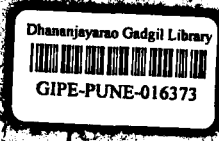


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Royal Commission



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ROYAL COMMISSION.

VICTORIA, R.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to Our right-trusty and well-beloved Councillor Sir Richard Assheton Cross, Knight Grand Cross of Our Most Honourable Order of the Bath, Doctor of Civil Law; Our trusty and well-beloved William St. John Fremantle Brodrick, Esquire (commonly called the Honourable William St. John Fremantle Brodrick); Our trusty and well-beloved Edmond Robert Wodehouse, Esquire, Barrister-at-Law; Our trusty and well-beloved Robert McDonnell, Esquire, Doctor of Medicine; Our trusty and well-beloved George Sigerson, Esquire, Doctor of Medicine; Our trusty and well-beloved Nicholas Daniel Murphy, Esquire; and Our trusty and well-beloved Thomas Alexander Dickson, Esquire, Greeting:

Whereas We have deemed it expedient that a Commission should forthwith issue to inquire into the administration, discipline, and condition of Prisons in Ireland, both local and convict:

Now know ye, that We, reposing great trust and confidence in your knowledge and ability, have authorised and appointed, and do by these presents authorise and appoint, you, the said Sir Richard Assheton Cross, William St. John Fremantle Brodrick, Edmond Robert Wodehouse, Robert McDonnell, George Sigerson, Nicholas Daniel Murphy, and Thomas Alexander Dickson, to be Our Commissioners for the purposes aforesaid:

And it is Our will that in conducting this inquiry you shall inquire into the following matters, that is to say:—

- (1.) The recommendations contained in the Report, bearing date the 14th July 1879, presented by the Commissioners appointed by Us to inquire into the working of the Penal Servitude Acts, and the desirability of adopting and carrying out the same in the said prisons.
- (2.) The working of the recent amalgamation of the administration of local and convict prisons in Ireland.
- (3.) The independent inspection of the said prisons by Visiting Committees of Local Justices, or otherwise.
- (4.) Whether the safe custody of persons confined in local prisons is adequately and efficiently provided for.
- (5.) The points of difference at present existing between the prison systems in England and in Ireland, and the desirability of rendering the two systems as nearly as may be uniform.
- (6.) All such other matters as shall appear to you to relate to the administration, discipline, and condition of the said prisons, both local and convict.

And for the better effecting the purposes of this Our Commission, We do, by these presents, give and grant unto you, or any three or more of you,

full authority to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission, and also to call for, have access to, and examine all such books, documents, registers, and records as may afford the fullest information on the subject; and to inquire of and concerning the premises by all other lawful ways and means whatsoever:

And We do by these presents will and ordain that this Our Commission shall continue in full force and virtue, and that you, Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment:

And We further ordain that you, or any three or more of you, may have liberty to report your proceedings under this Our Commission from time to time if you shall judge it expedient so to do:

And Our further will and pleasure is that you do, with as little delay as possible, report to Us, under your hands and seals, or under the hands and seals of any three or more of you, your opinion upon the several points herein submitted for your consideration.

And for your assistance in the execution of these presents, We have made choice of Our trusty and well-beloved Alexander Burness McHardy, Esquire, Major in Our Corps of Royal Engineers, to be Secretary to this Our Commission, whose services and assistance We require you to use from time to time as occasion may require.

Given at Our Court at Saint James, the twenty-ninth day of December, one thousand eight hundred and eighty-two, in the forty-sixth year of Our Reign.

By Her Majesty's Command,

W. V. HARCOURT.

ROYAL COMMISSION ON PRISONS IN IRELAND.

FIRST REPORT.

WE, Your Majesty's Commissioners appointed to inquire into the administration, discipline, and condition of prisons in Ireland, both local and convict, thinking that, among the matters submitted to our consideration, that which refers to the closing of Spike Island Prison is of special urgency, humbly report as follows:—

Having regard to the Report, bearing date 14th July 1879, presented by The Commissioners appointed to inquire into the working of the Penal Servitude Acts, and also to subsequent Reports made by the General Prisons Board of Ireland, Your Commissioners have carefully examined both Mr. Bourke the Chairman, and also Captair Barlow a Member of the Irish Prisons Board, upon the subject.

Your Commissioners have been convinced of the urgent necessity for action being at once taken in this matter; and we may refer to the open mutiny which has twice recently taken place as confirming this view.

Without therefore waiting for any final decision of Your Majesty's Government as to the best means of permanently employing the Irish convicts in reconstructing prisons, reclaiming waste land, or carrying out harbour works, Your Commissioners would earnestly press the urgent necessity for removing without further delay all the prisoners from Spike Island, and closing the prison within three months of this date, or earlier if possible.

Your Commissioners propose that in the meantime temporary arrangements for the accommodation and employment of these prisoners should be made in the various prisons in Ireland, and although we do not feel it within our province to specify exactly what the arrangements should be, we desire to make the following observations upon this point.

From investigation we have found that, independently of the cells in Spike Island Prison, the total number of cells existing in the Irish prisons is much larger than is required for the accommodation of all the prisoners both convict and local now in custody, and Your Commissioners believe that it is quite possible within two or three months, at the latest to arrange for the reception of the Spike Island prisoners temporarily in the Dublin prisons, and if necessary to dispose of any surplus in one or more of the prisons in the Counties.

The following are suggested as the principal works on which the convicts might at once be employed:—

- a. The construction of a hospital at Mountjoy Male Prison.
- b. The extension of Mountjoy Prison.
- c. The reconstruction of Richmond Prison.
- d. Various minor forms of associated labour.

Your Commissioners therefore beg most strongly to recommend that immediate steps should be taken to obtain the necessary authority to incur the expenditure which will be required for such works, and for the removal without delay of all the convicts now confined in Spike Island, so that the prison there may be finally closed.

All which we humbly submit to Your Majesty's Royal consideration.

RICHARD ASSHETON CROSS, *Chairman.*

W. ST. JOHN BRODRICK.

EDMOND R. WODEHOUSE.

THOMAS A. DICKSON.

N. D. MURPHY.

ROBERT McDONNELL.

GEO. SIGERSON.

A. B. McHARDY, Major R.E., *Secretary.*

Dublin, 3rd February 1883.

APPENDIX.

EXTRACTS FROM THE REPORT OF THE PENAL SERVITUDE ACTS COMMISSION, 1879.

There are certain points connected with the Irish convict prisons which demand special notice at our hands. The management of the prisons for males and females at Mountjoy calls for little remark. The condition of both prisons appears to us generally satisfactory, and to reflect credit on the Irish prison administration. We regret that we cannot say the same of the prison at Spike Island, which was originally an old barrack. The very defective construction of the prison itself, and especially of the sleeping cells, renders it impossible to enforce proper discipline, whilst the constant opportunities of seeing the outside world afforded to the prisoners both when at work and in going and returning from Harlbowline greatly impair the severity of the punishment. Indeed, Captain Barlow goes so far as to say that "penal servitude as at Spike Island has very little terror to criminals." The intermixture also of the convicts on the works with free labourers, and with soldiers on the ramparts, though limited as much as possible, is most objectionable; and generally the system appears to be more lax than in the English convict prisons. Sir Walter Crofton informed us that it was contemplated before he left Ireland that the convicts should be removed from Spike Island. He strongly condemns the establishment as "unfitted for every branch of prison treatment," and is anxious it should be abolished and broken up altogether without delay. No doubt some of the objections to it might be obviated by the construction of a new prison upon approved principles; but it appears from Sir Walter Crofton's evidence that the War Office has been constantly writing to request that the prison should be given up and the convicts taken away. Unless, therefore, the objections of the War Office are removed, the only alternative is to transfer the establishment to some other more suitable place, and we strongly recommend that no time be lost in taking steps for this purpose.

In conclusion, we may state that the following are the recommendations to which we attach the greatest importance:—

9. That the prison at Spike Island be discontinued.

EXTRACT FROM FIRST REPORT OF THE GENERAL PRISONS BOARD, IRELAND, 1879.

SPIKE ISLAND CONVICT PRISON.

The difficulties of maintaining discipline in it have been always considerable, owing to almost unrestrained communications of the convicts necessitated by the temporary nature of the cells erected in buildings originally intended for military barracks; for years the class of convicts has been becoming worse, more inclined to violence, and less reclaimable. The conduct of the subordinate officers has been good.

Whilst the conduct and industry of many of the convicts have been good, there has been, during the last few years, an increasing tendency to acts of violence, and in some cases the offenders have been punished in other than the ordinary manner directly or indirectly by the military authorities. HANSARD, 13, Great Street, Dublin, has been marked as a convict until the year 1879.

Messrs. ALEXANDER & SPOTTISWOOD, Messrs. BLOW.

EXTRACTS FROM SECOND REPORT OF THE GENERAL PRISONS BOARD, IRELAND, 1879-80.

The entire unsuitability of Spike Island, owing to its structural arrangements, for the purposes of a Convict Prison has been long since conceded on all hands.

Captain Barlow, who had for several years acted as sole director of the Irish Convict Prisons, observed as to this, in his last Report, as follows:—

"The difficulties of maintaining discipline in it have been always considerable, owing to almost unrestrained communications of the convicts, necessitated by the temporary nature of the cells erected in buildings originally intended for military barracks. For years the class of convicts has been becoming worse, more inclined to violence, and less reclaimable."

And similar testimony has been from time to time borne to the same effect by other highly competent witnesses.

Under these circumstances it caused us no surprise to find the recent Penal Servitude Commission reporting, on the 14th of July 1879, as one of the many valuable conclusions to which their exhaustive inquiry had led them:—

"That the prison at Spike Island be discontinued," a conclusion in which, it is almost unnecessary to add, we, in every respect, most fully concur.

The difficulties in the way of providing a suitable substitute anywhere else have, however, proved to be very formidable, and though the subject has long engaged, and is still engaging, the anxious attention both of the Executive Government and our own Board, no satisfactory solution of it has been as yet reached, the several projects so far started having been each successively, for one reason or another, put aside.

ROMAN CATHOLIC CHAPLAIN'S REPORT.

Spike Island, 3rd of May 1880.

SIR,—I have the honour to submit to you my report for the year ending 31st March 1880. In doing so I beg to state that the several duties prescribed for the Roman Catholic Chaplains were duly discharged during the year. No efforts were spared on the part of my assistant and myself for the reformation of the prisoners under our spiritual care. Yet I regret that our labours for that object were to a great extent impeded by the contaminating association of the prisoners here. We had not only to encounter the evils resulting from their association on the public works, and in their going and returning daily from them, but also from the more pernicious consequences of their more close associations within the prison at night, in consequence of their imperfect and insufficient separation in the prison cells. The baneful effects of these evils are proved by the obstinate neglect of very many of the prisoners to comply with their religious duties, as well as by the numerous punishments which were obliged to be had recourse to during the year for prison offences. Although the number of prisoners here is reduced to 419, there are 22 of them at present in the penal and punishment cells. I am confident that the evils I have described would, by a great measure be prevented if the prison were reconstructed into walled-in prison cells, as at Mountjoy Prison and in the county gaols.

I have the honour to be, Sir,

Your very obedient servant,
T. F. LYONS, R.C. Chaplain.

The Chairman,
General Prisons Board,
Dublin Castle.

EXTRACTS from THIRD REPORT of GENERAL PRISONS BOARD, IRELAND, 1880-81.

In our last Report we remarked very strongly on the unsuitability of Spike Island for the purpose of a convict prison, and, during this year our Board have had several communications with the Government, with a view of its abolition as a convict establishment, and providing a substitute for it, but as yet no conclusion has been arrived at, notwithstanding that this establishment has been condemned by all prison authorities, and that the Royal Commission on Penal Servitude, presided over by Lord Kimberley, recommended, in their Report of 1879, that this prison "be discontinued."

EXTRACT from FOURTH REPORT of the GENERAL PRISONS BOARD, IRELAND, 1881-82.

In both our last reports it became our duty to place on record the very strong opinion we have long entertained as to the entire unsuitableness, owing to its structural arrangements and defects, of Spike Island for the purposes of a convict establishment.

In our last report, when expressing our full concurrence in the conclusion arrived at by the Commission over which Lord Kimberley presided, as expressed in their report presented to Parliament in 1879, viz. that this prison should "be discontinued," we referred to the fact that, though several communications relating to it had passed between our Board and the Government no definite conclusion had been up to that time arrived at on the subject; and we regret to be obliged to add on the present occasion, that no practical progress towards the solution of the difficulty which has been experienced in devising a suitable substitute for it has been made during the interval.

A departmental committee, of which the Chairman of this Board is one of the members, has, however been engaged in London from time to time for some months past in a general inquiry as to the future disposal of convict labour both in England and Ireland and we trust that as one result of their deliberation some effective remedy may be suggested for finally discontinuing the use of an institution which has long attracted the special attention and emphatic condemnation not only of this Board but of some of the very highest authorities on the subject.

Before finally quitting this subject, for the present we may be permitted to conclude with the following extract from a report, dated the 2nd May last, from the Roman Catholic Chaplain of that prison, and who we may observe on passing, enjoys the advantage of being enabled to speak as to its affairs with all the authority which a very lengthened experience of them may be considered to confer. He says:—

"I regret that it is not in my power to give a more favorable report of the religious and moral condition of the Roman Catholic prisoners during the last year than during several previous years, although it was a year of jubilee, when the greatest efforts were made to produce a better sense and a better practice among them. I even got a religious mission to be conducted in the prison by six neighbouring clergymen to accomplish that desirable object; but the corrupting influence of the close association of the prisoners here soon destroyed all the good that was done by the jubilee and by the mission, as well as by the discipline of the prison. And this uncontrollable evil must continue until the prison is reconstructed into proper separate cells, as at Mountjoy prison, and now in all the county gaols in Ireland. It is then much to be regretted that Spike Island Prison, where all the convicts pass most of their penal servitude, and where their chief reformation should be effected, is still left without that essential improvement."

ROMAN CATHOLIC CHAPLAIN'S REPORT.

Spike Island, 19th of April 1881.

SIR,—I have the honour to submit to you my report for the year ending 31st March 1881, and in doing so I beg to state that the several duties prescribed for the Roman Catholic Chaplains were duly discharged during the year. Nothing was left undone on our part to promote the religious and moral reformation of the prisoners under our spiritual care, and it pains me to be obliged to state that our efforts for that end were in a great measure frustrated by the pernicious association of the prisoners on the public works, and by their still more detrimental association while within the prison. The generality of the convicts who have come here for several years past are habitual offenders, long practised in crime, and after having passed through repeated sentences of penal servitude without the least religious or moral reformation. Their obscene discourse, example, and counsels are calculated to corrupt all who come within their reach. The better-disposed prisoners complain of it, and say that it is impossible for them to become religious or moral surrounded by such companions.

It would, therefore, be a very great blessing if some means could be adopted to employ the prisoners separated from each other. At all events it would lessen the evil very much if the prison were reconstructed into separate cells as at Mountjoy Prison. Under our present arrangements I am of opinion that very little reformation can be expected.

I have the honour to be, Sir,

Your obedient servant,

T. F. LYONS, R.C. Chaplain.

The Chairman,
General Prisons Board,
Dublin Castle.

LONDON:

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ROYAL COMMISSION

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PRISONS IN IRELAND.

VOL. I.

2

REPORTS,

WITH

DIGEST OF EVIDENCE, APPENDICES, &c.

Presented to both Houses of Parliament by Command of Her Majesty.



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1884.

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