experienced governor of a prison will realize the importance of obtaining the co-operation of the prisoner in his work, and the advantage of motive power. If my view be true, and my own experi-