

From England

THE STATE OF THE PRISONS IN ENGLAND AND WALES — AS SEEN BY JOHN HOWARD IN 1777

By Terry Nowell

Introduction

John Howard was born around 1726, and became the High Sheriff of Bedfordshire in 1773. He was unsure what his duties were with regard to county prison, so undertook a series of visits to neighbouring counties and their prisons, which became an extended tour of England and Wales, and eventually included some European prisons. He died of what was diagnosed as camp fever with the Russian army at Kherson in 1791.

Although his book, which was published in 1777, brought prison reform to the fore, its content at first glance seems quite dull. In a few paragraphs he recorded the details of his findings of each prison he visited, but these became the fuel that others needed to fire reforms in the prisons of the day.

A man of faith, he shared with other religiously motivated reformers a real concern to change what he found. His later visits to Europe also suggested that England was being left behind in prison matters by its European counterparts. He made additions and changes to his book in 1780 and 1784, finally publishing *An Account of the Principal Lazarettos in Europe* in 1789.

Howard in his own words

'The distress of prisoners, of which there are few who have not some imperfect idea, came more immediately under my notice when I was sheriff of the county of Bedford; and the circumstances which excited me to activity in their behalf was, the seeing, some — who by the verdict of juries were declared not guilty; some — on whom the grand jury did not find such an appearance of guilty as subjected them to trial; and some — whose prosecutors did not appear against them — after having been confined for months, dragged back to gaol, and locked up again till they should pay sundry fees to the gaoler, the clerk of the assize, etc.

In order to redress this hardship, I applied to the justices of the county for a salary for the gaoler in lieu of his fees. The bench were properly affected with the grievance, and willing to grant the relief desired; but they wanted a precedent for charging the county with the expense. I therefore rode to several neighbouring counties in search of one; but I soon learned that the same injustice was practised in them; and looking in to prisons, I beheld scenes of calamity, which I grew daily more and more anxious to alleviate. In order therefore to gain a more perfect knowledge of the particulars and extent of it, I visited most of the county gaols in England.'

'In the spring of 1776, I summed up carefully the total number of prisoners in the sundry prisons. My list was as follows:

	Debtors	Felons	Total
In Middlesex, that is London and Westminster; together with three prisons in Southwark, viz. the King's Bench, Marshalsea, and Boroughcompter	1274	422	1696
In the other thirty-nine counties of England	752	1076	1828
In the twelve counties of Wales	67	27	94
In city and town gaols	344	122	466
	2437	1647	4084

Note: To this figure Howard added a further 8168 dependents held along with the debtors at that time.

Proposed improvements

When Howard set out his ideas for improving the structure and management of the prisons, he had to take account of the high number of debtors held during the period of his research, and the fact that many of those recorded as felons were actually being held for trial, and not yet convicted.

He proposed the building of new county gaols in many areas, since 'many county gaols and other prisons are so decayed and ruinous, or

for other reasons, so totally unfit for the purpose, that new ones must be built in their stead’.

New prisons should be built ‘upon a spot that is airy and if possible near a river, or brook.’ Small rooms, or cabins, should be provided for each prisoner to sleep alone. ‘Solitude and silence are favourable to reflection, and may possibly lead them to repentance.’

Howard also proposed separate areas for men and women prisoners, and the segregation of young criminals from old and hardened offenders. To reduce the incidence of gaol-fever he recommended ‘a commodious bath, with steps, to wash prisoners that come in dirty, and to induce them afterwards to the frequent use of it.’ All parts of the building should be ventilated by grates a foot square, to prevent disease.

Debtors and felons were to have separate wards: ‘The peace, the cleanliness, the health and the morals of debtors cannot be secured otherwise.’ He also made comments in his book about the state of the hulks at Plymouth, Gosport, Portsmouth and on the Thames where prisoners were held awaiting transportation.

Howard was most offended by the chaos in the gaols, the lack of rules, and the mixing of offenders. He wanted to replace all this with reason, order, better health grounded on religious purposes. He seemed to have a belief in the capacity of a well-ordered prison to solve the problems of the society of his day.

He also proposed that a chaplain should be appointed in every county gaol, with a salary being paid from the county rates. They should visit those held in prison, and provide services each Sunday.

Conclusion

Most of what Howard proposed was slowly implemented, at a pace dictated by each county bench of magistrates. Often reform was slow because of a reluctance to increase the charge to the county rate payers. Some of his suggestions were taken up in law, which was permissive rather than mandatory. Above all, the prisons were still without a system of independent inspection, a measure that was not enacted until 1835.

Bibliography

Howard, John: *The State of the Prisons in England and Wales. 1777.*

Morris, Norval and Rothman, David: *The Oxford History of the Prison.* Oxford. 1995.

Terry Nowell works as Methodist Minister in Nottingham, having previously served in Lincoln as part-time chaplain to the prison. He was appointed as editor to Justice Reflections in March 2007. He can be contacted at tnowell@clap2gnu.gotadsl.co.uk.