

## THE REPLY OF HIS LORDSHIP JUSTICE ROSE.

Mr. Justice Rose, in his reply to the presentment of the Grand Jury, amongst other things said, in effect, that for many years he had given the question of prison reform as much attention as he found it in his power to give. He agreed with the Jury that the indeterminate sentence system should be adopted in Canada. If this system were adopted it would relieve the judges of a tremendous responsibility. No one who has not had special opportunities, can have any idea of the responsibility a judge realizes in passing a sentence. He feels that he should know the whole of the prisoner's previous history—his associates, environment, instincts and natural disposition. If we advance on the line of prison reform—and, thanks to prison reformers, we are advancing—so that a special study can be made of each prisoner, much will be accomplished both in the reformation of prisoners and in the protection of society. He would favour, he said, the appointment of an officer under Government to do this work, but the official should be a gentleman qualified by education, culture and refinement for, and in full sympathy with the work of reformation. Such an officer would be worthy of a high salary and should get it. To him would be entrusted the responsibility of reporting to the executive when, in the best interests of society, it would be safe and proper to give a prisoner his liberty. If this system be inaugurated, the trial judge could either simply commit the criminal to prison without defining the length of the sentence, or impose the maximum sentence. In either case, the actual length of the sentence would be determined at a subsequent period—and during the criminal's imprisonment—by the executive on the reports of the officer.

Many prisons are simply schools of crime, and many men and women who are imprisoned for a first offence, and comparatively innocent, come out of prison confirmed criminals and swell the ranks of the criminal class.

Classification is absolutely necessary. We cannot be too liberal in spending money for improving our jail and prison system, and for the physical, mental and moral rehabilitation of prisoners. This is a practical method of preventing the spread of vice and crime.

With regard to the question of the treatment of inebriates, his Lordship said that drunkards, as such, are not criminals; it is absolutely wrong to treat them as criminals and to so treat them has no justification. Under certain conditions, a drunkard may be no more responsible than a lunatic or an imbecile. Drunkenness should be treated as a disease, and special hospitals should be provided for the drunkard.

The Judge added that he was glad the Grand Jury had made these recommendations, and that they would be forwarded to the Inspector of Prisons. "This report," said his Lordship, "should not simply be pigeon-holed, but officials cannot accomplish much without a strong public sentiment behind them. Therefore, exert your personal influence, and help to bring about these most desirable reforms."