
[Read Tuesday, 12th April, 1881.]

The great principle of Beccaria, "that it is better to prevent crimes than to punish them," and on which is built our very successful Reformatory and Industrial School system, has been sadly neglected in Ireland in regard to another class from which our criminal population is largely recruited, viz., discharged prisoners.

In the words of the East Sussex Discharged Prisoners' Aid Society—

"It is not only a Christian duty, but sound policy to facilitate as much as possible the return of those who have fallen, to a condition of self-respect and of habits of honest industry (the utmost caution being of course used to prevent abuse). In this manner the occasional inequalities which must inevitably occur under the most perfect administration of the criminal law may be in some degree mitigated; and it is no small cause of satisfaction to have made at least every possible effort to save those of whom hope is entertained from drifting back into the vortex of misery, sin, and shame."

History of the movement.

In this respect we in Ireland are much behind other countries. France, Austria, Germany, Switzerland, Denmark, Norway, Holland, Russia, etc., have their Discharged Prisoners' Aid Societies; as also the United States, where, owing to the great demand for labour, there is less necessity for such organizations.

In England, the Act 4 Geo. IV. c. 64 (1823), recited:—

"Whereas, it is desirable that persons discharged from prison should be supplied with the means of returning to their place of settlement, or to some place of employment where they may be engaged in a life of honest labour for their maintenance, and prevented from pursuing evil courses."

And it enacted that the visiting justices of any prison might direct such a sum of money should be given to every such prisoner as would enable him to return to his or her family place of settlement, or to resort to any place of employment or honest occupation, as in the judgment of such justices should be requisite.

In 1862, Mr. Gathorne Hardy, now Viscount Cranbrook, brought in the 25 & 26 Vic. c. 44—"To amend the law relating to the giving of aid to discharged prisoners." Section 1 enacted that the visiting justices might "certify" Discharged Prisoners' Aid Societies under certain conditions. Section 2—that they might direct any sums, not exceeding £2 in one case, to be paid to such certified Discharged Prisoners' Aid Societies, for the benefit of prisoners about to be discharged.

Then followed the Prisons Act of 1865, 28 & 29 Vic. c. 126, the 42nd section of which enacted that:—

"When any prisoner is discharged from prison, the visiting justices may order a sum of money not exceeding £2, to be paid out of any monies under their control, to the prisoner himself or to the treasurer of a certified Prisoners' Aid Society."
The 43rd section empowered the visiting justices to pay the fare of a discharged prisoner to his home.

In the Prisons Act of 1877 (40 and 41 Vic. c. 21) sec. 29 enacts:—

"Where any person is discharged from prison, the Prison Commissioners may, on the recommendation of the visiting committee, or otherwise, order a sum of money not exceeding £2 to be paid by the gaoler to the prisoner himself, or to the treasurer of a certified Prisoners' Aid Society or Refuge, on the gaoler receiving from such society an undertaking in writing, signed by the secretary thereof, to apply the same for the benefit of the prisoner."

More than twenty years ago, in consequence of a report by the late Sir Josiah Jebb on the supervision of discharged prisoners, the Royal Discharged Prisoners' Aid Society was founded with the special object of dealing with convicts. There are now in England, Scotland, and Wales, forty-seven Prisoners' Aid Societies.

Ireland.

We have done very little here for the discharged prisoner. In 1821 a refuge for women discharged from prison was started at the suggestion of two ladies, members of the Society of Friends, and the late Dr. Orpen. This, situated in Harcourt-road, and known as the Shelter, is now confined to Protestants alone, and is the refuge for Protestant women convicts. There were four or five here in 1880.

There is a separate refuge for Roman Catholic Women Convicts at Golden-bridge, of whom there were about fifty in 1880.

The Protestants have established a Prison-Gate Mission; but as it is not confined in its constitution or objects to Protestants it cannot be certified as a Prisoners' Aid Society.

In the Prisons Act (Ireland), 1877, 40 & 41 Vic. c. 49, sec. 44 enacts:—

"The Chief Secretary to the Lord-Lieutenant, upon the application of any one or more member or members of any society formed for the purpose of finding employment for discharged prisoners, and enabling them by loans and grants of money to live by honest labor, and after examining the rules of such society, and receiving such evidence as he thinks fit as to the condition of such society, may issue a certificate under his hand, to the effect that such society is approved by him for the purpose of this act; and he may subsequently at any time, upon due cause shown, by a writing under his hand, revoke or suspend such certificate; and any society in respect of which such certificate, as aforesaid, has been granted, and remains in force, shall be deemed to be a Certified Prisoners' Aid Society, and to be entitled to such privileges as are hereinafter mentioned."

Sec. 45. "Where any prisoner is discharged from prison, the General Prison Board may, in addition to any sums by law payable to such prisoner, order a sum of money not exceeding £2 to be paid out of any moneys under their control, and applicable to the payment of the expenses of the prison, by the governor to the prisoner himself, or to the treasurer of a certified Prisoners' Aid Society or Refuge, on his receiving from such society an undertaking in writing, signed by the secretary thereof, to apply the same for the benefit of the prisoner, or, if that becomes impossible, repay the same to the General Prison Board."
The General Prison Board in their last report (1879-80,) state,

"We took occasion last year to express our regret, that up to that time no advantage whatever had been taken in Ireland of the provisions contained in the Act of 1877, with respect to the establishment and recognition of Discharged Prisoners' Aid Societies, and we are sorry to be obliged on the present occasion to repeat the expression of the same feeling. With the solitary exception of the 'Belfast Prison-Gate Mission,' which was recognised in November last, by a certificate under the hand of the Chief Secretary, as a 'Certified Prisoners' Aid Society' for Protestant prisoners, the provisions above referred to still continue, we regret to find, as far this country is concerned, absolutely inoperative."

That there is a pressing want of such organizations in Ireland, is evident from the returns compiled in the Judicial and Criminal Statistics for 1879. Out of the total number of commitments of criminals (debtor and military prisoners, as also those committed to the smaller district prisons being excluded) the number of re-commitments of men was in Ireland 48 per cent. as against 34 per cent. in England, and of women 73 per cent. in Ireland, as against 53 per cent. in England. So also the frequency of re-commitments above ten times is much larger in Ireland than in England. The Irish proportion in the case of men is 14.4 per cent., as against 8.3 per cent. in England. In the case of women, it is even more remarkable, for the Irish proportion is 27.1 or more than one-fourth of the entire, as compared with 22.3 in England.

Against this unfavorable comparison stands out in strong relief the success of our reformatory and industrial school system, showing what might be effected here by the application of preventive measures in the case of another class which forms a large element in the composition of our criminal population.

The commitments to prison of those under sixteen in Ireland are —for boys 2.9, little more than half the English proportion, and in the case of girls, 1.0, about half the English proportion of 1.9.

Suggestions as to the formation of the societies.

As practical suggestions towards the formation of these societies, it is suggested:—

1. That there be formed in Dublin one Central General Prisoners' Aid Society, which would attract the support of all shades of opinion, and having one benevolent object, would enlist the subscriptions of every sect in the community.

2. That under its direction be placed the immediate supervision of male prisoners discharged from the metropolitan prisons, and male prisoners whose cases have been advised from provincial societies. Should it be considered, however, that more harmonious and efficient working would be thereby secured, the general society might, instead of direct supervision of male prisoners, be merely entrusted with the general supervision and sustentation of committees of the several religious persuasions having charge of male prisoners.

3. That there be affiliated to the general society distinct branch societies or committees having the charge of females discharged from prisons in the metropolis, and which societies should
be under the control of ladies of the several religious persuasions to which the prisoners belong.

4. That to these branch societies should be referred cases of female prisoners discharged from provincial societies.

5. That these branch societies should have the general supervision of "Homes" for discharged women, which, when practicable, might be conducted by members of religious communities.

6. That every town having one of the twenty-seven ordinary prisons, should have a Discharged Prisoners' Aid Society affiliated to the general society, and "Homes" for female discharged prisoners, under the care of ladies of the several religious persuasions of the prisoners.

One of the great levers in the elevation of discharged prisoners to the status previously occupied by them in society, or to that which they should occupy, is the moral and personal influence of those over them. This is especially the case as regards women. Hence the necessity of importing into the great scheme of their reformation the most zealous and active in the cause, and those we will find to be persons in religious communities, or animated by strong religious feelings. It will therefore be found more practicable in the case of women, for whom it is more difficult to secure employment and a position in society than for men, to avail of existing machinery in the shape of "Homes" and "Refuges" on sectarian bases, and to entrust them, when feasible, to societies of ladies of the different religious persuasions.

The general society should consist of all persons subscribing a certain fixed sum.

The advantages of a general central society comprising all shades of opinion, would be not alone the larger number and amount of subscriptions thereby attracted, and the stimulus the general society would give to the formation of branch societies in the provinces; but moreover it is probable that the Government, in recognizing these societies, will act on the lines laid down in regard to the English Prisoners' Aid Societies.

These, as notified in Mr. Secretary Cross's letter of 8th March, 1880, were as follows:

A sum of £4,000 was fixed by the Treasury as the maximum of the grant in respect of all the prisons.

There was assigned to each prison, as its possible maximum, the proportion of the £4,000 which its number bears to the total average number, or which its annual discharges bear to the total annual discharges.

The sum to be granted, inter alia, on conditions as follow:—

(1) That there is a working Discharged Prisoners' Aid Society taking charge of the prisoners from that prison.

(2) That the society receive 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.

(3) That the society also takes charge, if required, of the sums awarded to prisoners under the progressive stage system.

(4) That it make grants only to prisoners recommended by the
prison authorities; and in order that its grants may not clash with the stage system, it shall make them only to prisoners who have earned as much as the rules allow; or if the rules allow none, have been industrious and fairly conducted in prison.

(5) The amounts disbursed by the Aid Societies will be repaid to them either monthly or quarterly, on production of the necessary vouchers. The societies to furnish such periodical statements as may be required of the work done by them; and their accounts and books to be open to inspection on behalf of the Government, so long as grants are made to them from public funds.

It will be evident from the above that if the amount of Treasury aid be dependent on the subscriptions collected by the societies, it will be difficult to make the movement efficient in provincial towns in a country such as Ireland, where, considering its limited resources, there are so many claims on private benevolence.

The general object will therefore be advanced if the Central Society gets credit for all funds subscribed, and the rule hereinafter suggested, that the Central Society will make no grants to prisoners discharged from districts where there is no branch society, will insure activity and co-operation in each district.

The General Society should comprise a committee or committees to be appointed at a general meeting of the society, a President and one or more Vice-Presidents, Honorary Secretaries and a Treasurer. Chaplains and Governors of Prisons should be invited to act as officers, or on the committee. The committee should appoint an agent or agents to act under its direction in administering relief, exercising supervision over and finding employment for discharged prisoners, who should be paid out of the funds of the society. The committee of the Central Society should make grants out of the general funds of the society to the various Homes, and to the branch and provincial societies in communication with it.

Provincial societies should be formed wherever there is one of the twenty-seven "ordinary" prisons, if not also where there is one of the eleven "minor" prisons, and should be constructed as nearly as possible on the lines of the General Society. The provincial societies should have charge, not only of the prisoners discharged in its neighbourhood, but of prisoners released from other prisons and advised to it. Systematic co-operation should exist between the Central and Branch Societies. Each district should attend to its own crime, and thus a general and particular responsibility would be established. To impress this idea, the General Society should refuse to take charge of, and should make no grant to prisoners discharged in counties where there is no Prisoners' Aid Society. These counties or districts will then see that they are losing a favourable opportunity and efficient means of protecting themselves against dangerous members of society.

**General objects of the societies.**

The general objects of all the societies should be to aid prisoners after their discharge from prison, by procuring suitable lodgings for such of them as may be selected by the prison officials in conjunc-
tion with the societies, furnishing temporary maintenance in case of need to those seeking employment, assisting them in obtaining work, or in returning to their homes, and subsequently exercising a friendly supervision over them; in other words, "getting them swallowed up in the tide of life."

As much will depend, as in all voluntary undertakings of this nature, on the prudence, energy, and experience of the officers, it is of much importance to secure the co-operation of visiting justices, chaplains, and prison officials in the working of the society, and to employ discreet and active men as agents. These latter can easily be recruited from police, prison, or military pensioners.

There is at present an officer under the General Prisons Board entitled, "Agent for Discharged Convicts," whose salary is borne on the Parliamentary vote. He performs, as well as one man can, the duties of a Prisons Aid Society. It will be appropriate to quote here the words of the English Commissioners of Prisons Second Annual Report):—

"As respects the grant of aid in addition to the gratuity on account of their industry in prison, it is in our opinion essentially necessary to success that the co-operation of many persons unconnected with the prisons should be secured, in order that by their aid, and through their interest, the prisoners whom it is desired to assist may be provided with employment, and in some measure watched over with friendly interest; and we hope that in due time there may be in connection with every prison a society which will undertake these important duties."

Financial resources.

The supervision, to a greater or less degree, of all prisoners discharged from prison, appears a serious undertaking; but in addition to the subscriptions, which it is not unreasonable to suppose will be largely given to so benevolent an object, there will be the gratuity (not to exceed £2), payable through the societies to ordinary prisoners on discharge, and the gratuities earned in prison by convicts, which it may be presumed the Prison Board will not object to dispense through the societies. The vote for gratuities to ordinary prisoners in the estimate for 1880-81 was £600, and for gratuities to convicts, £1,870. Total, £2,470.

There are 4 "convict," 27 "ordinary" and 11 "minor" prisons, exclusive of bridewells.

It is well to call attention here to the several bequests for poor debtors held by the Commissioners of Charitable Donations and Bequests for Ireland, and to an annual sum of £36 18s. 6d., the interest of £800 (Irish) in the hands of the Corporation of Dublin for relief of debtors in the City Marshalsea; all of which, under the power conferred on the Commissioners by the 58th section of the Prison Act of 1877, might be fairly applied by Prisons' Aid Societies. The annual income from these funds amounts to about £174, of which £137 per annum is applicable to prisoners discharged from prisons in the County or City of Dublin, £33 per annum to prisoners released from prisons in the County or City of Limerick, and £3 18s. to prisoners discharged from prisons in the County of Wicklow. Since municipal corporations and grand
juries contribute to reformatory and industrial schools with a view to the prevention of crime, it would be but just that they should be authorised to assist Prisoners' Aid Societies.

What per-cent of total number of prisoners require the aid of Prisoners' Aid Societies? This can only be reached approximately. We may consider that the large number committed for drunkenness and common assaults, or such light offences, will seldom require such aid. Once a man gets work, it may be taken that he will obtain credit to support him. Each prisoner's cell should have a notice informing the occupant that the society will assist him when discharged.

Necessity for a system of guarantees to employers of discharged prisoners.

In the case of clerks, etc., persons whose mode of life involve a trust, the society should be prepared, when it sees occasion, to enter into temporary guarantees to employers.

General register.

A register should be kept in each society of every discharged prisoner, whose subsequent career should be observed, and correspondences with him or her encouraged.

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[Read Tuesday, 24th May, 1881.]

There is an old theory in the political and social system of these islands that a man when called upon to discharge a public duty must do so at his own charges. But, like all theories, it has undergone considerable modifications in actual fact. Theoretically, an advocate gives his services to his client gratuitously; but in fact he receives an honorarium or fee, though not a remuneration for his advocacy. A medical practitioner was originally supposed to act for the good of humanity, and it is only in comparatively recent times that he has been privileged to sue for remuneration for his work. A minister of the Gospel is still supposed to work for the good of his congregation, and the stipend which accompanies or flows from his work is rather the free-will offering of a grateful people than the remuneration of work paid to him in accordance with contract.

It so happens, then, in the administration of the law, that the only persons now who are not remunerated for their services are the high sheriffs, justices of the peace, and jurors. The position of high sheriff being one of dignity and honour, is one that does not bring with it any reward. The magistracy being also a position of some social importance, is supposed to be in itself a sufficient reward to the man who obtains it; and instead of receiving remuneration from the state, the happy candidate for it pays, in the shape of fees,