

Extracts from Prisons in Scotland and the North of England, by  
Elizabeth Fry and Joseph Gurney, 1819. (DUL ref: Routh 64. C.25)

Durham Old Jail, House of Correction,  
and New Jail.\*

THE Old Jail is built over a gateway in the middle of the city. We found it clean, and in as much order, with respect to its arrangements, as the excessive contraction of the building will admit. Classification and inspection are impossible in this prison, nor is it capable of any accommodations for the employment of its inmates. The criminals are allowed *4s. 6d.* per week for each person, together with a little clothing on particular occasions.

\* Visited eighth month (August) 24th, in company with Thomas Henry Faber, Esq. one of the county magistrates, and Jonathan Backhouse jun. of Darlington.

They find their own firing. They are ironed only when refractory. At this time they had all their fetters on, in consequence of an attempt which they had made the evening before to escape from prison. The chaplain visits this prison once every week.

The women prisoners are so ill accommodated that they pass both day and night in one apartment, nor are they at all classified. In the men's day-room, which is small, we observed several prisoners, two of them under sentence of death, and two detained merely for want of bail. This lamentable want of classification was, however, owing partly to the temporary disuse of another small room, not in a condition of security. You descend from the felons' day-room and from the daylight, by thirty steps, to the sleeping-cells, which are *perfectly dark, and without any ventilation except from a hole in the ceiling*. From these cells there is a still deeper descent into a horribly close dark dungeon, far under ground. This dungeon is no longer used; it is the dreadful relic of obsolete barbarity.

That jail is a handsome and extensive building on the outskirts of the town; its situation airy and convenient. In the middle of it is the governor's house, from which there will be inspection over all the airing-grounds; and, if certain arrangements now in contemplation are carried into effect, over the work-rooms also. On the right of this house is the debtors' prison; on the left, the house of correction; and in front of it, a large building not yet finished, intended for the reception of felons. The two former buildings are already partly occupied, chiefly by convicts

sentenced to temporary confinement, some of whom beat flax and pick oakum. The day-rooms and sleeping-cells in these divisions of the prison are of a sufficient size, dry and airy. From the unfinished state of the felons' prison we were unable to form any accurate judgement of it: at the same time, we could easily perceive that it would not, on the plan then laid down, admit of any provision for work-rooms, or for the complete classification of the prisoners. We have since had the pleasure of learning that the magistrates propose making in this plan some important alterations, by which both these objects may be accomplished.

## GENERAL OBSERVATIONS.

## CHAPTER I.

It is an error much too prevalent amongst the many, who have never thought accurately on the subject, that the final object of criminal jurisprudence, is the punishment of the guilty. Persons, who entertain this sentiment, are perfectly satisfied if the criminal be but punished, without considering whether his punishment be of any advantage either to the individual himself or to society at large. On their system, punishment is in fact nothing more than legal vengeance. It must indeed be acknowledged, that many of our own penal provisions, as they produce no other *effect*, appear to have no other *end*, than the punishment of the guilty. If, for instance, a criminal be sentenced to a term of imprisonment, it too often happens that no good results from the proceeding either to the sufferer or to the public. The criminal gains nothing in prison but confirmation in the habits of depravity; and he is afterwards turned out again upon the public, fitted by the punishment of one crime, for the perpetration of others. Thus both parties are losers.

It will undoubtedly be evident to every reflecting mind, that the end of criminal jurisprudence is not the punishment of the criminal, but the prevention of crime. Punishment, abstractedly considered, so far from being a desirable object, is a real evil :—but it is a necessary evil ; it is an act of self-defence, by which every civilized society seeks a protection from those outrages, which would otherwise terminate in its destruction.

There are two ways, in which the punishment of offenders against society may operate as a prevention of crime. First, by the fear, which it is calculated to impress upon all those who, although they have not committed crime, are exposed to the temptations, which lead into criminality. This fear undoubtedly produces a very strong and a very general effect ; and the more *certainly* crime is followed by punishment, the surer and more powerful does this effect become.

To ensure the *certainty* of punishment, two things especially appear necessary ;—a vigorous and vigilant police, by which crime may be easily and immediately detected ; and penal laws formed on the principles of true justice, and mild enough to be carried, without reserve, into constant execution.

The second method, by which punishment may act as the preventive of crime, is the *reformation of criminals*. This consideration will lead me im-

mediately to the subject, on which I am now desirous of stating my sentiments; for the reformation of criminals is the true object of *prison discipline*.

Prisons *ought to be* so conducted as to produce reform: they too often *are* so conducted, as to be the very seminaries of crime.