

NOTES of PROCEEDINGS at a Meeting of the Justices of the Peace resident in the Ellesmere District, held in the Courthouse at Southbridge on this 17th day of April, 1889; R. B. Willis, Esq., J.P., in the Chair.

THE report of the sub-committee of Justices of the Peace, as given at Christchurch on Saturday, the 13th of April current, was adopted, and, in addition, the following resolutions were proposed and carried:—

1. That power be given to Justices to order a certain amount of corporal punishment to be inflicted on juvenile offenders in a certain class of cases—*e.g.*, use of obscene language, larrikinism, and petty larceny. [It has always been the custom of the Bench in this district to give the parent the option of flogging the child in the presence of the police, in lieu of sending the offender to gaol.]

2. That the sexes should be kept separate, and in separate institutions, when sent to reformatories or industrial schools, and such institutions to be at a distance from each other.

ROBERT B. WILLIS, J.P., Chairman.

WILLIAM D. LAWRENCE, J.P.

DAVID McMILLAN, J.P.

GEORGE GOSSET, J.P.

*Report adopted at Meeting of Christchurch Justices.*

SIR,—

Resident Magistrate's Court, Christchurch, 4th April, 1889.

I have the honour to inform you that I have been requested by the Justices sitting in Christchurch and adjacent Courts to bring under your notice the immediate necessity of making some legislative provisions by which power may be placed in Magistrates' hands that would enable them to deal more adequately and effectually with juvenile criminals and deserted and neglected children. You are, as Minister of Justice, fully aware of the existing law with regard to dealing with children who come under either of the above descriptions, and it is therefore not necessary for me to recapitulate the various laws and enactments dealing with the subject; but I may be permitted to refer you to a memorial on the subject (juvenile criminals) recently forwarded to you by the Auckland magistracy, which sets out at length the powers placed in the hands of Justices by the law as it now exists. The objects in approaching you are—firstly, the prevention of juvenile crime by removing children from the control of parents who habitually neglect them, and fail to keep them from bad company and the evil influences such association necessarily entails; secondly, the amendment of the law so as to throw upon parents the responsibility of exercising proper control over their children, and, failing their doing so, to punish such parental neglect by such means as may be deemed most effectual for the purpose; thirdly, the introduction of regulations under which Magistrates would have the power to apprentice neglected and deserted children for a term of years to farmers or tradespeople; fourthly, the establishment of a sea-going training-ship, on board of which boys who have not become actual criminals may be placed, with a view to their removal from bad associates, and their being at the same time trained as sailors; fifthly, with regard to females, the raising of the age of consent to at least fourteen years. One great difficulty experienced by all Magistrates lies in the fact that, no matter whether children are neglected, deserted, or criminal, there is no alternative but to send them to the same place of detention or punishment, or to send the criminal juvenile to gaol—in the latter case a proceeding which can scarcely fail to contaminate him and prevent his ever having a chance of earning an honest living; while, on the other hand, it is evidently most objectionable to mix, as at Burnham, unfortunate yet honest and respectable children with those inured to crime. Such a course, I need scarcely point out, cannot but be productive of the most calamitous results. Especially is this the case with female children; and yet, under existing circumstances, the Bench is almost powerless to prevent such association. While dealing with this part of the subject I am desired to express the opinion—which is fully indorsed by Inspector Pender, one of the most experienced police officers in New Zealand—that the suspension of the provisions of the Contagious Diseases Act, so far as Christchurch is concerned, has had a most disastrous effect, and that the Act, when in force, tended greatly to check juvenile prostitution, which has since, in consequence of the suspension of the Act, alarmingly increased. It would also be desirable that the age of consent in females should be raised at once to, at all events, fourteen years, if not more. The many evils resulting from allowing children to wander uncared-for about large towns could to some extent be avoided if the various School Committees enforced the compulsory clauses of the Education Act strictly; and it would also be desirable that the attendance required under the Act should be much greater than at present. I believe this to be a most important question, and one I am desired to press most strongly upon your attention. In dealing with juvenile offenders brought before the Court for the first time, power should be given the Resident Magistrate to hear each case privately, to avoid the necessity of bringing young children publicly before a Court full of spectators, and accustoming them to being charged and dealt with as criminals, which cannot (in spite of every precaution on the part of police and Magistrates) but have a demoralising and hardening effect on young persons. This suggestion as to dealing with juvenile offenders and the mode of initiating proceedings against them emanated from Inspector Pender, and I consider it of a very valuable character, and that it should be adopted without delay. The cause of the misconduct on the part of juveniles is in most cases to be found in the utter want of proper parental control, and it therefore seems that the making parents responsible for the behaviour of those they are the proper and natural guardians of is only compelling them to bear their share of a moral and legal responsibility which undoubtedly rests upon them. I am desired to state that the law in this respect should be so far altered as to enable Magistrates to heavily fine parents who allow their children to drift into crime, and make them also responsible in damages for any acts committed by children they habitually neglect to keep in proper restraint; and in all cases in which children are ordered by the Justices to be sent