

REPORTS OF ROYAL COMMISSION ON PRISONS.

No. 1.

GENERAL REPORT.

To His Excellency Sir GEORGE FERGUSON BOWEN, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of New Zealand, and Vice-Admiral of the same.

WE, the undersigned Commissioners, appointed by virtue of a Commission in the name of Her Majesty Queen Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, witnessed by His Excellency Sir George Grey, K.C.B., Governor and Commander-in-Chief in and over the said Colony of New Zealand, and its dependencies, and dated the 29th day of November, A.D. 1867, "to inquire into the provisions and operation of the laws and regulations now in force relative to prisons and gaols in the Colony, and into the treatment and management of prisoners, and into the condition and state of such prisons and gaols, and into the more effective provision for their regulation, and for the custody and treatment of prisoners, especially those convicted of serious crimes and sentenced to long periods of imprisonment, and to report whether any, and if any, what alteration is desirable, and whether it would be desirable that a General Penal Establishment should be instituted for the Colony, and if so, on the best mode of instituting such establishment;"—the duration of which said Commission was extended by virtue of another Commission in the name of Her said Majesty, witnessed by your Excellency, and dated the 15th day of May, A.D. 1868, Do respectfully report that we have arrived at the following general conclusions:—

GENERAL CONCLUSIONS.

1. That the existing law relating to the prisons of the Colony seems to be unnecessarily complicated, and not to be fully understood or carried out; that the authority under which prison rules and regulations are made is different in different parts of the Colony, and in respect of different classes of prisoners; that the regulations so made substantially vary in different Provinces; and that they are not observed and enforced as they ought to be. That it is, in our opinion, expedient that the existing law on the subject should be revised, and that a measure for the amendment and consolidation thereof, providing for certain matters which will be more specially detailed hereafter, ought to be submitted without delay to the Legislature.

2. That in none of the existing prisons in the Colony is any system of punishment carried out which, to an appreciable extent, serves any of the real ends and objects of the criminal law, except that of the safe custody of the convicts; that the punishments, as administered therein, are ordinarily neither afflictive nor irksome, neither deterrent nor reformatory: but that, on the contrary, the tendency and ordinary effects of the present system are to harden old offenders; to demoralize, corrupt, and debase those who have recently become criminals, and innocent persons waiting for trial; and to afford opportunities for instruction and confederation in all kinds of crime and vice: so that almost every prison in the Colony may well be considered as discharging the functions of a training school for the creation and maintenance of regular criminal classes.

3. That the evils at present existing are not ordinarily attributable to any want of anxiety, care, diligence, or intelligence on the part of the officers who have charge of the prisons, but to the absence of any effective system of classification and separation, and of afflictive labour and restraint; and that no such system could effectually be carried out in any of the existing prisons of the Colony in its present state; that the mode of construction of almost every one of the prisons is radically defective in respect of means of separation, classification, and *surveillance*; and that the amount of accommodation is generally insufficient for present requirements, even without a system of separation and classification.

4. That none of the existing prisons could be conveniently and economically made available for carrying out, in a proper manner, sentences of penal servitude, and of hard labour for considerable periods: but that most of them could be adapted for the custody of persons waiting for trial, offenders against police laws, and other prisoners summarily convicted, and persons convicted for the first time of minor indictable offences,—under an improved mode of treatment.

5. That one Penal Establishment should be instituted for the whole Colony; or that one should be created at first for the whole Colony, but with the probability kept in view that ere long it might be desirable to have another situated in or near the other chief island of the Colony.

6. That the leading characteristics of such Penal Establishment should be those which are more particularly mentioned hereafter, of which the most prominent are separation and sharp punishment at the commencement of the term; the earning of promotion into an industrial class, and from one industrial class to another, by industry and effort in addition to good conduct; and the attainment of certain comforts, the accumulation of a fund against the time of discharge, and a remission of some part of the sentence, earned by extra industrial labour.