

1936.  
NEW ZEALAND.

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# PRISONS DEPARTMENT

(REPORT ON) FOR THE YEAR 1935-36.

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*Presented to both Houses of the General Assembly by Command of His Excellency.*

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The Hon. the MINISTER IN CHARGE OF THE PRISONS DEPARTMENT to HIS EXCELLENCY THE GOVERNOR-GENERAL.

Wellington, 8th August, 1936.

I HAVE the honour to submit to Your Excellency the report of the Prisons Department for the year 1935-36.

I have, &c.,

H. G. R. MASON,  
Minister in Charge of Prisons Department.

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The CONTROLLER-GENERAL OF PRISONS to the Hon. the MINISTER IN CHARGE OF THE PRISONS DEPARTMENT.

SIR,—

I have the honour to present the annual report of the Prisons Department for the financial year ended 31st March, 1936, and the criminal statistics for the calendar year ended 31st December, 1935, together with the reports from the Controlling Officers of the various institutions administered by the Department, showing in detail the many activities undertaken at the several institutions in an endeavour to train and reclaim those committed to the Department's care.

The year under review has witnessed several improvements in prison conditions, all of which have been designed, without burdening the taxpayer, to make imprisonment more effectually fulfil its real purpose—namely, that it should as far as practicable be corrective and reconstructive.

The outstanding features of this report are (1) the continued decline in the Dominion's prison population and the number committed to prison, the ratio to the general population being the lowest for half a century, and (2) the marked improvement in the revenue earned through the productive utilization of prison labour in the practical application of a system of occupational therapy.

## PRISON STATISTICS.

*Decline in Receptions.*—It is satisfactory to observe that the decline in the number of commitments to prison recorded last year has progressed still further, the total receptions

during the year under review being 370 less than for the previous year. Since 1931 the decrease in the prison population has been 34 per cent., and it is of interest to observe that up to the date of the publishing of this report the numbers continue to diminish. The following table sets out in comparative form, and summarizes, the number of receptions and discharges over the past five years:—

*Receptions and Discharges.*

—		1931.	1932.	1933.	1934.	1935.
Number in custody at the beginning of year	..	1,569	1,657	1,583	1,443	1,234
*Number received during the year	..	6,354	6,179	5,087	4,529	4,159
*Number discharged or transferred	..	6,266	6,253	5,228	4,135	4,243
Number in custody at end of year	..	1,657	1,583	1,443	1,236	1,150
Daily average in custody	..	1,634	1,669	1,543	1,360	1,212

\* NOTE.—These figures include inter-institutional transfers.

*Reductions in Daily Average.*—It will be observed from the foregoing table that the daily average number in custody—viz., 1,212—is 148 less than the number for the previous year, and is in fact the lowest figure for many years. If the fall in the number of receptions is maintained one can reasonably expect to see a steady diminution in the daily average, but in New Zealand the daily average has been relatively high because of the longer terms of Borstal detention and reformatory detention imposed by our Courts. This comparatively higher daily average than in England, for example, does not connote a higher incidence of crime in the Dominion.

*Nature of Offences.*—Although the public conscience from time to time is shocked by the reports of some isolated homicidal case or other grave crime, New Zealand is fortunate in having no criminal gangs who prey upon the community with an utter disregard for the sanctity of human life such as exist in the larger metropolitan cities overseas. Indeed, it can be said that there is no organized crime in the Dominion, and there is no doubt that this happy condition of affairs can be ascribed to the fact that the Courts in New Zealand promptly deal with any manifestation of a tendency to crimes of violence in a salutary manner.

The following table shows the nature of the offences classified under three main headings:—

*Nature of Offences.*

Year.		Offences against the Person.	Offences against Property.	Miscellaneous Offences.	Total Prisoners received.	Ratio to 10,000 of Population.
1935	..	175	887	1,096	2,158	13·76
1934	..	155	889	1,332	2,376	15·33
1933	..	196	1,048	1,487	2,731	17·75
1932	..	194	1,313	1,893	3,401	22·29
1931	..	216	1,155	1,832	3,203	21·29

It is satisfactory to observe from the foregoing table that the number of imprisonments for offences against property has continued to diminish, as also has the number of miscellaneous offences. A less satisfactory feature of the table, however, is the small increase in the number of offences against the person, and this is all the more disquieting because of the fact that this increase is almost entirely due to an increase in offences of a sexual nature, the most prominent variations being under the following classes:—

Nature of Offence.		1934.	1935.
Incest	..	9	12
Unlawful carnal knowledge	..	17	27
Indecent assault	..	10	28

It is pleasing to note from the table that the number of distinct persons involved has decreased by 218, and that the ratio of distinct persons to the general population is down to 13·76 per 10,000, as compared with 15·33 for the previous year. That this downward trend is fairly constant is indicated by the following figures for several decades back:—

Year.		Ratio of Persons received to each 10,000 of the General Population.	Year.		Ratio of Persons received to each 10,000 of the General Population.
1890	..	38·61	1925	..	20·88
1905	..	32·14	1935	..	13·76
1915	..	28·44			

It has been asserted by certain critics that, in relation to the general population of the two countries, New Zealand has a prison population three or four times in excess of that of England. As has been pointed out in earlier reports, exact comparisons cannot be made, as certain classes of offenders are included in the New Zealand prison statistics who are not so dealt with in England. The latest published English statistics show the receptions on conviction per 10,000 of the general population to be 12·4, hence it will be seen that the disparity is not very wide.

*Nationality of Offenders.*—The following table summarizes those received into prison during the year on a nationality basis:—

*Nationality of Prisoners.*

Year.	New-Zealand-born (excluding Maoris).	Maoris.	British and Foreign.	Total.
1935 .. ..	1,256	226	676	2,158
1934 .. ..	1,416	211	749	2,376
1933 .. ..	1,604	253	874	2,731
1932 .. ..	1,941	316	1,144	3,401
1931 .. ..	1,779	271	1,153	3,203
1930 .. ..	1,576	184	1,104	2,864

It is satisfactory to observe that the decline in the number of New-Zealand-born offenders in evidence two years ago has been steadily maintained, but the number of Maoris, 226, has increased by 15. In the East Coast district and North of Auckland the amount of petty crime amongst young Maoris is causing some anxiety, and it is observed that there is too great a proportion of Maori youths in Borstal. There are over twice as many Maoris in detention as would be the case if the ratio of Natives to the general population were preserved. The matter of establishing a separate training institution in the North Island on somewhat more rigorous lines than Borstal, where the younger Maori offenders could be taught efficient farming methods and at the same time be subjected to socializing influences, is one worthy of consideration. If there could be instilled into the Maori youth habits of industry and an interest in the productive utilization of Maori lands it would be to the national advantage.

*Age of Prisoners.*—Hereunder is set out in tabular form the prisoners committed during the year classified in age groups. There has been a slight increase (11) in the number committed under twenty years of age. This is due mainly to the number, referred to above, of Maori youths received.

The decline generally has been evenly spread over the other age groups, and, having regard to the proportion of each group to the general population, it cannot be deduced from the table that at any age is there a special predisposition towards criminal conduct:—

Age Group.	1930.	1931.	1932.	1933.	1934.	1935.
Under 20 .. ..	164	203	222	175	120	131
20-25 .. ..	429	555	559	459	391	350
25-30 .. ..	426	488	504	403	343	321
30-40 .. ..	716	822	903	747	640	545
40 and upwards .. ..	1,118	1,129	1,207	937	878	809
Not stated .. ..	11	6	6	10	4	2
Totals .. ..	2,864	3,203	3,401	2,731	2,376	2,158

*Length of Sentences.*—Except in the case of Borstal detention, where the sentence is imposed as much in the interests of the offender for the purpose of discipline and training as for the protection of society, the period of sentence is some criterion of the gravity of the nature of the crime involved. This must be qualified, however, by reason of the fact that the Courts, whilst having some regard to the intrinsic nature of the offence, also have regard to the offender himself, and his need for correctional treatment, in imposing reformatory detention. If these two classes of sentences are eliminated there remains an exceedingly small number of cases in which substantial punishment is imposed. That is to say, less than 10 per cent. of the total prisoners dealt with received in excess of twelve months' ordinary imprisonment.

It will be seen from the table set out hereunder, which includes sentences of Borstal detention and reformatory detention as well as ordinary imprisonment, that a comparatively small proportion of offenders receive substantial sentences.

Of the total number dealt with by the Courts during 1935, over 50 per cent. received less than three months, and over one-third received less than one month. This would indicate that the incidence of serious crime is not wide.

Term of Sentences.	Number of Prisoners.		Percentage to Total Number sentenced.
	1934.	1935.	
Under one month .. ..	927	782	36·3
One month and under three months ..	488	452	20·9
Three months and under six months ..	310	259	12·0
Six months and under twelve months ..	208	174	8·1
One year and under three years ..	321	367	17·0
Three years and under five years ..	93	100	4·6
Five years and over .. ..	29	24	1·1
Totals .. ..	2,376	2,158	100·0

It is frequently stated that “a short sharp lesson will often bring an offender to his senses.” The consensus of opinion among prison authorities is that this is a fallacious idea. Prison conditions in recent years have been so ameliorated that there is nothing of a sharp nature about it. The experience of a short sentence merely serves to accustom a man to gaol conditions and diminishes what should be a wholesome dread of penal institutions. The Lord Chief Justice of England recently observed that short sentences are worse than futile, and that, if the offence is not one that really calls for a worth-while term of imprisonment, it is far better to try some alternative method such as probation.

A factor which materially adds to the number of prison commitments is that “stage army” of petty recidivists (between 30 per cent. and 40 per cent. of the total receptions), many of whom are in and out of prison several times. Their offences in many cases are really more in the nature of nuisances than crimes, but society is entitled to be protected, and it is plain that a more effective method of dealing with them than the imposition of repeated short sentences should be resorted to. There is already statutory provision for persistent offenders of this class to be declared “habitual offenders” and held on an indeterminate sentence.

It is observed also that in England greater care is exercised by way of inquiring into the capacity of offenders to pay fines before imprisoning them for default. If it is considered that an offence in the first instance could be appropriately met by way of imposition of a fine, there is nothing to be gained by committing the offender to prison because of his inability to pay the fine, and unless there is something in the nature of contempt of Court, or other special circumstances calling for drastic measures, it is far better to allow time to pay in instalments. This matter is dealt with in a special paragraph later in this report.

Lord Hewart stated: “Imprisonment is the last resort, necessary, of course, for cases that really call for serious punishment; and in those cases a substantial term may do some good. A short sentence hardly ever does any good.”

#### HEALTH OF PRISONERS.

The health of prisoners has been uniformly good throughout the year. There were no illnesses of an epidemic character, and most of the treatment required has been due either to the debilitated condition of prisoners before committal or to ailments suffered by them on reception. Many offenders have either lived under poor conditions or undergone a period of acute mental anxiety before actual conviction, which has tended to undermine their physical health, and it is noteworthy that prisoners almost invariably improve in physical condition and put on weight under the ordered regimen and simple diet in prison.

An improvement in the dietary scale was made during the year by increasing the milk-ration, the addition of cocoa, and the allowance of extra puddings. With the exception of small isolated gaols, the whole of the bread consumed in the prisons is now made by the inmates. This is valuable from a vocational point of view, as men in rotation learn a useful trade, and it also enables alternate issue of wholemeal bread to be made with dietetic advantages. Special consideration is also given to the matter of the supply of vegetables, a liberal allowance of fresh root and green vegetables being provided.

Out of a total daily average in custody of 1,212, there was a daily average on the sick-list of 18. There were 60 admissions to hospital during the year, and 6 deaths, 5 of whom were undergoing sentences of imprisonment and 1 Borstal detention.

Sixteen persons were transferred to Mental Hospitals for examination or for treatment, and, in every case where there has been an indication of mental unbalance, examinations have been arranged for by the psychiatrists attached to the Mental Hospitals Department, through the courtesy of the Director-General of Mental Hospitals.

A special milieu under the direction of Dr. Sydney Allen, a mental specialist attached to the New Plymouth Prison, has been arranged. All homo-sexuals are transferred to this

institution, and Dr. Allen's report on the work of that institution is interesting. A summary is set out hereunder:—

"It is my custom to submit each offender as he arrives under my care to a very complete psychological examination. Every inmate is told by me that he has to report for examination not only for physical disorder, but for any mental difficulty which confronts him. I thus spend hours outside my duties as physician in getting to know the individual psychology of the inmates, and keep in close psychological contact with the inmates during the period of their detention. The general routine of the prison is so arranged as to be a constant psychological stimulus, and in this matter I cannot praise too highly the work of the Superintendent, Mr. Dineen. He takes the widest view of his duties and spares neither time nor effort in arranging distractions for the inmates. This in itself comes under the heading of treatment in a psychological sense, and it is undertaken with that object. In my opinion, such routine treatment has the highest benefit on the mentality of the inmates. Almost every inmate, unless prevented by physical infirmity, joins voluntarily a class of organized physical exercise under the guidance of a trained instructor, who is himself an inmate. Again, any inmate with a bent for public entertaining is encouraged to cultivate his individual gift, whether in singing, recitation, or instrumental music. A fine band with piano has been established for some years, which is capable of giving public performances to the enjoyment of the inmates and a selected invited public. Individual prisoners are encouraged to develop any special artistic aptitude. We have examples of inmates who have become good at freehand drawing and painting, have learned to play some musical instrument, while others, more studious, have undertaken some serious study—*e.g.*, the physical drill instructor has acquired a good knowledge of anatomy from the books and assistance given by the officials. All this work undertaken voluntarily and outside the prison routine has an important mental effect on the inmates, and it can truly be asserted that the inmates are under continuous psychological treatment. They are enabled thereby to take their place in the world again with the minimum of discomfort when they have served their period of detention.

"I have confidence in the regime at present in force in New Plymouth, which has at least had a very remarkable practical statistical result. During the ten-year period from 1st January, 1925, to 31st December, 1936, 114 male offenders have been discharged from the institution, and of these only 4 have returned. It is not claimed that these inmates have been 'cured,' but it does demonstrate that prison methods have so changed the invert's mentality that he has gained sufficient control of his tendency towards sexual abnormality that he no longer offends against the law."

#### SOCIAL WELFARE.

For the balanced social development of inmates it is essential to have regard to other considerations than merely the safe custody of the prisoner, and, in addition to endeavouring to inculcate orderly habits of industry as far as practicable in some avenue of work best calculated to assist the prisoner on his release, it is necessary to have regard to his mental equipment and morals.

For this purpose it will be seen from the institutional reports appended hereto that careful attention is given to these considerations. Organized educational classes, lectures under the auspices of the Workers' Educational Association, and others are given. Also, in addition to allowing prisoners who so desire to take up special correspondence courses, arrangements have been made with the Director of Correspondence Schools for any prisoner who desires to do so to link up with that organization.

Whilst prisons are not intended to be places of amusement, concerts and other entertainments of a cultural nature are held from time to time at the various institutions as a means of relaxation and recreation, and at all the Borstals and most of the other institutions wireless has been installed.

Organized games and sports, wherever practicable, are encouraged as part of the general scheme of occupational therapy.

The spiritual welfare of inmates is catered for by the various ministers of religion, missionaries, and Salvation Army officers, and, in addition, there are special visitors who regularly attend in an endeavour to assist and help inmates by wise counsel and guidance. In this respect particular reference should be made to the untiring efforts of Mrs. Eason in her work at the New Plymouth Prison, Mrs. Smith at the Paparua Prison, and the ladies of the Borstal Committee who visit the lads at the Invercargill Borstal. There is no doubt that the visits of understanding women have a helpful and inspiring influence on men who are segregated from their fellows and their families.

First-aid classes have been conducted in several institutions. These are valuable for the reason that, besides affording an interesting avenue of study and a useful insight into one's physical make-up, they equip members of the class so that they can, in an emergency, render aid to their fellow-men.

Additions to the libraries have been made by the purchase of books and by the acquisition of discarded books for renovation from several libraries and clubs. Periodicals and weekly newspapers are circulated freely.

The Department is appreciative of the valuable help given by all those who have assisted in connection with the foregoing activities.

## ESCAPES.

There were thirteen escapes during the year, and, with one exception, all were recaptured. This number is not higher than the average.

The extensive liberty allowed as a matter of reclamative policy at the camps and farms actually affords greater facilities for escapes, and, as many prisoners are creatures of impulse, it is recognized that in odd cases advantage will be taken of the freedom permitted, but, on the other hand, a measure of trust engenders self-respect, and experience shows the taking of a certain amount of risk is justified. It necessarily follows, however, that when individuals violate that trust they should be dealt with in a salutary manner by the Courts, as escapes occasion considerable inconvenience to the authorities as well as anxiety to settlers in the district concerned.

## PUNISHMENTS AND INFRACTIONS OF DISCIPLINE.

*Capital Punishment.*—One execution took place during the year.

*Flogging.*—One flogging only was carried out as part of the sentence of the Court imposed upon a prisoner for an offence of a sexual nature.

*Corporal Punishment.*—In no case was corporal punishment administered upon any refractory prisoner for any breach of the Prisons Regulations, nor was it necessary to have recourse to any form of mechanical restraint in any of our institutions.

In last year's report reference was made to the reduction in the number of infractions of penal discipline since the adoption of more humanitarian methods of treatment of prisoners. This satisfactory condition of affairs has been maintained during the past year.

It is generally accepted to-day that harsh punitive measures too often failed in their purpose because of their severity. They engendered resentment and hostility to authority. Without discipline it is obvious that there would be disorder, but it should be maintained in a humane and constructive manner. In an institution a small incident can readily become magnified into a matter of great consequence unless the situation is dealt with by persons of understanding and experience. Each prisoner must be treated and understood individually. Some suffer from delusions of persecution, and often view with suspicion and distrust those who are really out to help them. Some adopt a truculent attitude, which in some cases may be a nervous reaction, and in others a misguided manifestation of character. Others indulge in self-pity, and attempt to rationalize their conduct. They develop excuse theories, and often feel more sinned against than sinning. But all require careful handling, and call for the exercise of tact and understanding on the part of the staff to secure an adjustment to prison conditions and the maintenance of a proper standard of discipline. A prisoner must be made to realize that he must first discipline himself by learning to adapt himself to the institutional regimen before he can hope to conform to the more exacting standards in civil life. It is fundamental that he should appreciate that an offence against society involves deprivation of liberty and the denial of certain privileges that law-abiding men enjoy.

The regular visits of Visiting Justices, Visiting Committees, Official Visitors, and the Inspector of Prisons have contributed materially in maintaining contentment and discipline. The reports received show that these authorities take a keen interest in the proper care and welfare of the inmates, they hear complaints, and make frequent inspections of all equipment, clothing, and rationing arrangements.

Although, as stated above, the standard of discipline generally was good during the year under review, subsequently, on the 25th April, at Mount Eden, an unusual incident occurred in the form of combined insubordination on the part of a group of prisoners. Ever since the "Dartmoor incident" certain imitative agitators have been endeavouring to foment insurrection, and latterly this refractory element deluded a number of prisoners into thinking that mass action and defiance of authority would be condoned.

Advantage was taken of the skeleton staff on Anzac Day, when several prisoners refused to bath and shave, and others refused to distribute clean clothing. This was merely a gesture or "try on" of combined insubordination. To ensure that the prisoners would be supplied with the customary issue of clean clothing, arrangements were made for this to be done by the staff. The prisoners later refused to return to their cells at the customary hour. As a precautionary measure the aid of Police reinforcements was sought, but they were kept in the background and the trouble was quickly taken in hand. Immediately afterwards the prisoners realized the grave impropriety of concerted insubordinate conduct, and all concerned were dealt with by the Visiting Justice, Mr. F. K. Hunt, S.M. Since then, it is satisfactory to note, everything has been working smoothly.

An immediate official inquiry was held by the Inspector of Prisons, Mr. D. A. Mackintosh. The substance of Mr. Mackintosh's report was identical with that of Mr. du Pareq, K.C. (then Recorder at Bristol, now Mr. Justice du Pareq), who made the official inquiry into the Dartmoor episode—viz., "That the prisoners had no substantial grievance, and that such grievance as they had would not have led to any disorder unless a few of the dangerous prisoners, partly by their own power of leadership and partly by intimidating, had played on the feelings and fears of others."

An editorial in the *London Times* referring to the Dartmoor incident stated: "A reading of the report makes the ill-considered clamour for a public inquiry look as foolish as it deserves." A precisely similar situation in this regard existed in connection with the trouble at Mount Eden.

It is correct to state that notwithstanding that as a general rule insubordination in gaol must be regarded as a serious matter, the happening at Mount Eden was merely an incident engineered by hot-headed notoriety-seekers, whose sole object was to subvert the discipline of the prison. With a full sense of responsibility, I desire to emphasize that it would have been disastrous had the matter been allowed to be magnified into unjustified and disproportionate dimensions, and I am exceedingly grateful to you, Sir, for your support in this matter, which I am convinced was in the best interests of law and order and of the misguided inmates as well.

#### CLASSIFICATION AND SEGREGATION.

Until comparatively recent years, since when greater attention has been given to the personality of offenders, classification was based mainly on criminal experience, and efforts were made to segregate the more hardened criminals from first offenders mainly because of the fear of contamination. Experience shows that with changing social and economic conditions a scheme of classification designed with this objective is not as effective as a system of classification that will permit of the more selective treatment of offenders. Often the so-called first offenders show greater evidence of moral turpitude than some of the many times convicted recidivists. The technique of predatory crime in recent years has changed to such a degree that the desperate and dangerous criminal is the young offender who is adventurous, ruthless, and ready to take risks. Beside him the old "lag" is too old-fashioned and crude in his methods in these times of motor-cars and mechanical aids to be the object of emulation by young offenders. The risk of contamination, except in the matter of filthy habits and bestial practices, from association and artificial conditions, which are carefully guarded against, is greatly overstated.

Prisoners can be classified into four groups, the basis of which provides the most practical angle of approach in determining their treatment, and affords a fairly good idea of the hopefulness of reclamation.

(1) There is the youthful-offender group whose offences are traceable to some phase of adolescent instability. The majority of these merely require a period of training and discipline, or a separation from harmful environmental conditions, and soon afterwards settle down to take their places as useful law-abiding citizens. The fact that over 80 per cent. of those dealt with under the Borstal system do not appear before the Courts again demonstrates this.

(2) There is the group of accidental offenders who, either in a weak moment give way to sudden temptation, or who under some great emotional stress commit an offence against the law. These are rarely recidivists, and of those in this group dealt with under the system of reformatory detention only 26 per cent. are again returned to prison.

(3) There is the feebly inhibited offender who, though not certifiable as a mental defective, is unable to adapt himself to the exacting demands of modern society. Many of these are congenitally defective; some show symptoms of primary dementia, degeneration from sleeping sickness or alcoholism; others are of the facile type who cannot keep out of trouble. These constitute a recidivist class, and in their own interests, as well as for the protection of society, they require custodial care. For such as these the indeterminate sentence is the only common-sense measure. Psycho-analysis may disclose that their conduct is due to repressions and mental complexes, but psychological treatment is as yet exceedingly precarious and can rarely claim a cure for this class for the reason that an essential element—the "will to do well"—is lacking. A case may be diagnosed with the aid of the patient and the underlying causes of abnormal conduct explained, but if the patient will not co-operate and prefers to gratify his desires by anti-social conduct he inevitably appears before the Court again. Many feebly inhibited prisoners leave prison full of good resolutions, but "lack the backbone to implement the wishbone" when up against the temptations of ordinary civil life.

(4) There is the professional criminal—that is, the individual of pronounced predatory instincts who wars on society with a cunning and selfishness simply as an adventurous and more interesting means of acquiring wealth than by the sweat of his brow or in an orthodox manner. Many of these have fairly high educational attainments and a high standard of intelligence. They are prepared to take the risk of imprisonment from time to time as part of the game. For the protection of society the indeterminate sentence is the only really effective manner of dealing with this class, subject to trial in the community from time to time on probationary license. The knowledge that they are liable to have their license cancelled unless they conform to the law acts as a prop and as an incentive to good behaviour.

Experience has shown that any scheme of classification as theoretically postulated on a personality basis must be modified to fit in with the practical requirements of employment and considerations of accommodation. Whilst due regard is had to the mental make-up and character of each offender in conformity with the foregoing ideas, the general scheme of classification in our institutions is as follows:—

- (a) Youthful offenders are sent to the Borstal institutions, where the programme of treatment is essentially corrective and reconstructive. The results amply demonstrate the effectiveness of the scheme of treatment.

- (b) Accidental offenders and prisoners who are considered reasonably trustworthy and tractable are transferred to the prison farms and camps, where the honour system is largely in vogue. The healthy open-air life and the trust reposed develops self-respect and aids in rehabilitation. The broad open spaces enable a man to draw apart, as it were, and look at life in its proper perspective.
- (c) Those serving long sentences who cannot with proper regard for the safety of the community, and those who are not trustworthy, are detained at Mount Eden, which is the most secure prison in the Dominion. Special classification within the prison is made, having regard to the age and mental and physical condition of the offenders. There are certain prisoners who require to be constantly watched, and others who actually, in the interests of the safety of their fellow-prisoners, require to be placed at special tasks so that they can do no harm. There are certain inmates at Mount Eden who are definitely mentally unstable, but who could not, with safety to the inmates of a mental institution, be transferred there unless with greater curtailment of liberty than that enjoyed in prison. Special variations of diet are prescribed for those long-term men, and conditions are made as non-irksome as practicable. The provision of a special institution for the defective class is now the subject of inquiry and consideration.
- (d) Old and senile offenders too frail and decrepit to work or fend for themselves properly without aid and attention are segregated at Wanganui Prison, where the milieu is suited to their physical condition.
- (e) Sexual offenders showing perversion are sent to the New Plymouth Prison, where the natural facilities exist for close supervision. The Medical Officer attached to this institution is an experienced psychiatrist, and a programme of treatment has been devised calculated to build up the mental and physical condition of the inmates. Understanding and sympathetic individual attention is given to each inmate by the Medical Officer and the Superintendent with exceedingly satisfactory results.

#### BORSTAL INSTITUTIONS.

The statistics published in the earlier part of this report include committals to Borstal institutions, of which there are three in the Dominion, one being located at Invercargill, for the detention of lads between the ages of fifteen and twenty; one at Waikeria, near Te Awamutu, for young men between twenty-one and twenty-eight years of age; and an institution for young women at Point Halswell, Wellington.

The Borstals were established under the Prevention of Crime Act, 1924, and largely follow the English Borstal system in that offenders are sent to these institutions for training and discipline rather than punishment. Until last year the maximum age for commitment to Borstal in England was twenty-one years, whereas in New Zealand it is twenty-three, but recently the English authorities have brought their Act into line with the New Zealand Act in this respect.

The number committed to Borstal last year by the Courts was 115, comprising 97 young men and 18 young women, and there were 38 transferred to Borstal from other institutions under the provisions of the Prevention of Crime Act.

Of the total number of 5,033 young men who have passed through Invercargill and Waikeria institutions since they were established, only 16 per cent. have again been reconvicted; and of the 238 young women released from Point Halswell, slightly less than 11 per cent. have again appeared before the Courts. Of the total of 2,158 persons received into penal institutions during 1935, only 5.7 per cent. had previously been in Borstal.

Detailed reports from the Superintendents of the Borstal institutions attached hereto give an outline of the varied round of activities carried on with a view to inculcating habits of industry and orderliness of conduct that will fit inmates to take their places as useful citizens when released. A wide range of artisan trades is taught under qualified instructors. A specialty is made of the teaching of all phases of farming and agricultural work. Not only are the results eminently successful from a reclamative point of view, but from an economic point of view the Borstal farms and other industrial activities have resulted in a considerable saving to the taxpayer. Great pride has been taken in the quality of production, the institutions being successful in winning a number of prizes for show exhibits at the local agricultural shows.

On the recreational side also the Borstal teams have been successful in the field of sport, winning two football cups in the rugby competitions.

Experience shows that after-care work is an exceedingly important factor, and in this connection the Department is specially indebted to the Women's Borstal Association for their helpful co-operation with the staff for the well-being of the inmates at Point Halswell, and for their sympathetic oversight of released inmates. The comparatively small percentage of failures of young women is due largely to the Association's activities and its after-care arrangements through its members and through the medium of voluntary associates in various parts of the Dominion.

The establishment of the Women's Visiting Committee and the Borstal Association at Invercargill has proved a successful and helpful innovation, both in so far as the visiting and care of the younger inmates is concerned and the arranging for placement of inmates on release.



The Probation Officers and Voluntary Probation Committees associated with them have also done exceedingly good work in the friendly oversight of discharged inmates.

The Department is indebted to the many voluntary helpers, christian workers, lecturers, and others for their valued assistance in connection with the running of the Borstals.

#### REVENUE AND EXPENDITURE.

The general betterment in economic conditions has been reflected in an improvement in the various industries carried on by the Department. The revenue for the year from the sale of farm-produce, quarry metal, and other activities, exclusive of the values of commodities used for domestic consumption, amounted to £69,933, which represented a gross revenue gain of £9,700, or 15 per cent. more than the previous year.

The diminished number of inmates accounted for a reduction of expenditure in certain directions, and the net expenditure, £74,527, was the lowest recorded for ten years.

An item of expenditure that stands out in more liberal proportions in the Department's accounts than in most oversea administrations is the total sum granted each year for the aid of prisoners' dependants and for the assistance of prisoners in their rehabilitation on release. Last year the total amount paid out under this section was £14,867, which included £8,809 as grants towards the maintenance of dependants, which now commence after the first month instead of after three months as heretofore, £5,884 as gratuities to prisoners on release, and £165 as grants to Prisoners' Aid Societies.

#### *Summary of Cash Payments and Receipts of Prisons Vote, 1924 to 1936.*

Year.	Daily Average Number of Inmates.	Gross Expenditure.		Credits.		Net Expenditure.	
		Total.	Per Head.	Total.	Per Head.	Total.	Per Head.
		£	£	£	£	£	£
1924-25 .. ..	1,228	144,484	117·67	68,118	55·56	76,366	62·11
1925-26 .. ..	1,340	152,794	114·00	79,099	59·02	73,695	54·98
1926-27 .. ..	1,397	148,766	106·47	70,915	50·76	77,851	55·71
1927-28 .. ..	1,490	161,199	108·21	66,979	44·95	94,220	63·26
1928-29 .. ..	1,502	163,451	108·83	73,994	49·27	89,457	59·56
1929-30 .. ..	1,425	172,248	120·83	83,806	58·87	88,442	62·04
1930-31 .. ..	1,525	171,382	112·36	70,669	46·33	100,713	66·03
1931-32 .. ..	1,641	152,581	92·93	55,867	34·03	96,714	58·90
1932-33 .. ..	1,661	142,940	86·04	52,412	31·84	90,528	54·49
1933-34 .. ..	1,488	138,193	92·88	54,823	36·77	83,370	56·11
1934-35 .. ..	1,306	137,484	105·25	60,242	46·12	77,242	59·13
1935-36 .. ..	1,170	144,460	123·47	69,933	59·77	74,527	63·70

#### PUBLIC WORKS FUND EXPENDITURE ON PRISON WORKS.

A summary of public-works expenditure is given below. The amount expended has been relatively low and insufficient to meet needs, but full consideration has had to be given to Government's past desire for reduction in loan and capital expenditure. For the present year provision is being made for a number of improvements of a capital nature which will involve increased expenditure. They are confined in the main to farm buildings and improvements to laundries, which have been deferred for several years, fuller details of which are contributed in the Public Works Department annual report.

#### *Summary of Public Works Fund Expenditure.*

Pre-depression period—

Seven years 1923 to 1930: Average, £20,382 per annum.

Depression period—

Four years 1930 to 1934: Average, £2,047 per annum.

Present period—

Year ended 31st March, 1935: £1,605.

Year ended 31st March, 1936: £2,123.

#### INDUSTRIES AND DEVELOPMENT.

The finding of adequate work for prisoners of a nature which is healthy and instructive and at the same time sufficiently remunerative to assist in reducing the cost to the taxpayer for prison maintenance is one of the major difficulties of a prison administration. The aim is to select work which will involve the minimum of competitive friction with private enterprise and at the same time provide some training or experience for when a prisoner is released. The change from task labour to work of a utilitarian character accentuated this problem in the early depression years. There was a large influx of prisoners and

insufficient work, but during the year just past and at present the position is tending to the reverse. Improved conditions of trade and lower musters than for many years past are making it difficult to maintain adequately some of the industries embarked upon by the Department. This is particularly the case on the prison farms, which last year returned £24,000 revenue to the State, exclusive of approximately £6,000 produced for domestic and farm use, and, in consequence, it has been necessary to install a number of minor labour-saving devices, including shearing-machines, milking-machines, laundry-machinery, &c. Installed of necessity to make up for lessened numbers, these are, however, a distinct advantage from the vocational viewpoint, as inmates will have the opportunity of gaining a more varied experience than hitherto, and the drudgery will be lessened.

While the diversity of the prison industries and their geographically widespread location on the one hand require fairly elaborate organization for administration control, these features to a great extent eased the effect on them of the depression which spread itself less seriously than would have been the case had our activities been entirely confined to one or two industries only, such as farming and quarrying. The policy of developing self-supporting industries—i.e., for internal needs—has also proved an advantage during the depression. Breadmaking, meat-production for city institutions, manufacture of soap, floor polish and sandsoap, tobacco-manufacturing, clothing and boot manufacturing, and potato and other vegetable production have, besides reducing costs, provided work entirely unaffected by the depression.

The following notes on the principal industries are set out:—

*Farming.*—This is carried out at six institutions and covers practically all branches, including cattle-raising and dairying; sheep, horse, and pig raising; poultry and pheasant raising; and vegetable, fruit, honey, and tobacco culture, and ordinary crop production. Further clearing of unimproved land at Hautu and Rangipo has been curtailed in the meantime, and energies are being concentrated on consolidating and subdividing areas already cleared and broken in.

*Quarry and Roadworks.*—The main quarries are at Auckland and Paparua, while roadwork building and maintenance is centered at National Park. Total revenue from this source amounted to £33,000 for the year. Quarrying, in a small way and confined to screening, is carried on at Napier and New Plymouth Prisons.

*Tailoring, Bootmaking, and Mail-bag Repairs.*—This is carried on at Auckland Prison, which undertakes all our own requirements in boots and clothing for officers and prisoners, all Mental Hospitals footwear, and all Post Office mail-bag repairs. The value of work for those two Departments last year amounted to approximately £6,000.

*Laundering.*—This is the main industry at the two women's institutions, Point Halswell and Addington, where laundering for various Departments is undertaken. Revenue earned amounted to £2,800 approximately for the year.

#### ALTERNATIVES TO IMPRISONMENT FOR DEFAULT.

Under the caption "Imprisonment by Courts of Summary Jurisdiction in Default of Payment of Fines and other Sums of Money," an exhaustive report was presented to the British Parliament in July, 1934, by a departmental Committee under the Chairmanship of Sir John Fischer Williams, C.B.E., K.C., which was set up by the Home Secretary "to review the existing law relating to the enforcement of fines imposed by Courts of Summary Jurisdiction and to the enforcement of wife maintenance and affiliation orders and of payment of rates, and to consider whether by changes in the law or in the methods of administration it is possible to reduce the number of imprisonments in default of payment, due regard being given to the importance of securing compliance with orders made by the Courts."

It was pointed out that in England and Wales in 1933, out of a total of 50,884 persons imprisoned for all causes, no fewer than 23,669 were imprisoned in respect of the non-payment of moneys—i.e., fines, maintenance-moneys, and ordinary civil debts. This army of persons, it has been pointed out, reaches prison not because offences have been committed for which imprisonment is regarded as the fitting penalty, but because of failure to pay sums due under order of the Courts. Whilst imprisonment, it was stated, is the ultimate sanction for the enforcement of such orders, and cannot be wholly dispensed with, it is not a sanction which ought lightly to be applied, and the Committee made it plain that this was a problem which was urgent and called for a remedy. The following extract from the late Mr. Thoday's recently published booklet is to the point:—

"Imprisonment is a sanction harsh and severe in its consequences to the individual and expensive to the State. In its effect upon a man's character and self-respect, the suffering caused to his family and dependants, the interruption of his work and the possibility of his failing to find work upon his release, it is often out of all proportion to the wrong which he has committed or the default of which he has been guilty. It is therefore essential that it should never be imposed without careful consideration, and should only be resorted to if it is the only practicable way of enforcing compliance with the law or with obligations which in the public interest must be enforced. It is particularly necessary that any possibility of the sanction being put into operation mechanically or by virtue of an automatic procedure of enforcement should be rigorously excluded."

As a consequence of the above-mentioned report an Act intituled "The Money Payments (Justices Procedure) Act, 1935," was passed in England, embodying substantially the recommendations made by the Committee, as a result of which, it is claimed, the amount of imprisonment can be

substantially reduced. The general principle underlying this Act is that the grave step of sending a defaulter to prison should only be taken as a result of a considered decision of the Justices, and that, with certain exceptions, this decision shall only be taken after an inquiry as to the means of the defaulter. Imprisonment as an "automatic" sequel to default will largely disappear.

A *resume* of the report is set out hereunder, with a view to determining in what respects it is desirable that the law in New Zealand as regards imprisonment for default should be amended to conform with the trend of modern thought and with the principle laid down in the report.

#### SCOPE OF COMMITTEE'S INQUIRY.

The inquiry was not a general inquiry into the subject of imprisonment for debt, but was confined to orders for imprisonment made by Courts of Summary Jurisdiction in default of payment of fines, and for the enforcement of payments under maintenance and affiliation orders, and of the payment of rates. Whilst in the main the report is apposite to the administration of the law in this country, it of necessity touches on various phases of procedure which are not applicable here. For instance, that portion of the report dealing with imprisonment for rates need cause us no concern. In England rates are recoverable by special process very similar to that under which fines are recovered. In New Zealand, apart from special provision in the Rating Act for the sale of the rateable property, arrears of rates are recoverable in the same manner as other civil debts. This review is accordingly confined to the question of the enforcement of maintenance orders and the payment of fines.

#### MAINTENANCE ORDERS.

The report discloses a number of defects in the law in England relating to the enforcement of maintenance and affiliation orders, which defects do not exist here. For many years our law in this regard has been in advance of that in England, and a number of provisions made last year in England in pursuance of the Committee's recommendations have been law here since 1910.

The chief anachronism of the English law to which the Committee found it necessary to direct its attention was the lack of any clear guidance to the Courts as to the policy to be followed in deciding whether to commit to prison on proof of arrears, the Court not being required to satisfy itself, before committing a person to prison for default of payments under a maintenance order, that the man's failure to pay was wilful in the sense that he had the means to pay and had not paid. The Justices had complete discretion in the matter of committal. The Committee considered that "the law should be amended in such a way as to place on the Court a definite obligation to investigate the question how far failure to pay is due to circumstances beyond the defendant's own control, and to secure that imprisonment shall only be ordered if the Court after such inquiry is satisfied that the default is due to wilful refusal or culpable neglect. The important thing is to secure that, as far as possible, no man is committed to prison unless the Court is satisfied that he has or had or by reasonable effort could have had the means to comply with the order." There was a further difficulty under the English law in that no provision was made (as there is here) for remission of arrears, and if the Court decided not to commit on the ground that the default was not wilful, the arrears remained unsatisfied. The Courts, it was stated, might therefore be driven to impose a short term of unmerited imprisonment in order that when the man comes out of prison he may make a fresh start clear of arrears. Following the Committee's report, the law in England was amended in 1935 so as to remedy this defect, and also to prohibit committal if the Justices, after inquiry *in the defendant's presence*, are of the opinion that the failure of the defendant to pay was not due either to wilful refusal or to his culpable neglect.

Under the New Zealand law, before a person can be committed to prison for default in payment of maintenance-moneys, he must first be charged under section 61 of the Destitute Persons Act, 1910, with making default "without reasonable cause." If he can show that he has not had the means to pay, or that his default is not due to his wilful refusal or culpable neglect, he is not convicted. In 1926 the Act was amended to throw the burden of proving "reasonable cause" upon *the defendant*. This provision is, I think, not unreasonable, and appears to be in accord with the principle which has been laid down, that as a general rule the affirmative is to be proved and not the negative of any fact that is alleged. The principle on which the rule is based is that it is often impossible for the informant to prove the negative facts, but easy for the defendant, the negative being peculiarly within his own knowledge. This is particularly so as regards ascertaining the means of a defendant and his ability to pay. In England the onus is now placed on *the Court* to satisfy itself from the evidence of the parties, supplemented in such way as may be possible by inquiry or otherwise, as to the defendant's ability to pay. In this connection the Committee recommended the employment of special investigating officers to assist the Court by making independent inquiries in such cases. This recommendation has not so far been adopted in England, but in New Zealand the services of the Maintenance Officers are freely used for this purpose.

It will, I think, be generally conceded that the law with regard to the enforcement of maintenance orders in this country is administered reasonably and with restraint, the view taken being that it is better for every one concerned if the defendant can be induced to make some reasonable payment rather than that he should be committed to prison, thus being a charge on the State and his earning-capacity brought to an end. Imprisonment is usually resorted to only as a last resort. Under our Act, with the amendment suggested below, a defendant should be adequately safeguarded from improper imprisonment. There is, nevertheless, what I consider to be a serious defect in our Act. In England a defaulter must be dealt with in his presence. In New Zealand, if the defendant does not appear upon summons, the Court may nevertheless (and frequently does) make an order for imprisonment *in absentia*. This follows the general rule in summary cases that the defendant's appearance

is not essential provided he has been served with a summons. It is in this respect that it is suggested the Destitute Persons Act is defective and should be amended. Whilst not suggesting that the defaulter should be arrested and brought before the Court in preference to a summons, the amendment should, it is thought, provide that an order of committal shall in no case be made in the defendant's absence. This would mean that if the defendant did not appear in answer to a summons, if it appeared to the Court, after hearing the evidence available, to be a case for imprisonment, the Court would then be bound to issue a warrant for his appearance (as it already has power to do). It is surely wrong in principle that it should be possible to sentence a person to six months' imprisonment in his absence, especially for an offence which may not be regarded by the defendant as "criminal," and of which he may not appreciate the serious consequences, and especially for an offence the burden of proof of which lies on the defendant. In practically every other case where an offence is punishable by imprisonment for a period exceeding three months the defendant's attendance is essential, because in such cases he has a right to trial by jury, and the Court cannot proceed unless he is present to make his election. The right of trial by jury in respect of offences under the Destitute Persons Act is, however, taken away by section 74 of that Act, and, in consequence, as the law stands, the defendant's presence is not essential.

#### ENFORCEMENT OF FINES.

It is apparent from the Committee's report that certain amendments to the law of this country relating to the enforcement of fines is a matter for early attention. It is essential, however, that any reforms that may be introduced should not be such as might tend to lessen the authority of the law or weaken in any way the enforcement of the Court's orders. In a very laudable desire to reduce the imprisonment statistics, it must not be overlooked that the main purpose of a fine is exemplary or deterrent, and for this reason fines should not, it is submitted, be reduced to the status of tradesmen's debts. The report of the Special Committee goes very far in recommending an extension of facilities for the payment and collection of fines by instalments, and it is, I think, open to question whether it is necessary or desirable to go quite so far here, where the conditions are different from those in England, and where the standard of living of the masses is higher.

The Committee did not recommend the abolition of imprisonment in default of payment of fines. Imprisonment must be retained as a last resort, otherwise persons without means would be able to defy the law with impunity. The new Act in England does not prevent the Justices from sending to prison offenders whose failure to pay fines is due to lack of means if the Justices consider that, in default of payment, imprisonment is the appropriate penalty for the offence, but it requires that, if this course is taken, it shall be taken advisedly and as a general rule only after consideration of the defaulter's circumstances. It was freely recognized that payment of the fine without undue delay is essential for the enforcement of the law, and that proper steps must be taken to prevent dilatory tendencies on the part of persons who are fined and allowed time to pay. Moreover, for some offenders who have no means to pay, imprisonment may be necessary because it is the only alternative penalty appropriate to the offence. Amongst the defaulters, however, are some who would not have been committed to prison if the Justices had been aware of their means and of the circumstances accounting for the default, and others who would have paid if the liability had been better adjusted to their resources, particularly by a requirement of small weekly payments instead of a lump sum.

In England in 1933 the total fines imposed was approximately 400,000, of which number 11,615, or less than 3 per cent., resulted in imprisonment. These imprisonments represented 21 per cent. of the total imprisonments for all causes. In New Zealand in the same year the total fines imposed was 24,118, and in 988 cases, or 4 per cent., imprisonment resulted, being 28 per cent. of the total imprisonments for all causes. An important fact, however, which must not be lost sight of is that in both countries the imprisonments in default of payment of fines is accounted for to a great extent by offences for drunkenness and other offences for which imprisonment was not an inappropriate punishment. In fact, a perusal of our returns indicates that the greater proportion of the 988 cases mentioned above were of this class. On the other hand, there were a fairly large number of cases where imprisonment was not an appropriate punishment; for instance, there were quite a number of imprisonments in default of payment of fines for riding a bicycle at night without a light, failure to pay unemployment tax, and like offences.

There was a striking decline which took place after 1914 in England in the number of imprisonments for default in payment of fines—viz., from 83,000 in 1913 to 12,000 in 1933, the respective percentages of imprisonments to fines imposed being 18 per cent. and 2.6 per cent. Prior to the passing of the Criminal Justice Administration Act, 1914, time to pay was not readily granted in England. That Act provided that Justices should be under an obligation to give time for payment except in special circumstances, and it is claimed that this Act is largely responsible for the improvement indicated above. Another reason given for the decline is the fact that the increase in motor offences has resulted in the infliction of fines upon a wealthier class of offender. For instance, fines for drunkenness fell from 158,000 in 1911 to 27,000 in 1932, and there were also large declines in the figures for begging, sleeping out, assaults, and street offences involving disorderly conduct. On the other hand, fines for traffic offences increased from 49,000 in 1911 to 227,000 in 1932.

Notwithstanding the above improvement in recent years, the Committee was convinced that it was practicable to reduce still further the number of imprisonments, and to this end recommended

the extension of facilities for paying by instalments, and other reforms with this end in view. The Committee's principal recommendations are dealt with hereunder :—

(a) *Imprisonment in Default of Payment of Fine without Inquiry as to Circumstances of the Default.*

The Committee laid it down as a general principle that no one should go to prison for non-payment under an adjudication of a Court of Summary Jurisdiction unless and until the mind of the Court has been specifically directed to the question of his imprisonment, and recommended that provision should be made for the appearance of the defaulter before the Court at the time when the decision as to his actual committal to prison is to be taken. The Committee was of the opinion that it is entirely wrong that a committal warrant should be issued against a person whom the Court has never seen and of whose circumstances it knows nothing. It was pointed out that it was the practice at many Courts for the term of imprisonment to be served in default of payment of fine, to be fixed at the time the fine is imposed, and that, as the Court knows that fines are paid in 97 per cent. of cases, and deals with the case on the assumption that the fine will be paid, the mind of the Court is not at that time directed to the likelihood of the defendant being imprisoned; and, further, that one of the factors which should be taken into account in fixing the term of imprisonment in default of payment of the fine—i.e., the circumstances of the default—cannot possibly be taken into account, because they will not be known until the default has occurred. It has been pointed out that whereas in the case of default in payment of fine for a comparatively venial offence imprisonment follows almost automatically, yet in more serious cases, such as theft, the first offender receives most careful consideration on the question of imprisonment, and wherever possible is given the benefit of probation.

Most of the recommendations of the Committee were given effect to by the Money Payments (Justices Procedure) Act, 1935, which provides that, with certain exceptions, the default shall not be fixed at the time the fine is imposed, and, further, that a warrant of commitment in default of a fine shall not be issued unless on an occasion subsequent to the conviction the Court has made inquiry as to the defendant's means in his presence. This involves the attendance of the defendant before the Court on a second occasion, either by summons or upon warrant, to explain his default. If he does not attend upon summons the issue of a warrant to bring him before the Court to explain his default becomes necessary.

In New Zealand, except in the case of drunkenness, it is not usual—in fact, with rare exceptions, it is not permissible—for the Court to fix the default at the time the fine is imposed, so that the defect in that respect previously existing in the English law does not exist here. Nevertheless, the objectionable feature mentioned above applies with a good deal of force here, because, when the default is subsequently fixed, it is not required to be fixed only after a consideration of the circumstances surrounding the default. In fact, once the fine is imposed, in some Courts where there is no resident Magistrate, the Magistrate has nothing further to do with the matter, the collection of the fine being the duty of the Clerk, who decides when the time has arrived to issue a warrant of committal, the warrant, of course, being signed by a Justice. The default is fixed in accordance with section 101 of the Justices of the Peace Act, which permits a fairly wide discretion; for instance, for a fine of 5s. the imprisonment may be fixed at any period up to seven days. In the absence of an application by the defaulter for time to pay, there is no opportunity for considering with care the question whether, having regard to all the circumstances of the default, the offender merits immediate imprisonment, or should be given longer time for payment, or of considering the quantum of imprisonment.

It is apparent that our law requires revision if it is to conform with the principles enunciated by the Committee. Some modification, however, of the new English procedure is necessary to meet our conditions. For instance, I do not think it would be practicable to require the second attendance of the defendant before the Court before a warrant of committal is issued. Such a procedure would prove extremely cumbersome, and would unduly hamper the proper administration of justice, especially in country districts where the sittings of Courts are infrequent. It is proposed to recommend certain amendments of the Justices of the Peace Act which, if given effect to, will, it is thought, prove satisfactory from a practical point of view and at the same time conform substantially with the principle laid down, “so that those who, having the money to pay, prefer imprisonment, will receive punitive terms and so discourage this form of unsocial conduct,” whilst those who have not the means to pay, or who can pay only by instalments, will receive that consideration which will reasonably ensure that they will not be imprisoned unnecessarily.

The proposals referred to include provision that a period of fourteen days' grace shall be allowed in every case where a fine is imposed, except where the Court otherwise specifically directs; a provision that the term of imprisonment in default of payment of fine shall be fixed in every case by a Magistrate personally; and that no warrant of committal in default of payment shall be issued until inquiry has been made into the circumstances surrounding the default, and unless the Magistrate is satisfied that no further time to pay is warranted.

It is suggested that fines for drunkenness be exempted from these provisions. Persons convicted of this class of offence are usually members of the “derelict” class, to whom imprisonment for a day or two would not be likely to have any degrading effect. In many such cases there is little likelihood that a fine will be paid. For a first and second conviction for drunkenness, however, the Court is bound to impose a fine, even where it appears the defendant has no means, the fine very often being imposed merely as an end to committal to prison for an appropriate term. In such cases imprisonment is not felt to be an inappropriate penalty, and the Court is not prepared to give the offender extended time or other facilities for the payment of the fine. If, on the other hand, the defendant has any ready money, it is in the possession of the police and immediate payment can be made.

Provision should also be made giving power to the Court to deprive a defendant of the provisions above in special cases, such, for instance, as where the defendant has numerous previous convictions and has been in prison before. In some cases the view of the Court is that the offender deserves imprisonment: that to allow him to pay a fine is an act of clemency; and that if he fails—for whatever reason—to pay the fine within a brief delay, he has no claim to consideration.

*(b) Time to Pay, and Payment by Instalments.*

As pointed out above, the Criminal Justice Administration Act, 1914, compelled Courts of Summary Jurisdiction, when fines were imposed on poor defendants, to grant them time to pay unless there were good reasons to the contrary, and it gave Courts power to allow payment by instalments. That Act, as stated above, resulted in an immediate and very large reduction in imprisonments. The Committee stated, however, that the evidence before it left no doubt in the minds of members that full advantage had not yet been taken of the provisions of the Act, and that a further reduction in the number of imprisonments would result if more use were made of the procedure as to instalments and allowance of further time, and if the Courts had the staff required for keeping in touch with or supervising offenders until payment was made.

The position in New Zealand in this connection is as follows: Section 118 of the Justices of the Peace Act, 1927, gives power to the Justices *who imposed the fine* to allow time to pay, or payment by instalments. This provision is given a liberal interpretation, and in actual practice time to pay is frequently allowed by the Clerk of Court, to whom is delegated the responsibility of collecting the fine. The tendency in recent years has undoubtedly been to make freer use of the time-to-pay provision and payment by instalments, and it is safe to say that as a general rule a great deal of latitude is given and imprisonment is not resorted to if it can be avoided. Nevertheless, there still appears to be some room for improvement, and it should be possible to reduce the number of imprisonments for non-payment of fines. It is recommended that, except in certain cases, no steps shall be taken for the enforcement of payment until after a period of fourteen days; it is also proposed that there be substituted, in lieu of section 118 referred to above, a provision enabling any Magistrate or the Clerk of Court to allow time for payment, or payment by instalments.

*(c) Remission of Fines.*

In a small proportion of cases remissions are made by the Governor-General under the provisions of the Penalties Remission Act, 1908. It is considered that Magistrates should be given power to remit either partially or wholly, in appropriate cases, except in cases where a minimum fine is fixed by law. Power to allow time for payment is in itself hardly sufficient to enable justice to be done in many cases, and if Magistrates had power to reduce the fine where the circumstances warranted it, this would tend to a reduction in the number of imprisonments. The Magistrate usually has a complete discretion in the fixation of the amount of fine, and I can see no reason whatever why, if the defendant should come along later and satisfy the Magistrate as to undue hardship, the Magistrate should not have power to remit or reduce the fine to meet the justice of the case. This would confer a certain amount of elasticity in appropriate cases, and I can see no danger in conferring this power. In England the power of remission is still vested solely in His Majesty. "Let us remember in regard to fines that their sole object is deterrence, and not the putting of any given sum into anybody else's pocket. If the payment—or the alternative to payment—is onerous enough to make the offender sorry that he offended, and deter him and others from offending again, that suffices. There is no magic in extorting any particular pound of flesh."

*(d) Notice of Fine.*

The Committee recommended—and the recommendation has been given effect to by statute—that when a defendant has been fined and time is allowed, or where he is fined in his absence, he must be served, either personally or by post, with a notice thereof. There is no such statutory provision here, but it has always been the invariable practice to forward the defendant a notice of fine in every case, except where the defendant is a "bird of passage" and an immediate warrant is called for. I think, however, that it would be as well to make statutory provision as has been done in England. The present form of notice of fine can also be improved upon.

*(e) Supervision.*

The Act of last year gave effect to the Committee's view that supervision pending payment of fine was not incompatible with the ordinary work of probation officers. The Imperial Act of 1914 enabled the Court, when fining an offender under twenty-one years of age and allowing him time to pay, to place him under the supervision of such person as may be appointed by the Court until the fine be paid. Little use has been made of this method. One difficulty has been that the power to place an offender under supervision could be exercised only at the time of conviction and not at a later stage when default occurred. This has now been remedied, and the Act of last year enables an order for supervision to be made at any time, and extends the provision to offenders of any age. The Act, moreover, makes the supervision of persons under twenty-one obligatory, so as to avoid unnecessary imprisonment of young offenders. The function of a supervisor is to advise and befriend the offender with a view to inducing him to pay the fine and thereby avoid imprisonment, and also, if required, to report to the Court as to his conduct and means. Supervision may often be a useful method of securing payment from persons—particularly young persons—who fail to realize their obligations or the consequences of default, and the report of a supervisor may frequently be valuable to the Court if it has to consider how to deal with a defaulter.

A similar provision to the above could, I think, very well be embodied in our statute, especially as regards offenders under twenty-one, the probation officers being made use of for this purpose.

*(f) "Detention" as distinguished from "Imprisonment."*

In England "imprisonment" for less than five days is prohibited by the 1914 Act, and for terms of less than that period there was substituted "detention" at police-stations in cells certified by the

Secretary of State as suitable for that purpose, or detention within the precincts of the Court until 8 p.m. However, few cells have been so certified, and the Act has now been extended to permit detention in an uncertified police cell for one night. By this method "imprisonment" for small fines of 5s. or thereabouts is avoided.

It would not appear that any change in this respect is necessary here. Under the Statute Law Amendment Act, 1917, persons sentenced to imprisonment for a period of seven days or less may be *detained* in a police-station for such a period. Detention within the precincts of the Court would not be very practicable here.

*(g) Fixation of Fine in relation to Means of Offender.*

Section 5 of the Criminal Justice Administration Act, 1914, provides that "a Court of Summary Jurisdiction in fixing the amount of any fine to be imposed on an offender shall take into consideration, amongst other things, the means of the offender so far as they appear or are known to the Court." The Committee stated that so far as they could judge Courts generally do their best to comply with this requirement so far as they are known or appear to the Court, but that frequently it is difficult or impossible for the Court at the time of conviction to form any accurate opinion of the subject, and, even when it is clear that the defendant's means are small, the imposition of a comparatively heavy fine may nevertheless be felt to be unavoidable. The Committee stated—"If fines of 10s. or £1 are commonly imposed for the smaller offences, the Court may well feel that for a substantial offence or for a repeated offence nothing less than a fine of £3, £4, or £5 is justifiable. But to a man who is earning, say, £2 a week, a fine of £3 is a far heavier penalty than a fine of £15 to a man earning £10 a week, or than a fine of £30 to a man with an income of £1,000 a year. However carefully, therefore, Courts may try to adjust fines to the means of the offender, the amount of the fine will often be such that a poor defendant will experience extreme difficulty in raising the money; and for this reason great importance attaches to the practice of Courts in granting time to pay, in dealing with applications for extended time, and in arranging for payment by instalments."

There is no statutory provision here similar to that quoted above, and no direction as to what principles the Court should act upon in fixing the amount of a fine. I am advised that the Courts in New Zealand frequently do, where practicable, take into consideration the defendant's circumstances at the time the fine is imposed. As in England, it is, however, not always practicable or even desirable to do so, especially if the defendant does not appear. Members of the public do not always appreciate the fact that the quantum of punishment must of necessity vary largely to suit the circumstances of each particular case, and criticism is often heard of apparent disparities in the punishments for similar offences. It might be argued that a provision such as that quoted above would not be in harmony with the maxim that "It is not only necessary that justice should be done—it should also be seen to be done." The aim should be as far as possible that the weight of punishment should not fall more heavily on those in straitened circumstances than on persons of wealth, consistent, of course, with the proper enforcement of observance of the laws of the land. There is no doubt that the fixation of fines more or less automatically, without regard to the circumstances of the offenders, and the subsequent punishment of defaulters with imprisonment without any inquiry at all as to the circumstances surrounding the default, has not tended to a fulfilment of this ideal. The incorporation of provision in our law similar to the English section, whilst it may not have a very great practical effect, would give statutory recognition to the principle that the punishment should not only fit the crime, but should also, as a general rule, fit the circumstances of the individual.

*(h) Scale of Imprisonment in Default of Payment of Fine.*

The scale set out in section 101 of the Justices of the Peace Act, under which is fixed the term of imprisonment in default of payment of fine, is identical with the scale contained in section 5 of the (Imperial) Summary Jurisdiction Act, 1879, which is still in force in England. The scale provides for imprisonment up to seven days for a fine of 10s., up to fourteen days for £1, one month for a fine of £5, two months for £20, and three months if the fine exceeds £20. It has been pointed out that money values have changed since 1879, and it is doubted whether it is reasonable to regard seven days' imprisonment as a just equivalent to-day of a fine of, say, 5s. or 10s., especially as in these days there are many minor offences for which imprisonment as a punishment is entirely inappropriate and out of all proportion to the offence. A revision of the scale could very well be made, although this will not be such an important matter if provision is made for the default to be fixed less automatically.

ATTACHMENT OF WAGES.

In New Zealand, with the exception of special provision in the Defence Act (which provision has now fallen into disuse), there is no provision for attachment of wages or other moneys in respect of fines. Provision, however, is made in the Destitute Persons Act for the attachment by means of weekly deductions from wages or salary as they become due. This provision has proved useful, and no doubt the mere threat of attachment has a salutary effect. Attachment of wages in respect of civil debts, under the provisions of the Magistrates' Courts Act and the Code of Civil Procedure, is limited to wages already earned, and an attachment order cannot be made in respect of anticipated wages or salary by means of periodical deductions. Such attachments are further limited by section 27 of the Wages Protection and Contractors' Liens Act, 1908, to wages over £2 per week. An amendment to the Magistrates' Courts Act which was recently suggested will, if passed, have the effect of further restricting the attachment of wages and other earnings. Special provision is contained in section 83 of the Shipping and Seamen Act, 1908, which provides that there shall be no attachment of seamen's wages. On the other hand, section 135 of the Industrial Conciliation and Arbitration Act, 1925, as regards



attachment of a judgment debt for breach of award, provides for the attachment of wages not already earned, by periodical deductions as they become payable, and, further, abrogates the Wages Protection Act to the extent that it permits attachment of a single man's wages over and above £1 per week. Proceedings under the Imprisonment for Debt Limitation Act are, however, prohibited.

In England the attachment of wages does not appear to find much favour. The Wages Attachment Abolition Act, 1870, abolishes attachment of wages "of any servant, labourer or workman," but under certain special Acts, such, for instance, as the Poor Law Act, attachment is permissible.

In Scotland, where there is no such thing as imprisonment for civil debt, apparently attachment of wages is commonly resorted to for the recovery of debts. It has been pointed out that in Scotland, although the number of affiliation and maintenance orders is not low, yet the number of men sent to prison under them is exceedingly low compared with England. This difference is explained by the fact that in Scotland the Court may attach the man's wages in excess of 35s. a week. The Fischer Williams Committee, it is stated, impressed by this contrast between the two countries, advocated a similar power in England of having deductions made from wages. The recommendation was confined to maintenance and affiliation cases, and did not include fines. The recommendation has not been given effect to. It was urged that it would be an advantage if all classes of payments which are ordered by Magistrates could be collected "at the source," and that such a system would sweep away what is almost the sole reason for non-payment—viz., the inability of people earning weekly wages and small salaries to amass lump sums, or even set aside adequate weekly ones, unless they can be collected before there has been a chance to spend them. Such a system, it has been urged, when once got working, would render it possible not merely to lessen imprisonment for non-payment of moneys, but to wipe it off the statute-book and abolish all forms of it altogether. The obstacle to such a system at present, it was stated by the Committee, is the opposition of the trade-unions, who are profoundly suspicious of any suggestion to intercept wages, although it was contended that, unawares, "they are standing right across the line of penological progress."

#### CONCLUSION.

I desire to place on record the Department's appreciation of the help given by a large band of voluntary helpers in connection with the in-care and after-care work. In this connection I desire specially to mention the Women's Borstal Association, the Prisoners' Aid Societies, and the Probation Committees. The Department is also deeply grateful to the clergymen and missionaries of the various religious denominations, and the officers of the Salvation Army, and others who regularly visit the institutions to minister to the spiritual well-being of the prisoners. In New Zealand the whole of the religious work is undertaken on a voluntary basis, and often the ministers have to travel great distances, and take their services at considerable personal inconvenience.

Thanks are also extended to the Rotary Clubs, Workers' Educational Associations, and others who have given their time in providing lectures and arranging cultural entertainments for the inmates.

The Wellington Justices' Association have maintained their sympathetic interest in the inmates of the institutions in the Wellington District, and in dependants in specially necessitous circumstances.

The report of the Inspector of Prisons is attached hereto, and shows that the equipment is maintained in a satisfactory condition, that the conduct and industry generally have been good, and that the number of complaints from prisoners has been comparatively few.

I desire to express my appreciation of the loyal and intelligent co-operation of the staff both at Head Office and at the various institutions.

B. L. DALLARD,

Controller-General of Prisons.

#### THE CHIEF INSPECTOR OF PRISONS AND BORSTALS TO THE CONTROLLER-GENERAL.

SIR,—

I have the honour to submit my report for the year 1935–36 regarding the inspection of the Prisons and Borstal institutions under the control of the Department.

At intervals throughout the year the larger prisons and Borstal institutions were inspected, and the minor prisons and certain Police gaols when opportunity offered. On the occasion of these visits the buildings and works were inspected and all inmates given the customary facilities, in terms of the regulations, to interview me regarding any matter affecting their detention or treatment. Where necessary, inquiries have been held into occurrences reported by officers or prisoners, and special reports furnished to you. Complaints by prisoners or Borstal inmates regarding their treatment were comparatively few in number, and nothing of a serious nature was reported. A considerable number of applications for transfer to prison camps and country institutions were received from men in detention in town prisons, and recommendations for the removal of suitable men to the former institutions have been submitted from time to time. In this connection, owing to the greatly diminished prison population, the selection of prisoners for camps and prison farms presents greater difficulties than has been experienced since camps were originally opened. Although the greatest care is taken in the selection of suitable men, a small percentage fail to appreciate the healthy and comparatively free life of a camp or prison farm and cause considerable trouble and



inconvenience to the officers by their conduct. It is satisfactory, however, to report that the conduct and industry of the large majority of men serving long terms who have been tried out at country institutions have been exemplary, and the change appears to have had a beneficial effect upon many of them.

The standard of industry among the inmates of prisons and Borstals has been well maintained during the past year. The various works on which the men are engaged are conducted by the officers in charge in an intelligent and efficient manner, and every reasonable effort is made to encourage each individual inmate to take an interest in his own particular work in order that he may be better fitted to rehabilitate himself on release. As a result of experience gained on prison farms, a very considerable number of ex-inmates obtain employment as farm hands, and the Superintendents of the two Borstal institutions are not infrequently approached by farmers who require milkers and teamsters. This is an indication that the training in general farm work received by Borstal detainees is recognized by local farmers as being of a high standard.

The improvements in the ration scale during the past few years are appreciated by the prisoners as a whole. It is generally admitted by the men that the food is satisfactory in quality and sufficient in quantity, and the fact that the vast majority of prisoners and Borstal inmates increase in weight during their detention is an indication that wholesome food is supplied. Requests for further concessions in food and tobacco, however, are occasionally made, but invariably the applicant is of the persistent recidivist class who, no doubt, desires to see "inside" conditions better than "outside."

Considerable attention is being given to institutional libraries, and arrangements are made at intervals for additional supplies of suitable books. The library at Auckland Prison is being thoroughly overhauled, and the system of records, &c., reorganized on up-to-date lines. At the Borstals the libraries are reasonably well stocked, and an adequate supply of magazines and illustrated weekly papers are provided at all prisons and Borstal institutions. Inmates at the prison camps are informed that if they are desirous of improving their education they will be given facilities to obtain free tuition through the Education Department's Correspondence School.

The officers continue to take a keen interest in their duties, and, while maintaining a satisfactory standard of discipline, they endeavour to study the temperaments and dispositions of those under their care. This tends to create a better understanding and a greater measure of mutual confidence. With the exception of the so-called strike at the Auckland Prison, which occurred after the end of the year covered by this report, and which has been dealt with separately, very little trouble has been experienced at any of the prisons or Borstals during the past eighteen months. In prison, as elsewhere, the agitator finds scope for pursuing his hobby of causing strife, and the comparatively little support he receives from his fellow-prisoners is, I think, a tribute to the efficiency of the prison system. It is remarkable, however, the encouragement he receives from various quarters during his periods of liberty. Not only do his statements, which frequently contain not a vestige of truth, receive much publicity, but some misguided and ill-informed people, who have little or no comprehension either of the prison system or of the refractory material which prison officials have sometimes to deal with, are ever ready to accept his statements, however fantastic, without question. When the agitator and his credulous friends meet and collaborate, allegations of the most ridiculous nature are made concerning prison administration, and these are given as much publicity as the promoters are capable of arranging. This propaganda by the agitator "without" is intended to assist the agitator "within" in creating among prisoners discontent and opposition to authority, and its failure to achieve this purpose is due to the fact that the better class of prisoners realize that they are both fairly and humanely treated.

D. A. MACKINTOSH, Chief Inspector of Prisons.

## PRISONS AND PENAL INSTITUTIONS: EPITOME OF REPORTS OF CONTROLLING OFFICERS.

## AUCKLAND PRISON.

(Superintendent, Mr. J. DICKISON.)

At the commencement of the year there were 288 males and 20 females in custody. During the year 976 males and 38 females were received, whilst 998 males and 47 females were discharged, or otherwise disposed of, leaving in the prison on the night of 31st December, 1935, 266 males and 11 females.

In 1933 there was a decrease of 402 receptions as compared with 1932, 1934 showed a further decrease of 152, whilst during the year under review the number received was 93 lower than in the previous year. Thus, whilst in 1932 the receptions totalled 1,661, only 1,014 were admitted in 1935, a reduction of 647 over a period of three years.

This rather striking comparison is in itself conclusive proof of the practical value of the many changes made in the New Zealand penal system during recent years, all of which have been very carefully framed with the sole idea of making detention mainly corrective, rather than purely punitive.

With isolated exceptions, the prisoners have been found to respond very willingly to the facilities afforded them, and, on discharge, with the splendid system of co-ordination provided by the various after-care societies, they have obviously had a greatly increased chance of making good. The figures quoted above leave no doubt that the majority of prisoners discharged during the past few years have taken full advantage of the opportunity of rehabilitating themselves in society.

There were no escapes from this institution during the year under review.

It is pleasing to report that there were no executions during 1935.

It is regretted, however, that 4 inmates died during the twelve months whilst undergoing medical treatment at the Auckland District Hospital.

The previous splendid standard of health has been well maintained during the year, a fact which is readily confirmed by the figures from the daily sick muster, which reads—Daily average of males sick, 4·361; females, nil.

With a daily average of 306 prisoners in custody, and the reception of 1,014 individuals during the twelve months, the low rate of sickness clearly demonstrates the attention which is given to the all important matter of the prisoners' health during confinement. Quite a number of individuals are in a frail state of health on admission, and in many instances require extended medical treatment to restore them to a proper state of fitness. Allowing further for the number of minor injuries sustained on the works, the low daily average on the sick muster leaves no doubt that the general health of the inmates has been excellent. This is a tribute, I consider, to the assiduity of the Prison Medical Officer, Dr. C. H. Tewsley, in fulfilling the onerous duties attaching to his position.

The willing co-operation of the Medical Superintendent of the Auckland Mental Hospital in arranging for examination of mental defectives continues to be of material assistance to the Department.

Towards the end of the year the Prison Schoolmaster, Mr. L. Grice, M.A., was transferred away from Auckland, and his place was taken by Mr. W. Dale, M.A., Dip.Ed.

With an average roll number of 28, the school is held on three nights weekly, and, in his annual report, the Schoolmaster reports that all prisoners have been actuated by a real desire to improve their educational status, the members of the lower classes having shown very conclusively that they value the opportunity which the school offers them. Eight prisoners sat for their Certificate of Proficiency, and all were successful. For the men above Standard VI, courses have been given along lines of interest and related work, the interest developed in the related subjects being of material value on release, the pupils having been given the opportunity of making themselves acquainted with the latest developments in the related field of their own outside occupations.

The whole of the requisite maintenance of the prison buildings has been effected during the year with prison labour, a good deal of the work being executed around the prison proper, whilst the upkeep of the prison officers' cottages has received adequate attention.

The prison garden continues to be a valuable asset, the whole of the institutional requirements of vegetables, with the exception of potatoes, being supplied from our own garden area.

A number of prisoners have been employed throughout the year in the bootmaking factory under the supervision of Principal Warder Lauder, and the orders placed by other Departments, as well as our own departmental requirements, have been ably and expeditiously handled throughout the year. Repairs to satchels on behalf of the Post and Telegraph Department continue to be executed in the boot-shop, and in recent months orders for the manufacture of quite a number of new issues have been dealt with.

The output from the tailoring-factory has been well maintained, and, in addition to our own requirements, those of other Departments have been readily met, and the returns have been well up to the standard of previous years.

Repairs to mail and parcel bags is carried on in conjunction with the tailoring, and, as in past years, the whole of the annual demands of the Post and Telegraph Department have been expeditiously handled.

With the exception of blankets, the whole of the prison laundering and the repairs to sox continue to be executed by female labour, and the small cost to the Department is a pleasing reflection upon the administration of this division. Soft laundering has also been performed as required for the Police, Public Trust, Internal Affairs, and Defence Departments during the year.

The washing and the fumigation of prison blankets, hammocks, &c., repairs to moleskins, shorts, &c., has continued to be executed with male labour, and the cost during the year has been maintained at the previous low level. Several thousands of blankets have already been laundered to the order of the Defence Department, and this work will continue for some months ahead during the holding of the annual training camps.

Last year mention was made of an increase of £1,000 in the revenue derived from the sale of quarry metal, and, trade conditions having shown further improvement, it is pleasing to report a further like increase during the twelve months under review.

In addition to the orders from privately owned concerns, an increase has been recorded in the business done with local bodies and Government Departments, and at the moment of presenting this report the orders in hand amount to some 7,000 yards.

The tobacco-factory at this prison, which operates under the capable supervision of Mr. C. Lowe, Tobacco Instructor to the Department of Agriculture, continues to be an extremely valuable asset to the Department, as is evidenced by the fact that the output during the year was one of 77,054 1 oz. packets, sufficient to meet the whole of the requirements of all institutions throughout the Dominion at a cost which showed a very satisfactory margin of profit.

In addition to the above specified output, a further 1,210 packets were prepared for issue by the Department as Christmas cheer to the prisoners, a special wrapper indicating the nature of the gift.

In this connection I would express appreciation of the gift by Mr. Lowe of sufficient leaf to manufacture a goodly proportion of this special issue.

The printing branch at the Wellington Prison has continued to render efficient service in the matter of supplying the whole of the printed wrappers from which the cartons are made and filled in the packing department of our factory.

Concerts have been held periodically at the prison, the excellent programmes presented being keenly enjoyed by the inmates.

Thanks are due to the Rev. G. E. Moreton (Anglican Goal Chaplain), the Rev. A. Orr (Methodist Missioner), and Mr. S. Falls (Official Presbyterian Visitor), who, in conjunction with other social workers maintain a very sympathetic interest in the welfare of the inmates.

The Salvation Army has also contributed band programmes, which have met with the appreciation of the inmates.

Lectures under the auspices of the Workers' Educational Association have continued to be given monthly, and have proved both instructive and enjoyable. Mr. N. M. Richmond, Director of the W.E.A., has been mainly responsible for the arrangement, and his efforts are deserving of our appreciation.

The first-aid class continues to be conducted under the auspices of the St. John Ambulance Association, and lectures were given by Dr. Neil McDougall, assisted by Ambulance Officer J. W. Cumming. In all, 30 pupils took advantage of the class, and, as evidence of their keenness, at the annual examination recently conducted by Dr. P. A. Lindsay, every one of them succeeded in qualifying with credit.

Any expense incurred in conducting the class is defrayed by the Prisoners' Aid Society, and as the gentlemen in charge give their services without fee or reward, the thanks of all concerned are due to them for the excellent results obtained.

In a large institution of this class, the library obviously plays an important part in providing for the leisure hours of the inmates, and periodical gifts of books from the Grafton Public Library and several social organizations have been much appreciated.

The several social organizations and business firms which in past years have provided additional comforts for the inmates during the festive season again contributed freely, with the result that each individual prisoner received an adequate supply of "extras" during Christmas and New Year. Such practical sympathy was deeply appreciated by the inmates, and those responsible for the gifts may be assured that their efforts were well worth while.

Throughout the year the various denominations arranged for services each Sunday, and sincere thanks are due to the interested parties who spare no effort to make these services enjoyable as well as beneficial to the inmates in attendance.

The Rev. G. E. Moreton, Secretary to the Prisoners' Aid Society, has again been most assiduous in attending to the needs of prisoners, both during confinement and subsequent to discharge, and there is no doubt that his efforts have resulted in many a discharged prisoner having an increased chance of making good, in fact, quite a number have been placed in employment shortly after release. Mr. Moreton spares no effort in giving sympathetic consideration to the many and varied calls which are made upon his services throughout the year. It might also be mentioned that the Salvation Army has at all times shown readiness to assist the prisoners, and has done much good work in this direction.

Other social workers have, of course, contributed their share of assistance, and their efforts are likewise to be commended.

The conduct of the staff has been excellent, and consequently a high standard of discipline continues to be maintained, enabling the various industrial activities as well as the general prison routine work to be executed smoothly and economically.

## GISBORNE PRISON.

(Gaoler, Mr. H. N. RICHARDSON.)

There were in custody at the beginning of the year 3 males. During the year 74 males and 1 female were received, and 74 males and 1 female discharged or otherwise disposed of, leaving in custody on the night of 31st December 5 males.

The health of the prisoners has been good, very few cases requiring the attendance of a medical officer.

No prisoners were sent to the public hospital during 1935. The men have been employed at gardening, laundry work, repairing clothing and blankets, &c.

Divine service has been held here during the year, Messrs. D. C. Morris and D. Heffernan, J.P., conducting same.

Repairs to buildings and painting parts of roof has been done, also repairs to grid over yard have been carried out.

## HAUTU PRISON.

(Officer in Charge, Mr. T. BANKS.)

On the 1st January, 1935, there were in detention 73 prisoners, and 56 were received during the year; the discharges were 9 on camp remission, 43 on probationary license, while 15 were transferred to other prisons, and one prisoner died, thus leaving 61 prisoners in custody on the night of the 31st December, 1935. The greatest number of prisoners in custody during the year was 75; the least 60; the daily average being 66.9.

The conduct of the prisoners as a whole has been quite satisfactory. One prisoner escaped on the 23rd November, 1935, but was recaptured about twenty miles north of the prison four days later. He was later brought before Court and a further term of imprisonment imposed. The Visiting Justices visited the prison on a number of occasions and dealt with prisoners charged with breaches of the prison regulations, and meted out appropriate punishment. The Department is indebted to the Visiting Justices for their helpful assistance to the activities of the institution.

The health of the prisoners throughout the year was very good. There were no admissions to public hospitals. One prisoner received an injury to his hand while at work, and after receiving first-aid treatment from the District Nurse he was motored through to the Medical Officer's surgery at Raetihi, where further treatment was given. After a few days on the injured list the prisoner resumed work. On the 26th June, 1935, one prisoner died suddenly. Heart trouble was the cause of his death.

The Medical Officer, Dr. W. J. Feltham, made frequent visits to the institution and gave every attention to inmates requiring treatment.

Full advantage was taken by the inmates of the usual facilities provided for dental treatment.

Religious services were again provided during the year by visiting chaplains from Waihi, Taupo, and Taumarunui.

Ample reading-matter for all the men is available in the prison library. Donations of useful books and periodicals come to hand regularly from the Mayoress's War Memorial Library League, Auckland.

Our special thanks are due to the Reverend J. Laughton, Presbyterian Minister, Taupo, and to the Christchurch Branch of the Howard League for Penal Reform, for their donations of cake, butter, lollies, and cigarettes made available to the prisoners at Christmas-time. The extra allowance of tobacco made available by the Department was issued to the men on Christmas morning.

The rations supplied during the year were of good quality. Various kinds of vegetables were obtained from the institution garden, and beef, pork, and mutton issued for rations was obtained from the farm.

A new laundry and bathroom was erected during the year, and provides good facilities for the purposes intended. Towards the end of the year a new woolshed and sheep-pens were erected, and their value was recognized during recent shearing operations.

Farm activities during the year were restricted principally to maintenance and general farming of the area already under cultivation. In addition to the erection of new buildings, the only work carried out involving capital expenditure was in connection with fencing. Subdivisional work was carried out in some of the larger paddocks, and some of the existing fences were made sheep-proof.

The various industries pursued on the farm are as follows: Raising of fat stock; sheep-farming; pig-raising; breeding horses; and cropping.

A wool-clip of 36 bales (net weight 5 tons 17 cwt. 8 lb.) was obtained from 1,385 sheep; 598 lambs were reared; 450 sheep were sold; and 264 sheep slaughtered for rations.

During the year 105 head of cattle were sold at market or transferred to other prison farms, and 39 head of cattle were slaughtered for rations.

Pig-raising is not at present carried on on an extensive scale. Our activities in that direction are confined to raising weaners for transfer to other prison farms. During the year 46 weaners were sent to other prisons. With the increased number of breeding-sows now on the property an increase in the numbers of weaners available for the farms is expected this year.

The following crops were harvested during the year: 150 tons ensilage, 150 tons hay, 40 tons oaten sheaf, 35 tons potatoes, and 700 tons of swede turnips.

Owing to the light nature of the soil and the fact that the Hautu property is bordered by uncleared Native lands, the area which has been developed has been subjected to the ravages of rabbits to a considerable extent. Systematic steps have been taken to eradicate the pest by means of poisoning, trapping, and the use of special carbon-monoxide appliances for destroying the rabbits in their burrows. By these means the rabbit pest has been kept in hand, and a revenue for skins amounting to £687 4s. 7d. has been taken during the past year.

In conclusion, I desire to thank the staff for their loyal co-operation throughout the year just ended.

#### NAPIER PRISON.

(Gaoler, Mr. T. STOCKER.)

At the beginning of the year there were 14 male prisoners and 1 female prisoner in custody. During the year 165 males and 6 females were received, while 168 males and 7 females were discharged or transferred, leaving 11 males in custody at the end of the year. Two male prisoners who were on remand were sent to Porirua Mental Hospital for observation. The daily average number in custody was 13·7, which was slightly lower than the average for the previous year. The small musters may again be attributed to the unemployment camps absorbing those who were previously resident in the towns and who occasionally came under the notice of the Courts.

The conduct of the prisoners has been exceptionally good, and it was rarely necessary to resort to punishment to enforce discipline.

There was one admission to the public hospital, that of a case of chronic bronchitis, otherwise the health of the prisoners has been good.

There was one escape of a serious nature during the year, that of a prisoner awaiting trial on a capital charge, the escape being attributed to the neglect of an officer in directly disobeying written instructions. Fortunately the escapee was recaptured within a few hours.

All prisoners were profitably employed, the quarry again being our main source of revenue. Sales of metal amounted to approximately £400, which may be regarded as satisfactory considering the small amount of labour employed.

Breadmaking has been continued with satisfactory results and a saving to the Department, our average yield being uniformly high.

The vegetable garden has provided a liberal supply of vegetables for rations throughout the year, but owing to the extremely hot season the potato and onion crops were not so successful as in former years. The present season promises to be better.

Sufficient soap was made for our own requirements.

The prison building and grounds have been kept in a good state of repair with very little expense, the buildings, considering their great age, looking remarkably well.

Divine services were conducted by the ministers of the various denominations regularly, and the Salvation Army band visited once a month.

The Napier Brotherhood visited once a fortnight, and their visits were much appreciated.

The thanks of the Department were tendered to Mr. Husheer for his gift of tobacco to the prisoners at Christmas, also to Mr. Magill of the Gospel Hall for his gifts of cake, &c., and to Mr. J. P. Thomson for a donation for the purchase of extra items for Christmas fare.

In conclusion, I desire to express my appreciation of the co-operation of the staff throughout the year.

#### NEW PLYMOUTH PRISON.

(Superintendent, Mr. W. DINEEN.)

There were 62 male prisoners in custody at the beginning of the year, and 128 were received. For the same period 135 were released, leaving 55 in custody at the end of the year, 17 of those released were debtors, 15 were released on the recommendation of the Prisons Board, one of them being released from his second term of life imprisonment. Work was found for him prior to release, and close contact is kept with him, and up to the present his behaviour appears to be satisfactory.

The Medical Officer has made regular weekly visits, and has also been very prompt in attending to emergency calls. He has devoted a lot of time and study to the mental as well as physical need of the prisoners. The health of the prisoners has been good. There has been no physical illness requiring hospital treatment, and no accident of any consequence during the year. The behaviour of the prisoners has been quite satisfactory, only one man has been punished by the Visiting Justices. There was no escape or attempted escape during the year.

The supply of bulk rations during the year has been quite satisfactory. The milk issue has been increased by  $\frac{1}{4}$  pint per prisoner. We are fortunate in being able to secure the milk required from the prison cows, consequently there are often times when the regulation quantity of milk issued to prisoners can be exceeded. The same applies to the issue of vegetables from the prison garden.

Divine service is held every Sunday, the ministers of the different denominations share the duty of caring for the spiritual welfare of the prisoners. Attendance at any divine service other than of the denomination to which a prisoner belongs is not compulsory, but the majority of the men attend all services.

As a result of an appeal to well-wishers of the prison, sufficient money was collected to purchase a new wireless set, and this has now been installed and is much appreciated by all.

Mrs. Eason and her willing band of Church helpers has for ten years in succession provided a splendid Christmas tea for the whole of the Prison. This tea has come to be the most looked-forward-to event of the year, and is a constant source of interest and conversation. Mrs. Eason herself never grows weary in her well-doing, and, although her time is much occupied by outside activities, she is able to manage her weekly visits to the prisoners. By her example, counsel, and friendly advice, she has been the source of much benefit to prisoners, and a great help to the management of the prison.

The desirability of keeping the mental outlook of the homo-sexual prisoners detained here as bright and sound as possible, consistent with reasonable discipline in requirement of the regulations, has been fully understood by members of the staff, and their co-operation in this respect is much appreciated. Many evening entertainments and lectures have been provided by members of the public. In this respect the Rotary Club have again taken a prominent part under the enthusiastic leadership of Rotarian George Gibson; it is an inspiration to observe this band of gentlemen turn up week after week with no other object than to help their unfortunate fellow-men. The prisoners are not lacking in their appreciation of these efforts, and the men are always willing to do their best at any return concert organized within the prison. A number of the men consistently practice physical-drill exercises, and when displays are given in the presence of Rotarians, &c., it is helpful to see each prisoner trying his very best to excel. It is felt that these exercises and the effort put into the preparation of songs, music, recitations, &c., for concerts have an uplifting effect on the men. The prisoners of the physical-drill class all voluntarily take a cold shower-bath before breakfast.

During the year the bathing facilities have been greatly improved by the installation of a water-heater and three additional shower-baths.

#### PAPARUA PRISON.

(Superintendent, Mr. W. T. LEGGETT.)

On the first day of the year under review there were 134 males in custody. During the year 437 males were received and 443 discharged or otherwise disposed of, leaving a total of 128 males in custody at the end of the year. The greatest number in custody at any one time was 145 males and the least number 111, with a daily average of 127.509.

Generally the health of the prisoners has been very good, sickness in most cases being restricted to colds and minor ailments. There were no deaths during the year. Four males were sent to public hospital for treatment during the year, two of these were for operative treatment, not of a serious nature, and in each instance were returned to the prison after treatment. There were no cases in hospital at the end of the year.

There were 4 males received into prison suffering from venereal disease, and these cases required segregation, and, in one instance, lengthy curative treatment.

There were 2 males transferred to the Sunnyside Mental Hospital during the year.

The conduct of the prisoners generally has been very good, disciplinary correction by Visiting Justices for minor breaches of the regulations was required for 14 individuals. There was one escape during the year, and the escapee was recaptured after a brief liberty.

The food-supplies have been of excellent quality, with a plentiful supply of vegetables from the prison garden. The bread produced in the institution bakery has been of excellent quality and most favourably commented on by visitors.

The industries of the prison and the farming operations have fully absorbed all available labour. The farming operations here on land of poor agricultural quality does not absorb a great deal of labour, and then mostly seasonal, therefore if it were not for our gravel industry a number of men could not be suitably and reproductively employed. In this industry keen interest is displayed, and the men so employed build up mentally and physically, thus leading, in a number of cases, to our being able to place them in suitable employment. The output from the quarry has been disposed of to local bodies, Government Departments, and main-highway construction and maintenance, and to cartage contractors. The manufacture of concrete paving-blocks and fencing-posts has been continued during the year.

Poultry-raising in conjunction with market-gardening has been carried on. In addition to providing for institutional requirements, other Government Departments have been fully supplied with eggs, poultry, and fresh vegetables.

The farming section, under Mr. Wilson as farm-manager, has progressed satisfactorily. There has been an excellent spring growth, with prospects for good hay and cereal crops, and all the root crops are very promising.

In the sheep section there was 100 per cent. lambing, and most of the early lambs have been disposed of to the local market at exceptionally good rates. The wool clip averaged 12 lb., and good fleece wool realized 13½d. per pound.

The pig section has not been active, as prices are not advantageous.

Building activities have been confined to the erection of a steddling building from old girder iron and concrete blocks, and a garden tank and stand for watering purposes. In addition, maintenance work has been carried out in the institutional building and residences, and at Addington Reformatory, Supreme Court buildings, and Magistrate's Court buildings.

The social and spiritual welfare of the prisoners has been again well looked after by the ministers of various denominations, and especially by the Rev. Mr. Rawle (Church of England), the Rev. Mr. Allen (Presbyterian), Mr. and Mrs. Smith (Richmond Mission), Mr. Paynter (Brethren), who extended their practical sympathy by providing Christmas cheer and after-care to prisoners on release. The social welfare has been again well looked after by Workers' Educational Classes organized by Mr. Manning and by Mrs. Holmes and her helpers, who provide monthly evening concerts, and the Working Mens' Club Orchestra, and the Warehousemen's Club Orchestral evenings.

The educational side of the institution is under the charge of Mr. Hampton, M.A., and, with the assistance of one of the staff, steady progress has been made covering a full primary course for backward prisoners.

I am pleased to report that the officers of the prison have performed their duties in a highly satisfactory manner, and have taken a keen interest in their work, and have evidenced tact and judgment in dealing with their charges.

#### RANGIPO PRISON.

(Officer in Charge, Mr. A. BANKS.)

At the beginning of the year there were 37 males in custody. During the year 26 were received, 7 transferred to other institutions, 26 discharged, and 1 man escaped and was not recaptured, leaving a total of 29 in custody on the 31st December.

The health of the prisoners has been good, there being no admittances to hospital.

Divine services were conducted throughout the year by Rev. Father Jansen, Rev. J. Laughton, Rev. F. Middlebrook, and Mr. Moffatt.

The following is a summary of the work carried out during the year: 56 acres of virgin land stumped of manuka and tutu, cleared of fern, and made ready for ploughing; 37 acres ploughed and harrowed; 50 acres sown in permanent pasture; 271 acres of temporary converted to permanent pasture; 50 acres turnips; 60 acres oats and 3 acres potatoes sown; 400 acres of permanent pasture sown in clover-seed; 2,388 acres top-dressed; and 531 chains of fence erected.

The vegetable-garden has been successful, maintaining the prison with a good supply of vegetables during the year.

The officers carried out their duties in a most satisfactory manner.

#### WAIKUNE PRISON (ROADMAKING CAMP), ERUA.

(Officer in Charge, Mr. P. McGRATH.)

At the commencement of the year there were in custody 87 prisoners, and 56 were received during the year; the discharges were 1 on expiration of sentence, 16 on special remissions, and 38 on probationary licenses, while 19 were transferred to other institutions, leaving 69 prisoners in detention at the end of the year.

The greatest number of inmates in detention at any one time was 87, the least 66, the daily average being 75.57.

No deaths occurred during the year. It was found necessary to remove three prisoners to the Raetihi Public Hospital—two for treatment to minor injuries sustained whilst at labour, and the third for an appendicitis operation. All were returned to Waikune fully recovered from the trouble which necessitated their removal to hospital. Generally speaking, the health of the men has been good. The Medical Officer, Dr. W. J. Feltham, made periodical visits to the prison and otherwise carried out the duties assigned to him in a very efficient and painstaking manner. The dentist was in attendance at intervals throughout the year, and attended to those prisoners requiring dental treatment.

Religious services were provided during the year by the visiting ministers from Ohakune and Owango.

We are greatly indebted to the Christchurch branch of the Howard League for Penal Reform for their gift of a quantity of cake for distribution among the men at Christmas-time. The extra ration of tobacco allowed the prisoners at Christmas was distributed and appreciated by all.

Our garden provided a varied and plentiful supply of fresh vegetables, while the meat ration in the main consisted of beef drawn from the Rangipo Prison.

Our industrial activities are mostly confined to road-maintenance and construction. On the Otukou Deviation good progress was made, and a further four miles of road was completed. Numerous culverts were put in, and, finally, the length was liberally pumiced. The acquisition of a planer from the Public Works Department was a boon, and the great desideratum—the obtaining of an excellent surface on this section—was thus made possible. Minor improvements were carried out on most sections, particularly on the Spiral Hill, where several corners were cut back and otherwise improved. The approaches to the various bridges were given frequent attention, while a fairly extensive programme of metalling was undertaken. At the request of the Tourist Department, the Scoria Flat Road was placed in good order for the winter sports.

In conclusion, I desire to thank the staff for their loyal co-operation.

WANGANUI PRISON.  
(Gaoler, Mr. E. CHING.)

During the year there were received into the prison 91 males and 4 females, a decrease of 27 males and 8 females from the figures for the previous year. The daily average in the prison for the past year was 18.4.

At the commencement of the year there were 21 males and no females in custody, and at the end of the year there were 26 males and 1 female in custody.

The conduct of the prisoners on the whole has been very good, only very minor offences being recorded.

In view of the fact that nearly all the inmates of this prison are old and infirm men, the general health of the prisoners can be regarded as very good. There were two men sent to the Public Hospital during the year for treatment, both men suffering from long-standing complaints.

The Medical Officer visits regularly, and all prisoners are given an opportunity to see him on each visit.

The food-supply has been of good quality, there being almost an entire absence of complaints.

The prisoners who are able to do a little work are employed in the kitchen, garden, prison-grounds, laundry, &c., while one or two are able to carry out small repairs to buildings. The kitchen garden still provides the institution with all the vegetables required, and, as the ground around the institution is of a sandy nature, the results obtained are surprising.

Again I have to thank the many religious bodies in the city for holding services in the prison.

At Christmas the local Presbyterians sent into the institution a large supply of cake for the prisoners, the St. Vincent de Paul Society a supply of tobacco, and the Church of Christ gave to all prisoners a first-class tea and afterwards provided a concert which was much appreciated. We have also to thank the Cosmopolitan Club for a very considerable number of library books and other reading-matter supplied during the year.

Many thanks are due to the members of the staff for their loyal co-operation during the year.

WELLINGTON PRISON.  
(Superintendent, Mr. J. DOWN.)

There were in custody at the commencement of the year 104 males. During the year, 859 males were received and 863 were discharged, leaving in custody on the 31st December 100 men. The greatest number in confinement at any one time during the year was 124 males, and the least number 80. The daily average number in prison during the year was 103.93.

The conduct of the prisoners, on the whole, has been very good, and much energy has been expended in carrying on the works in the different fields of industry. The prison laundry has been very busy during the year doing washing, starching, and ironing for the New Zealand Railways Department and for the s.s. "Maui Pomare." A considerable amount of work has been done considering that our plant is very small.

The printing and bookbinding industry continues to give every satisfaction both in output and quality.

The breadmaking, floorpolish, sandsoap, leadhead nail, and tin-making industries have been busy, and the work is being carried out very satisfactorily.

In the farm and garden sections the usual seasonal work has been carried out as required.

Throughout the year the various denominations have held their regular services. Our thanks are due to the Roman Catholic clergy, the minister and laymen of the Anglican churches, and to the officers of the Salvation Army for their ministrations. Concerts were given by the Presbyterian Women's Social Service, the Salvation Army, and the Justice's Association, which were greatly appreciated by all.

Our thanks are due to Mrs. Chatfield, J.P., Mr. W. P. Sommerville, Mr. Norman Aitken, and Mr. Lowe for Christmas cheer supplied to the prisoners.

Good work has been done in the prison V.D. clinic, and a number of badly affected patients have been successfully treated.

The conduct of the staff has been very satisfactory, and they attended to their duties in an efficient manner.

WI TAKO PRISON, HERETAUNGA.  
(Superintendent, Mr. T. E. LOWE.)

At the commencement of the year the muster at this institution was 56, made up of 45 hard-labour and 11 reformatory-detention prisoners.

Admissions during the year were 121, whilst discharges totalled 127, made up as follows: Discharged on expiration of sentence, 59; released on probation, 24; discharged on remission, 32; transferred to other institutions, 12. The muster at the end of the year was 50, comprising 25 hard-labour and 25 reformatory-detention prisoners.



The general health of the prisoners has been good; one inmate was sent to the public hospital suffering from a minor accident.

The conduct and industry of the prisoners have been satisfactory; two cases of minor prison offences were dealt with by Visiting Justices.

Farming and vegetable-growing operations have been carried on successfully.

All existing drains and fences were maintained in good repair, whilst the rifle-ranges were kept cleared and put into good order for the National Rifle Meeting.

The spiritual welfare of the prisoners has been attended to throughout the year by ministers and laymen of various denominations, and thanks are due to these gentlemen for the interest displayed.

Concerts have been provided throughout the year by the Rev. Mr. Harding and the Upper Hutt Male Voice Choir, and these were thoroughly appreciated by the inmates, as was also a gift of Christmas cheer from Mr. W. P. Sommerville.

In conclusion, I would like to thank members of the staff for their loyal co-operation.

#### ADDINGTON REFORMATORY PRISON (WOMEN).

(Superintendent, Miss M. HEWITT.)

At the beginning of the year there were 17 females in custody; 43 were admitted during the year, and 45 were discharged, leaving a total of 15 females in custody at the end of the year. The greatest number in custody at any one time was 19, and the least number was 10.

The health of the inmates has been excellent, and there were no admissions into hospital during the year.

The conduct and industry of the inmates throughout the year have been good.

The main industry at the institution has been the laundry, all the Government Departments in Christchurch having their laundry-work done here, and this has absorbed all available labour during the year. Gardening and attending to the poultry have also provided employment, but, owing to the small number in custody, it has been found difficult to cope with these activities as in previous years.

The ministers of the various religious denominations, the Salvation Army, and the Ladies of Charity have attended to the spiritual welfare of the inmates, and in some instances have assisted in providing after-care. Miss Nicholls and Mrs. Ansley have organized concert parties and attended to the social welfare of the inmates, and the Salvation Army and other interested friends have provided Christmas cheer during the festive season.

In conclusion, I desire to state that at all times the members of the staff have carried out their duties in a loyal and tactful manner.

#### INVERCARGILL BORSTAL INSTITUTION.

(Superintendent, Mr. R. W. ARNOLD.)

At the beginning of the year there were 96 inmates in custody. During the year 79 inmates were received into the institution and 67 inmates were discharged or otherwise disposed of, leaving 108 males in custody at the 31st December, 1935. 56 inmates were released on the recommendation of the Parole Board and 9 released on the expiration of terms of detention under section 16, subsection (1), of the Prevention of Crime (Borstal Institutions Establishment) Act, 1924. The daily average number of inmates in custody was 110.87, and in the reformatory section 17.44.

Ten Borstal inmates were admitted to the Southland Hospital during 1935, two of the admissions being the result of accidents. On the whole, the general health of the inmates has been exceptionally good, and it is gratifying to record that no deaths occurred. Various ailments of a minor nature are dealt with in the institution hospital.

The institution is visited regularly by the staff medical officer, Dr. J. Garfield Crawford, who attends to all cases brought before him in a thorough and sympathetic manner.

As appears to be the prevailing state of affairs nowadays, the percentage of inmates requiring dental treatment was unfortunately high. The necessary attention is given by our visiting dentist, Mr. James G. Wade.

During the year, two inmates made their escape from a party working in the farm garden on different dates, but each was apprehended a few hours afterwards by Borstal officers. Owing to the mental condition of one of these inmates, he was dealt with by the chairman of the Visiting Committee. In the other case the inmate was brought before the Court, and a further term of Borstal detention was imposed.

With the exception of the above and certain minor incidents, the behaviour of the lads has been quite satisfactory. Although the capacity for work is not always as high as might be wished, the spirit is good and the willingness to learn is in evidence in the majority of cases.

The result of the competition carried out during the year, with quarterly markings, for the best-kept cubicles and best behaviour was as follows: Monowai House, 375; Te Anau, 371; Wakatipu, 339; Manapouri, 284.

Weekly evening technical and trade classes are conducted by competent officers of the institution, the subjects covered being carpentering, blacksmithing, butchering, painting, sign-writing, art and music (both vocal and instrumental). In addition, there are inmates learning breadmaking, bootmaking, repairing clothing, and cooking.

Coconut-fibre mat-making is also now being undertaken again, with excellent results, the product being used in the institution. Certain of the lads are being given practical tuition in book binding and repairing, and this knowledge is made use of in connection with the library books.

One lad is rendering valuable assistance in the keeping of farm and dairy accounts, and herd-testing records.

Evening classes are conducted by local gentlemen, as indicated and enlarged upon hereunder:—

- (a) League of Nations Union (Invercargill Branch) (Present-day problems)—Mr. A. J. Deaker, M.A., Southland Boys' High School.
- (b) Workers' Educational Association (Economics)—Mr. Jas. Stobo, M.A., Southland Technical College.
- (c) General school course—Mr. L. J. Clapp, Headmaster Waikiwi School, and Mr. T. A. D. McFarlane, First Assistant, St. George School.
- (d) Agriculture and wool-classing—Mr. Thos. Mathews, Southland Education Board.

The reports submitted by the several instructors are quoted below, to show the progress made.

(a) *Mr. Deaker*.—"The League of Nations Union of Invercargill conducted a class during the winter months. The class met seven times, and, besides studying the history, aims, and organization of the League, it considered some present-day problems at each meeting. The average attendance was about 35, and at the final examination 31 boys handed in papers. The standard of work showed that the boys had been interested, and evidence of extra study was found in many of the papers. The union again presented suitable volumes to the 10 boys who had obtained the highest marks."

(b) *Mr. Stobo*.—"The session comprised a series of twelve lectures based on a syllabus drawn up by a special committee selected from members of the class. A variety of topics was chosen for discussion, and these were presented in the form of debates or lecturettes by class members. Two evenings were devoted to play readings. I am pleased to say that the session was successful from every point of view. The members showed great enthusiasm, and each one seemed willing to do his part when called upon."

(c) *Mr. Clapp*.—"The members in the various divisions when the term ended were—Juniors, 34; intermediate, 24; and seniors, 36. According to the arranged plan of work, the school progressed along broad lines, which were carefully graded and from time to time altered to meet the needs of the mental capacity of the new entrants. The underlying aim of the English course is to fit the pupil to voice his thoughts with reasonable correctness, and with a fair degree of fluency. Unless he is articulate, he cannot hope to derive the fullest benefits from social intercourse, nor can he ever hope to exert much influence upon others. With this thought uppermost in our minds, the English course received careful and systematic treatment, with a view to the development of a liking for, and an appreciation of, good literature.

"Debates, readings, and vocabulary work were correlated as a means of building up deliberate speech, and restoring confidence and ease when a pupil was called upon to express himself orally.

"Training in the marshalling of ideas and their expression in logical sequence was given as a help towards deriving some benefit from silent reading, and from the library in the institution. The other phases of English—spelling, writing, written expression, and formal grammar—are interdependent, and of necessity were developed simultaneously.

"Arithmetic: The course covered was elastic enough to embrace the problems the boys are likely to encounter in everyday life. Mental work was specially stressed, with mechanical accuracy in the sixth and compound rules as the main foundation. In the seniors an elementary algebra and symbolical course was launched as a 'refresher' for those who had taken algebra at secondary school.

"French was taken by the seniors, who showed interest and a keenness to master the rules of French grammar, with commendable results.

"Our historical aims were development of knowledge, love of country and Empire, appreciation of present-day domestic, industrial, and civic conditions, and the work assigned to our national and civic leaders.

"Current affairs: Extracts from the newspapers and periodicals contain interesting and vital historical associations. Many deal with the early history of New Zealand; others are of wider scope, and deal with affairs of international and daily economic importance. Material of this nature was judiciously used as a basis for social and civic history.

"Geography was correlated with history with the idea of broadening and deepening the knowledge of man's industries, his trading and his racial characteristics.

"In the lower school writing was considered primarily as a means of expression, pupils copying words, phrases, and sentences from blackboard models. Print-script was practised for suitable purposes—e.g., arithmetic, diagrams, posters, &c.

"I should like to refer to the school 'break-up' and the programmes given by the various houses. Their oral expression and dramatic ability showed that the labour of the school had not been in vain."

(d) *Mr. Mathews*.—"During the year the agricultural course was recommenced, and agricultural work and wool-classing instruction was regularly carried on each Saturday morning. The tuition given in agriculture has a definite farm bias, and the knowledge

gained should prove valuable to such of the lads as take up farm work on resuming civilian life.

"As experience has shown, wool-classing proves a very popular course, and I have pleasure in reporting on the splendid progress made by the present year's wool class.

"I have again pleasure in reporting that the sum of £4 was donated by the trustees of the Reginald McKinnon Trust for prize-money for both classes. Suitable book prizes have been selected and presented to the successful students in the course."

An additional educational class for retardates is also held daily at the Farm Ranch by a competent officer of the staff.

It may be mentioned that it is not unusual for the boys to entertain the tutor, at a concert or otherwise, at the wind-up of a class for the year. For example, the last gathering of the economics class took the form of a concert at which Mr. Stobo was presented with a Maori spear, made by the boys themselves. "Break-up" night took the form of a general entertainment, each house putting on a "show" occupying ten or fifteen minutes. Points were awarded, Monowai House coming first with 50 points, Wakatipu next with 46, then Te Anau with 45, and Manapouri with 44.

It may be said that the work being done in our library is never complete. The institution library is still in process of reorganization and improvement. There are now some 1,400 volumes on hand and the cataloguing is being gradually brought up to date. The books include general and classical fiction; fairly complete sets of the novels of Sir Walter Scott and Charles Dickens; books of a theological nature; books of history; poetry books; and a good range dealing with technical subjects.

The work entailed in keeping the library up to date, in repairing damaged volumes, and in recording books issued to the inmates, is fairly heavy, but a suitable lad is generally available for training in the duties involved.

As indicated in my last annual report a Borstal Society was then in process of formation at Invercargill. The society was established on 8th March, 1935, when the Hon. the Minister of Justice granted it formal recognition in terms of section 18 of the Prevention of Crime (Borstal Institutions Establishment) Act, 1924, on the request of provisional members. The personnel of the society, as approved by the Hon. the Minister, is as follows:—

Sir Robert Anderson, C.M.G.	Patron.
Wm. Macalister, Esq., LL.B.	Barrister and Solicitor, Chairman.
J. Pickard, Esq. . . . .	Railway Manager (Retired), Honorary Secretary.
M. Miller, Esq., J.P. . . . .	Accountant.
C. E. Watts, Esq. . . . .	Motor Engineer.
J. S. Marshall, Esq. . . . .	Company Manager.

The following is a relevant quotation from the local press: "The personnel of the society indicates that no effort has been spared to get together men who, as representatives of various branches of commercial and professional life, know the conditions of the age and are able to give practical and helpful advice to those who come under their jurisdiction."

The objects of the society as set out in its constitution are the welfare, rehabilitation, and after-care of inmates of the Invercargill Borstal, and ex-inmates of the Waikeria Borstal, who, whilst on license or under supervision, are resident in Invercargill city or suburbs.

As regards general activities, the constitution states that the society will appoint a committee of its members, to be known as the "Borstal Society Committee," for the purpose of visiting the institution at intervals with the object of co-ordinating with the staff and the official Visiting Committee in furthering any activity calculated to benefit the inmates whilst in detention, and also to assist in obtaining employment for them on release. The members of the Borstal Society Committee will function locally as parole officers for the purpose of guiding and supervising inmates on parole. They shall co-operate with Probation Officers and social-service agencies in other parts of the Dominion in the work of rehabilitating ex-Borstal inmates. In the event of the formation at a later date of a Central Borstal Society in any of the larger centres, the Borstal Society will co-operate with the central society as far as possible in the work of rehabilitating ex-inmates.

The sympathy and kind-hearted attitude of Invercargill people for their less fortunate brethren is well known. A further example of this public spirit was seen in the formation, in April, 1935, of an honorary Ladies' Borstal Committee. The committee consists of Mrs. R. Henderson, Mrs. J. D. Campbell, and Mrs. T. R. Pryde. The objects the committee members have in view are the visiting of sick Borstal inmates or probationers in the public hospital, and also the in-patients in the institution hospital. The lady visitors may also be given the opportunity to talk with any inmate, if it is deemed desirable in the interests of the inmate concerned. Already these ladies have actively taken up their self-imposed work, and will also add the task of finding suitable occupations for lads on release. Motherless boys in particular look forward to these visits, and appreciate the personal touch and motherly influence. Our thanks are also due to the members of this committee for the valuable assistance which they gave during the Christmas season, in the way of collecting for the Christmas Cheer Fund, and ensuring successful festivities.

During the year one or other of the ministers of the various denominations visited the institution each Sunday morning and conducted divine service. We are indebted to the Ministers' Association for the arrangements connected with this service, and for the holding of Bible classes on Thursday nights. The Salvation Army holds a Bible-class meeting each

Wednesday evening, and its band gives a programme once a month. The Roman Catholic service is conducted on Tuesday evenings by the visiting priest. It will thus be seen that every attention is given to the spiritual needs of the boys.

A special service was conducted on Anzac Day by the Rev. J. Chisholm, the address being given by the Rev. D. C. Herron, M.A., M.C., of Dunedin. We were fortunate in securing the services of Commissioner F. H. Adams, of the Salvation Army, during his visit to Invercargill in April last. He delivered what was a very inspiring and much-appreciated address. Rev. J. N. Thompson conducted the Easter service—on Good Friday.

Regular visits were made throughout the year by the chairman of the Visiting Committee. Mr. E. C. Levvey, S.M., was chairman from January to April, and was succeeded by Mr. W. H. Freeman, S.M., who visited the institution from then onwards.

With regard to the social life of the institution, the lads at Invercargill Borstal Institution are probably better catered for in this direction than would be the case in many other parts of the Dominion, and we were indebted, throughout 1935, for a wealth of entertainment supplied by the musical, elocutionary, dancing, and other artists of the city and beyond. There were many moving-picture entertainments, concerts, band programmes, radio evenings, community "sings," lectures, addresses, play-readings, &c.

To show the wide and interesting range covered by the addresses and lectures, the list of subjects dealt with is given hereunder, as they occurred during the year: Army Experiences in France; Steel and its Uses; Are modern Transport and Machinery beneficial to New Zealand? (this was a debate—*Toc H* v. the boys); Trip to Tasmania and the Mount Zeehan Mines; Clouds (lantern slides); Missionary Work in the Islands; Trip to Rarotonga; Life of Bronte; Chatham Islands; Jubilee Celebrations; Modern and Present-day Whaling; Abyssinia (two lectures); Medical Officer's addresses; The Crowned Heads of England; The League of Nations and its Activities; Solomon Islands; Trip through Russia, Germany, and Italy; Early Flying; Food and its Uses; The Telephone System (two addresses); Trip to San Francisco; Plant Life (lantern slides); Great Men; Canada; The All Blacks; and New Guinea (lantern slides).

The Maori Borstal party, composed of Maori lads from the institution, which was so successful in 1934, again appeared in the Civic Theatre in June last, in connection with a concert organized in aid of the funds of the Southland Cricket Association. To quote the press: "The party was accorded the sort of reception that belongs to old favourites." Songs and hakas were presented in national costumes, with picturesque lighting effects.

For many years past, the Invercargill Rotary Club has taken a keen interest in the welfare of the boys. During 1935 members continued the usual visits on Thursday nights in connection with the "Kiwi Club," which comprises boys of the association class. In all, the club met on thirty-three occasions, commencing on 11th April and holding the final meeting for the year on 12th December. A Rotarian takes the chair, and at the gatherings lectures are given on educational subjects and current events, pictures also being shown and song evenings conducted on occasions.

The last Sunday evening in each month is taken charge of by the members of the Invercargill Group of *Toc H*, when lectures and addresses are given, or other entertainments arranged. The subjects dealt with are included in the list given above. In April last, *Toc H* presented a radio set to the Farm Ranch. As quite a number of the lads are accommodated there, the gift proved a real blessing during the long winter evenings. On Sunday evenings, between 6.30 and 7.30, what is called the "Pleasant Sunday Hour" is held.

On the occasion of the Winter Show held in Invercargill, the institution entered an exhibit prepared by the boys, under supervision. The press report may aptly be quoted:—

"The exhibit was an eye-opener to many as regards the handicrafts taught the boys. A model dairy, a model glass-house complete with ventilation and a tiny heating-system, a model sailing-ship made with a pen-knife and awl, were some of the high-lights; but no less praiseworthy were the cricket-pads, the examples of book-binding, the carving, and the boots. Artistry of a high order was also displayed in the section devoted to freehand and geometrical drawing, poster-work, granite-work, and arts and crafts generally. There were also a model of the gate leading to the farm, an expansion ladder, and a billiard-cue. As regards husbandry, a comprehensive display of well-grown vegetables was made."

Regarding sports and general recreation, as is usual, the institution entered a first fifteen in the local third-grade competition, but it gained only sixth place. This low position may be attributed to lack of practice by reason of—firstly, very bad weather during the season, and, secondly, the frequent postponement of matches owing to representative fixtures. On 6th May, a seven-a-side tournament was held at Rugby Park. The institution entered two teams, and the A team won the competition. On 5th October, a Borstal team played a team from H.M.S. "Dunedin," on the recreation-ground. It was a friendly and spirited game, resulting in a win for Borstal by 9 to 3. Two of the officers from the ship played for their side, and interested the boys in their coaching tactics.

We record appreciation of the continued interest taken by Mr. E. C. Kelly in the training of the teams, and acknowledge the donation of jerseys, boots, &c., made by the New Zealand Rugby Union towards our football equipment. The Southland Rugby Union displayed a considerate spirit in inviting the boys to play on Rugby Park, the "Mecca of Southland rugby."

Within recent years cricket has gained a great degree of popularity with the inmates. The association with outside teams creates a new and beneficial interest for the lads. At the end of the 1934-35 season, the institution finished up winners of the Junior B local

competition, thereby becoming temporary possessors, for the first time, of the "Times Cup," a silver cup presented in 1928 by the Southland Times Co., Ltd., for competition.

Besides competition games, numerous friendly evening matches are played, the long summer evenings experienced down south facilitating this.

Thanks are again due to the Southland Cricket Association for their kind action in supplying cricket material to the institution.

Tennis has slowly crept into the life of the institution, and has apparently come to stay. The first difficulty was obtaining the necessary racquets and keeping them in repair. In this connection, appreciation is due to Mr. Gimblett who has taught the boys racquet-repairing, so that there is now a good current supply of racquets available, various ones given by friends having been restrung. A new feature has been the visit of outside teams to the institution, the Moana Club (twice) and the Southern Club being the forerunners.

During the year four sports meetings, confined to the institutional houses, were held—1st and 2nd January (New Year), 3rd June (King's Birthday), 28th October (Labour Day), and 26th December (Boxing Day). Te Anau House gained first place in the final results, with Monowai House second.

Under the auspices of the Oreti Surf Life-saving Club a class was started on 10th January, 1935, finishing on 5th April. The boys attending took a very keen interest, and the results were satisfactory. At the examination held 1 lad qualified for the bronze medal, 2 for the intermediate certificate, and 5 for the elementary certificate.

Under the capable direction of Mr. J. Page, of the Southland Boys' High School, classes for systematic physical training have been held regularly throughout the year. The beneficial results are obvious in the improved physique and alertness of the boys.

Thanks to the Southland Boxing Association, and under the direction of Mr. A. E. Tall, an exhibition of boxing and wrestling was staged at the Borstal one night in September, when the art of self-defence was shown to advantage by the contestants.

The tenth annual summer camp (for members of the association class) was held on the usual site at Otatara from 24th December to 4th January.

On Christmas morning began a series of days full of such activities as swimming, boating, rabbiting, volley-ball, cricket, tennis, table games, and bush walks. The evenings were occupied with treasure-hunts, sing-songs, moving-pictures, illustrated lectures, &c.

Mr. R. M. Brasted, National Secretary, Y.M.C.A., was the controlling spirit, and to him a great measure of the success must ungrudgingly be attributed.

On visitors' day (the final day) field sports were held in which all the boys took part. His Worship the Mayor addressed the contestants and presented the prizes.

Among those to whom the institution is grateful for cash donations for general purposes during the year are mentioned—the McKinnon Trustees, Invercargill Rotary Club, Dunedin Patients and Prisoners' Aid Society, Invercargill Justices of the Peace Association, Sir Robert Anderson, Dr. Garfield Crawford, and Messrs. Marshall, Pickard, and Baxter. Many local firms and the St. Vincent de Paul Society also supplied goods.

The institution farm comprises some 2,258 acres, divided into 45 paddocks. The freehold area farmed contains 657 acres, and includes the farm garden. There is an additional freehold area of 91 acres of bush adjoining the golf-links. The balance is leasehold, part from the Invercargill City Corporation under various terms, and the "River Farm," of 415 acres, also held on lease. Over 100 acres of this area is in crops—potatoes, oats, and turnips; about 150 acres is in grass, and the balance in bush.

The exhibit of pigs shown at the Southland Royal Show in December, 1934, was sent to London, where the baconers class was awarded first prize, with a total of 103 marks out of a maximum of 130. This exhibit gained the Bledisloe Cup, out of fifteen entries, for the best individual pig. In the porker class, the Borstal exhibit was placed fourth among the fifteen entries.

At the Southland Agricultural and Pastoral Show held in Invercargill in December, 1935, the institution was awarded first prize for a three-year-old bull, first prize for a two-year-old dry heifer, and second prize for a yearling heifer.

During the year the surplus vegetables and produce not required for institutional purposes was disposed of to the local markets. There is always a demand for what the Borstal is able to supply, to meet what would otherwise be a shortage.

In conclusion, I wish to place on record my appreciation of the whole-hearted assistance rendered by both the office and uniform divisions of the staff, and the spirit of co-operation that exists.

WAIKERIA BORSTAL INSTITUTION (TE AWAMUTU).  
(Superintendent, Mr. D. DUNLOP.)

On the 1st January, 1935, there were in custody 73 Borstal inmates, and 49 were received during the year. The number of inmates released on probationary license was 61, while 2 were discharged on expiration of sentences and 2 on special remission. One inmate was transferred to another institution, and 1 death occurred during the year, thus leaving 55 inmates in custody on the 31st December, 1935. The greatest number of Borstal inmates in confinement at any one time was 74, the least 54, the daily average being 62.08.

In the reformatory section there were in custody at the beginning of the year 91 inmates, and 96 were received during the year. Of these 38 were released on probationary license, while 8 were discharged on expiration of sentences, and 4 on special remission; 32 inmates were transferred to other institutions, thus leaving a total of 105 in custody on the 31st

December, 1935. The greatest number of inmates in custody in this section at any one time was 110, the least 76, the daily average being 94.03.

The general health of inmates throughout the year was very good. Four inmates were removed to the Waikato Public Hospital for treatment, one of whom died after an operation had been performed. Regular visits were made to the institution by the Medical Officer, Dr. J. B. W. Robertson, who carried out his duties in a manner which gave complete satisfaction. In two cases inmates were under treatment for venereal disease, while two inmates were examined by mental specialists, and on their recommendation transferred to the care of the Mental Hospitals Department.

The facilities provided for dental attention were fully availed of by inmates.

Although, as in former years, the difficulty in finding suitable employment for inmates discharged from the institution still exists to a certain extent, it is pleasing to record that, as the result of a keen demand for farm labour in the surrounding districts, employment for a number of young men who were particularly suitable for this form of avocation was found. In this work I have again had the enthusiastic co-operation of Mr. F. Finlay, of Hamilton, and through his kind offices jobs have been found for a number of inmates on their discharge from the institution.

No serious offences occurred during the year, and a high standard of discipline was maintained. There were the usual number of minor breaches, mainly arising from loss of equipment and of damage to clothing and other property through the want of reasonable care. The Department is indebted to the Visiting Justice, Mr. W. Jeffery, and to members of the Visiting Committee, Mr. F. Quin, Mr. F. W. Bevin, Mr. G. A. Empson, and Mr. F. J. Gilbert, for their helpful assistance to the activities of the institution, and for the sound judgment they displayed in dealing with disciplinary matters.

The usual facilities were provided for the recreation of inmates. The special privileges thus granted are, of course, dependent on the good behaviour and industry of the individual, and in few cases does the necessity arise to deprive for the time being the enjoyment of these privileges as a means of punishment.

The recreation of inmates was assisted through the courtesy of various organizations, and concerts and entertainments were arranged on fourteen occasions during the year. The thanks of the Department are due to the following for the interest manifested by them in this work: Mr. F. Finlay and the members of his various concert parties, the Otorohanga Concert Party, the Hamilton Philharmonic Society, the Korakonui Dramatic Club, the Te Awamutu Town Band, and the members of the Te Awamutu Methodist Church. Thanks are also due to Mrs. C. Marwood, of Te Kowhai, for the gift of a gramophone and records, and to Mrs. B. Capper, of Hamilton, who donated a number of gramophone records.

The night-school classes were conducted on 102 evenings, the average roll for the year being 37.6 and the average attendance 22.4, while tuition in the main subjects was continued on the same lines as in previous years, a little more of the cultural side of education was attempted, with a view to making the routine work of the class as interesting as possible. During the year, and at least once a month, films and slides depicting matter of educational value were shown. By the courtesy of the Canadian Government Trade Commissioner and of the Auckland Institute and Museum, several thousand feet of film and a large number of lantern-slides were secured, while some hundred feet of film and an assortment of lantern-slides were loaned by the Publicity Department of the New Zealand Government. In addition to these, a number of slides were sent out to the Schoolmaster by Imperial Airways, Ltd., England. Wherever possible, a lecture was given by the Schoolmaster in conjunction with the displaying of films or slides, and this phase of school activities was greatly appreciated by the members of the class. In addition, a lecture on some current event of general interest was given at regular intervals, and, judging by the manner in which same were received, assisted materially towards maintaining interest in the general work of the school.

For those inmates who are employed at indoor occupations and required physical exercise, drill classes were held on two evenings each week.

In the field of sport it is satisfactory to note that the reputation for sportsmanship and good conduct enjoyed in the past continues to exist. A team was again entered in the senior grade competition controlled by the Waipa Rugby Football Union. The members of the team acquitted themselves well, and provided their opponents with interesting games played in an excellent spirit. I have to thank the officials of the union for the assistance given to the team and to the institution staff throughout the season.

Football games were also played between teams drawn from various branches of the institution, and considerable interest in these matches was evidenced by the inmates.

Relaxation in the form of appropriate games is also provided for a special class, the qualification for membership being good conduct and industry. It is pleasing to record that the privileges thus granted are rarely abused.

Religious services were provided during the year by visiting chaplains from Te Awamutu and Kihikihi.

The usual programme of work was carried out in connection with the maintenance of departmental buildings.

The stock of farm implements and machinery has been maintained in good order, and has been augmented by the addition of two hay and ensilage stackers.

All footwear repairs are effected in the boot-shop. In addition to local requirements, repair work is also undertaken for the Mental Hospitals Department, and during the past year work to the value of £127 10s. 3d. was carried out.

During the season ending 31st July, 1935, an average of 422 cows was milked, giving a total milk-yield of 2,960,943 lb. at an average milk test of 3·86. The average factory cream test was 39·86, and the average estimated yield per cow 245·74 lb. of butterfat.

Sheep to the number of 1,815 were shorn during the season, a clip of 46 bales, weighing 17,435 lb., being obtained.

Excellent progress continues to be made in the pig industry. By giving close attention to the breeding of young pigs, and with plentiful supplies of skim-milk and fodder at hand, a total of 827 pigs was disposed of. Out of this total, 589 pigs were supplied to the New Zealand Co-operative Pig-marketing Association, while 214 weaners and stores were sold both in the open market and privately, good prices being the general rule.

Activities in the garden have been carried on as usual, and, while adverse weather conditions have been the cause of a smaller return than was expected, a small cash profit on working should result. In the nursery section the beds of young trees grown for planting out on the institution farm gave good results, and a total of 3,125 plants were supplied during the year for this purpose.

An area of approximately 6 acres of tobacco was harvested in March, and 3,940 lb. of dried leaf was forwarded to Auckland to be held in bond to await a suitable market.

From the orchard 2,742 cases of apples were sold both privately and through auction-rooms, the receipts reaching the satisfactory total of £463 11s. 6d. In addition to this, 110 cases were supplied to supplement inmates rations. During the early spring the grafting of trees was carried out on an extensive scale.

The output of honey from the apiary totalled 3,380 lb. for the season, an increase of 389 lb. on the returns for the previous year. Operations at the apiary have been extended by the addition of twenty colonies of bees.

The following crops were harvested during the year: Ensilage, 415 tons; hay, 203 tons; oaten sheaves, 36 tons; maize (for green feed), 250 tons; swede turnips, 1,685 tons; potatoes, 58 tons; horse-carrots, 35 tons; and barley, 45 bushels.

The institution provided entries in the live-stock division, and in all classes of farm and garden produce, at the 1935 show organized by the Te Awamutu Agricultural, Pastoral, and Horticultural Association, and was successful in obtaining eight first and ten minor prizes. In the Home Industries section a comprehensive display of all classes of produce, together with examples of the work performed by inmates as part of their daily tasks, assisted to a large extent in the success of that portion of the exhibition, and was the subject of favourable comment from many quarters.

I desire to express my thanks to the staff of this institution for their loyal co-operation throughout the year.

#### POINT HALSWELL BORSTAL INSTITUTION.

(Superintendent, Miss A. ESCOTT.)

At the commencement of the year there were 24 inmates in the Borstal Institution and 5 in the Reformatory. During the year 20 girls were received into the Borstal and 26 released on probationary license, leaving 18 in the institution at the end of 1935.

Thirty-one older women were received into the Reformatory, and 29 discharged or transferred elsewhere, leaving 7 in custody at the end of the year.

The conduct and industry of the inmates have been good. The general health of the inmates has also been exceptionally good. Our industries are being well maintained. During the year an up-to-date electric mangle and drying-presses have been installed. These facilities have greatly improved the working-conditions in the laundry, and the work is now put through expeditiously.

Apart from laundry-work the girls take their turn in working in the vegetable-garden (which supplies practically all the vegetables required for the institution), also in housework, cooking, sewing, and poultry-rearing.

School, drill, and games are carried on regularly, games and physical exercises in conjunction with the fresh air and regular life have a most beneficial effect on the health of the girls. Swimming at Shelly Bay during the summer months is also included in the healthy exercises. The inter-house games shield is always keenly competed for between the two houses, the Fergusson House girls holding it for the current year.

During the winter, members of the Wesley Bible Class came out and played basketball and indoor games with the girls. The visits of these kind people are eagerly looked forward to and thoroughly enjoyed. Thursday evening is always reserved for entertainments, and I wish to express my thanks to the ladies who have helped to make these evenings so pleasant for the girls.

The after-care and supervision of the girls on their return to the outside world is still undertaken by the Borstal Association, and our thanks are due to those ladies who give so much time and thought to this work.

Religious services are held regularly every Sunday and individual talks given.

Again our thanks are due to all those who remembered the inmates during the festive seasons; to the Borstal Association for gifts for each girl, and providing fruit and cake for tea on Christmas Day; to Mrs. Sprott and members of the women's organizations of the Church of England for a delightful party on New Year's Day; and to Mrs. Glover and officers of the Salvation Army for a concert and supper given to the inmates later in the year.

The Visiting Committee, with Mr. G. C. Edwards in the Chair, has met regularly at the institution, and after any necessary business has been attended to, the members have visited the various working parties, giving the inmates helpful and kindly advice.



**Table A.**  
TABLE SHOWING PARTICULARS, FOR EACH PRISON, OF PRISONERS AT BEGINNING AND END OF YEAR, AND RECEIVED AND DISCHARGED DURING YEAR 1935.

	Addington.		Auckland.		Hautu (Tokangau).		Invercargill.		Invercargill Institution.		Napier.		New Plymouth.		Papuaia (Templeton).		Point Halswell.		Point Halswell Institution.		Rangitoto.		Waikanae Institution.		Waikanae (Tirua).		Wanganui.		Wellington.		Wai Taku (Trentham).		Minor Prisons and Police-gaols.		Police Lock-ups.*		Totals.		Grand Totals.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
(a) In prison at beginning of year :—																																								
Undergoing—																																								
Simple imprisonment, hard labour—																																								
Under three months ..	..	..	10	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Three months and under one year ..	..	..	5	46	9	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
One year and upwards ..	..	..	9	140	4	37	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Detention as habitual criminals ..	..	..	1	31	..	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
Reformatory detention ..	..	..	2	45	7	31	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
Detention in Borstal institution ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
Total criminals in prison ..	..	..	17	272	20	73	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
For trial or on remand ..	..	..	..	15	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
Total in prison for criminal offences ..	..	..	17	287	20	73	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
Debtors ..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
Total persons in prison ..	..	..	17	288	20	73	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
(b) Received during the year :—																																								
Sentenced to—																																								
Simple imprisonment, hard labour—																																								
Under three months ..	..	..	18	485	14	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Three months and under one year ..	..	..	2	152	7	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
One year and upwards ..	..	..	6	66	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Hard labour, reformatory detention, and declared habitual criminal ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Hard labour and reformatory detention ..	..	..	..	15	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Hard labour and flogging ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Reformatory detention only ..	..	..	2	39	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Reformatory detention and declared habitual criminal ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Hard labour and detention in Borstal institution ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Detention in Borstal institution ..	..	..	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Hard labour and declared habitual criminal ..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Declared habitual criminal ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Death ..	..	..	..	..	..	..	..	..	..	..	..	..																												

\* Deemed to be prisoners under the provisions of section 17 of the Statute Law Amendment Act, 1917.



TABLE SHOWING PARTICULARS, FOR EACH PRISON, OF PRISONERS AT BEGINNING AND END OF YEAR, AND RECEIVED AND DISCHARGED DURING YEAR 1935—continued.

[illegible]



Table B.

## INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31ST MARCH, 1936.

<i>Expenditure.</i>				<i>Income.</i>			
	£	s.	d.		£	s.	d.
To Rations .. .. .	15,620	14	1	By Rents of departmental buildings .. ..	3,647	17	7
Clothing, footwear, and equipment .. ..	6,980	7	0	Sundry credits and recoveries .. ..	5,078	12	11
Earnings, wages, and gratuities—Prisoners and dependants .. .. .	14,153	13	3	Value of prison labour capitalized on work ..	888	19	2
Hospital maintenance and medicines .. ..	1,085	9	0	Surplus on industry working .. ..	18,690	0	6
Transport and travelling expenses .. ..	5,281	15	0	Net cost, departmental upkeep .. ..	113,578	5	2
Maintenance of buildings and grounds .. ..	1,630	12	8				
Salaries and allowances .. ..	50,011	15	0				
Fuel, light, water, &c. .. ..	5,772	16	9				
Postages, telegrams, stationery, &c. .. ..	1,144	19	2				
Interest and depreciation .. ..	34,479	3	5				
Administration expenses .. ..	5,722	10	0				
	£141,883	15	4		£141,883	15	4

## BALANCE-SHEET AS AT 31ST MARCH, 1936.

<i>Liabilities.</i>				<i>Assets.</i>			
	£	s.	d.		£	s.	d.
Capital Account .. .. .	781,109	17	5	Land, buildings, and improvements .. ..	680,766	5	0
Sundry creditors .. .. .	5,345	8	1	Farm, live-stock, implements, &c. .. ..	42,404	15	1
Accrued earnings .. .. .	5,224	4	7	Plant, machinery, equipment, and stores ..	56,781	11	0
Deposits .. .. .	544	4	0	Sundry debtors .. .. .	6,143	13	4
Writings-off in Suspense .. ..	1,082	17	8	Deposits .. .. .	1,701	10	4
Treasury Adjustment Account .. ..	113,226	7	4	Expenditure paid in advance .. ..	27	3	11
				Writings-off in Suspense .. ..	1,082	17	8
				Departmental cost for year—			
				Prisons and administration .. ..	113,578	5	2
				Prisons Board and probation .. ..	4,046	17	7
	£906,532	19	1		£906,532	19	1

G. O. HALL, A.R.A.N.Z., Accountant.

Table Br.  
ANALYSIS OF VALUE OF ALL PRISON LABOUR FOR THE YEAR ENDED 31st MARCH, 1936.

	Capital Works.			Industries.					Institutional.				Total.	Daily Average Number of Inmates.	Annual Value of Labour per Head.
	Erection of Buildings and Plant.	Farm-develop-ment.	Boat-Manu-facturing and Repairs.	Farms and Gardens.	Block and Tile Manu-factur-ing.	Quarries and Gravel-pits.	Road-works and other Contracts.	Miscel-laneous Industries.	Repairs and Main-tenance of Buildings and Roads.	Domestic Cleaning and Sanitary. &c.	Domestic Launder-ing and Repairs to Clothing, Rationing.	Domestic Cooking, Baking, and			
Addington	£ ..	£ ..	£ ..	£ 12	£ ..	£ ..	£ ..	£ 128	£ ..	£ 117	£ 13	£ 28	£ 298	£ 14.09	£ 21.15
Auckland	£ 123	£ 163	£ 839	£ 73	£ ..	£ 1,909	£ ..	£ 825	£ 251	£ 1,127	£ 523	£ 173	£ 6,777	£ 293.63	£ 23.08
Hautu	£ ..	£ 155	£ ..	£ 1,070	£ ..	£ ..	£ ..	£ ..	£ 53	£ 82	£ 122	£ 255	£ 1,868	£ 64.90	£ 28.78
Rangipo	£ ..	£ 263	£ 142	£ 432	£ ..	£ ..	£ ..	£ ..	£ 17	£ 25	£ 29	£ 37	£ 695	£ 29.49	£ 23.57
Invercargill	£ ..	£ ..	£ ..	£ 900	£ ..	£ 125	£ ..	£ ..	£ 243	£ 330	£ 317	£ 405	£ 2,600	£ 126.98	£ 20.48
Napier	£ ..	£ ..	£ ..	£ 14	£ ..	£ 669	£ ..	£ ..	£ 27	£ 48	£ 20	£ 41	£ 314	£ 12.63	£ 24.85
New Plymouth	£ ..	£ ..	£ ..	£ 234	£ ..	£ ..	£ ..	£ ..	£ 91	£ 262	£ 172	£ 188	£ 1,734	£ 53.87	£ 32.26
Paparu	£ ..	£ ..	£ ..	£ 827	£ 33	£ 1,715	£ ..	£ ..	£ 602	£ 307	£ 220	£ 342	£ 4,046	£ 130.21	£ 31.07
Point Halswell	£ 169	£ 11	£ ..	£ 87	£ ..	£ ..	£ ..	£ 291	£ 21	£ 27	£ 62	£ 22	£ 510	£ 25.45	£ 20.04
Waikeria	£ ..	£ ..	£ ..	£ 2,945	£ ..	£ ..	£ ..	£ ..	£ 691	£ 392	£ 252	£ 285	£ 4,685	£ 151.78	£ 30.87
Waikane	£ ..	£ ..	£ ..	£ 51	£ ..	£ ..	£ 3,510	£ ..	£ 109	£ 59	£ 220	£ 331	£ 4,280	£ 71.26	£ 60.06
Wanganui	£ ..	£ ..	£ ..	£ 42	£ ..	£ ..	£ ..	£ ..	£ 119	£ 117	£ 22	£ 44	£ 344	£ 18.98	£ 18.12
Wellington	£ ..	£ ..	£ ..	£ 346	£ ..	£ ..	£ ..	£ 137	£ 799	£ 532	£ 273	£ 278	£ 2,365	£ 102.39	£ 23.10
Wi Tako	£ ..	£ ..	£ ..	£ 1,037	£ ..	£ ..	£ ..	£ ..	£ 31	£ 133	£ 102	£ 175	£ 1,478	£ 52.63	£ 28.18
Minor gaols	£ ..	£ ..	£ ..	£ 19	£ ..	£ ..	£ ..	£ ..	£ 79	£ ..	£ 35	£ ..	£ 133	£ 22.18	£ 6.00
Totals	£ 232	£ 592	£ 981	£ 8,089	£ 33	£ 4,418	£ 3,510	£ 1,381	£ 3,133	£ 3,558	£ 2,382	£ 2,604	£ 32,127	£ 1,170.47	£ 27.45

Table C.

TABLE SHOWING THE ACTUAL NUMBER OF DISTINCT CONVICTED PRISONERS RECEIVED INTO GAOL DURING THE YEAR 1935, CLASSIFIED ACCORDING TO PRINCIPAL OFFENCES, BIRTHPLACE, AND AGE.

		Offences against the Person.				Offences against Property.				Miscellaneous.						Total.	
		Convicted on Indictment.		Summarily convicted.		Theft and Deceit.		Mischief.		Drunkenness.*		Vagrancy.†		Other Offences.			
Birthplaces—		M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
New Zealand	..	88	1	49	1	612	31	28	1	149	9	77	23	402	11	1,405	77
Australia	..	4	..	2	..	44	1	3	..	14	..	9	2	35	1	111	4
England and Wales	..	6	..	5	..	80	2	5	..	53	..	16	..	89	..	254	2
Scotland	..	2	..	5	..	31	1	4	..	15	..	8	..	34	..	99	1
Ireland	..	3	..	1	..	19	2	..	..	22	..	7	..	15	..	67	2
Other British countries	..	1	..	2	..	8	..	..	..	8	1	3	..	4	..	26	1
China	..	..	..	1	..	2	..	..	..	..	..	..	..	59	..	62	..
Other countries	..	1	..	2	..	12	..	..	..	7	..	1	..	17	1	40	1
At sea	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Not stated	..	1	..	..	..	1	..	..	..	1	..	..	..	3	..	6	..
Totals	..	106	1	67	1	809	37	40	1	269	10	121	25	658	13	2,070	88
Ages—																	
15 and under 20 years..	..	8	..	6	..	83	6	7	1	..	..	2	6	12	..	118	13
20 „ 25 „	..	13	..	13	1	200	6	12	..	6	1	9	5	83	1	336	14
25 „ 30 „	..	20	..	11	..	149	7	5	..	9	..	18	..	100	2	312	9
30 „ 40 „	..	29	..	17	..	199	7	8	..	41	1	23	7	213	..	530	15
40 „ 50 „	..	18	1	13	..	99	5	6	..	70	3	26	5	120	5	352	19
50 „ 60 „	..	14	..	4	..	59	6	2	..	95	2	30	1	94	4	298	13
60 and over	..	4	..	3	..	19	..	..	..	48	3	13	1	35	1	122	5
Not stated	..	..	..	..	..	1	..	..	..	..	..	..	..	1	..	2	..
Totals	..	106	1	67	1	809	37	40	1	269	10	121	25	658	13	2,070	88
Maoris included above	..	16	..	17	..	116	4	6	..	7	..	9	1	49	1	220	6

\* It must be remembered that drunkenness is punished more by fine than by imprisonment, so that the figures in the gaol tables do not represent the full number of persons punished for that offence.  
† Including importuning, consorting with rogues, &c.

Table D.

PRISONS.—NEW ZEALAND BORN PRISONERS RECEIVED, 1935.

TABLE SHOWING THE NUMBER OF DISTINCT NEW ZEALAND BORN CONVICTED PRISONERS OF EACH SEX (INCLUDING MAORIS) RECEIVED DURING THE YEAR 1935, CLASSIFIED ACCORDING TO AGES AND OFFENCES.

Offences.	12 and under 15.		15 and under 20.		20 and under 25.		25 and under 30.		30 and under 40.		40 and upwards.		Not stated.		Totals.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Offences against the person—																
Convicted on indictment ..	..	..	7	..	12	..	18	..	25	..	26	1	..	..	88	1
Convicted summarily ..	..	..	5	1	12	..	9	..	13	..	10	..	..	..	49	1
Offences against property—																
Theft and deceit ..	..	..	77	6	175	5	114	6	174	7	70	7	1	..	612	31
Mischief ..	..	..	6	1	10	..	3	..	3	..	7	..	..	..	28	1
Drunkenness ..	..	..	..	..	6	1	8	..	24	1	111	7	..	..	149	9
Vagrancy* ..	..	..	2	5	8	5	11	..	18	5	38	8	..	..	77	23
Other offences ..	..	..	12	..	68	1	70	2	133	1	119	7	..	..	402	11
Totals, 1935 ..	..	..	109	13	291	12	233	8	390	14	381	30	1	..	1,405	77
Totals, 1934 ..	..	..	103	8	323	19	262	9	411	22	418	51	1	..	1,518	109
Totals, 1933 ..	..	..	148	11	358	25	288	9	477	25	459	49	8	..	1,738	119
Totals, 1932 ..	..	..	178	18	426	22	365	8	537	24	613	60	6	..	2,125	132
Totals, 1931 ..	..	..	168	12	390	16	343	7	495	30	541	46	2	..	1,939	111

\* Including importuning, consorting with rogues, &c.

Table E.

PRISONS.—MAORI PRISONERS RECEIVED, 1935.

TABLE SHOWING THE NUMBER, AGES, AND OFFENCES OF DISTINCT CONVICTED MAORIS (MALE AND FEMALE) RECEIVED INTO THE VARIOUS GAOLS DURING THE YEAR 1935.

Offences.	12 and under 15.		15 and under 20.		20 and under 25.		25 and under 30.		30 and under 40.		40 and upwards.		Not stated.		Totals.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Offences against the person—																
Convicted on indictment ..	..	..	2	..	6	..	4	..	2	..	2	..	..	..	16	..
Summarily convicted ..	..	..	2	..	5	..	3	..	3	..	4	..	..	..	17	..
Theft and deceit ..	..	..	33	3	43	..	22	..	15	1	3	..	..	..	116	4
Mischief ..	..	..	1	..	4	..	..	..	..	..	1	..	..	..	6	..
Drunkenness ..	..	..	..	..	2	..	..	..	3	..	2	..	..	..	7	..
Vagrancy ..	..	..	1	..	3	..	1	..	2	..	2	1	..	..	9	1
Other offences ..	..	..	2	..	14	..	8	..	16	..	9	1	..	..	49	1
Totals ..	..	..	41	3	77	..	38	..	41	1	23	2	..	..	220	6



