

REPORTS OF ROYAL

7. Our attention has been called to the following places as proper for such Penal Establishments:—

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| 1. Taranaki, | 7. Kapiti, |
| 2. The Chatham Islands, | 8. Resolution Island (Milford Sound), |
| 3. The Auckland Islands, | 9. Stewart's Island, |
| 4. Quail Island (Port Lyttelton), | 10. D'Urville's Island, |
| 5. Mercury Island, | 11. Great Barrier Island, |
| 6. Picton. | 12. Oamaru: |

but we are not at present in possession of sufficient evidence to enable us to recommend, with any degree of confidence, the adoption of any one of the above-named places as the site of a General Penal Establishment. But in view of the great importance of the subject to the welfare of the Colony, and of the very large expenditure which must necessarily be incurred in the formation of such an institution, we would respectfully recommend that your Excellency should cause further specific local examination and inquiry to be made by scientific, practical, and experienced persons into the various matters affecting the eligibility of the above-mentioned places, or others which may hereafter be suggested.

8. That inasmuch as the preliminary preparations for founding a General Penal Establishment, and introducing therein a system such as the modern experience of Great Britain and other countries would warrant, must necessarily occupy a considerable period, and the mischiefs accruing from the existing state of things in the present prisons are imminent and accumulating, it appears to us absolutely necessary that the Legislature should without delay adopt measures for ensuring a large addition of accommodation and convenience in local gaols, and for producing uniformity of system throughout the Colony, by uniformity of regulations and by the general inspection of some duly qualified and independent officer of the Executive Government, or by such persons as may be deemed most capable of performing such duty.

That the extent to which, and the manner in which, the additions to, and the alteration of the present gaols should be made, with a view to their ultimate ordinary objects, ought to be determined by a Commission or Board, upon certain principles to be laid down by the Legislature; but that the following matters ought at all events to be provided for:—

- (1.) The separation of persons waiting for trial from those under sentence; and, among themselves, the separation of persons previously convicted from those not previously convicted.
- (2.) The complete separation of convicts under short sentences from each other, at the commencement and before the conclusion of their terms; and the administration of sharp punishment in the first period of the sentence by some of the methods now in use in the United Kingdom.
- (3.) The separation of juvenile offenders previous to their removal to a reformatory.
- (4.) Provision for separate punishment of females.
- (5.) Provision for some industrial occupation within the precincts of the prison.

9. That as a temporary expedient the convicts of worst character and those under longest sentences should be drafted from the various local gaols, into a ship or ships to be occupied as hulks, and to be posted at some place or places where work of great public utility can be done at once, near the sea and under circumstances affording little facility for escape.

10. That on the final adoption of a new system of punishment and prison discipline, it will be necessary that there should be a perfect understanding between the Administrative and Executive Departments as to the practical meaning and import of particular sentences; that the question of regular and casual remissions of punishment should be fully discussed by the Legislature; and assurance should be given, that the authority of the law and the discretion granted by it to the Judges should not be interfered with by apparently arbitrary exercise of the prerogative.

11. That a further inquiry is desirable as to the proper locality for one or more Penal Establishments, and the system to be therein adopted; into the means of improving the existing prisons of the Colony for the purposes to which they can be practically used; and into the conduct of prosecutions for indictable offences, and the management of the police; so as to ensure the adoption, at as early a period as possible, of an uniform, harmonious, and thoroughly effective scheme for the protection of life and property, and the maintenance of peace and order throughout the whole Colony.

We subjoin hereto a detailed report of our proceedings and of the grounds upon which the foregoing conclusions are based.

All of which we respectfully submit to your Excellency's consideration.

(L.S.)	ALEXANDER J. JOHNSTON,	} Commissioners.*
(L.S.)	C. W. RICHMOND,	
(L.S.)	C. E. HAUGHTON,	
(L.S.)	J. O'NEILL,	

Nelson, New Zealand, this fourth day of July, A.D. 1868.

No. 2.

DETAILED REPORT.

Documents consulted.

BEFORE proceeding to practical inquiries, we, the undersigned Commissioners, endeavoured by conference, correspondence, and the circulation of Memoranda, to ascertain some definite principles which should be assumed as the basis of our investigations; fortifying ourselves by the experience of the mother country, as evidenced by the testimony elicited and the reports made thereupon, in the proceedings of Royal Commissions and Parliamentary inquiries. Our attention was specially directed to

1. Colonel Jebb's Report in 1850.
2. The Report of the Committee of the House of Commons on Transportation, in 1860.

* One of the Commissioners, the Hon. Colonel Peacocke, was prevented from taking part in the Report for reasons mentioned *post* p. 6.