

Mr. Luckie.
21st Aug., 1878.

that a new building is and has for some time been seriously wanted. It ought to be a stone building, and, as there is a quarry within a very few yards of the gaol of excellent quality, there is no reason why a new gaol should not be built by the prisoners themselves.

743. Is there any distinction made in work between the penal servitude and ordinary hard-labour men?—Nominally, but not really. The labour generally is all of the one class; but a few men are kept at bootmaking, carpentering, or at blacksmiths' work.

744. Do you think it is advisable to keep penal-servitude men in the same gaol as ordinary offenders?—That is a large question; it is a matter of opinion, and I am not prepared to speak positively one way or the other. There are several difficulties in the way of a central prison. The long distance to be travelled from various points would render it exceedingly expensive. But I do not care to give an opinion on the subject without further thought. I can answer from my experience of the gaols at Nelson and Auckland that such a thing as classification, as it would be done in a large central prison, is impossible; but with greater conveniences than now exist classification could be effected.

745. Do you think Justices of the Peace are in a position to detect what is going on in a gaol in case of there being abuses?—Well, to be in such a position, they would require to visit more frequently than, as a rule, they do, or can be fairly called upon to do. At the same time they do their work with considerable thoroughness. There is the ordinary monthly inspection, and they visit intermittently as well. The monthly visit is a mere formal affair; but, speaking for myself, I have taken opportunities of speaking to the prisoners themselves occasionally. Charges have sometimes been made against officers of being too severe; but on careful investigation they have, with very few exceptions, proved to be groundless.

746. Do you think that in the case of misbehaviour on the part of the officers it would be possible for Visiting Justices to detect it unless it was pointed out by some one?—I do not think so, unless they were suddenly come upon. These things are generally looked after by the Gaoler, and the Gaoler at Auckland appears to be earnest in his work and trustworthy. Discipline and order are fairly and carefully maintained.

747. But suppose a case in which the Gaoler was concealing matters, would the Justices have any means of detecting wrong-doing from their mode of inspection?—If they took the bull by the horns, as the phrase goes, and went determined to look into everything carefully they ought in the long run to be able to detect anything that was going wrong, but it would be a difficult thing, because they would require to have suspicion aroused in the first instance; and improper conduct might be carried on for some time before it leaked out.

748. You say you know something of other gaols in the colony?—Only in respect to the Nelson Gaol, and that is from what I saw some years ago.

749. Is the discipline similar in those two gaols for instance?—The discipline in Nelson was never so stringent as it must necessarily be in Auckland, where the prisoners are far more numerous and the establishment much larger.

750. The same discipline is not carried out in all gaols then, according to your experience?—No, it cannot be done in the case of small gaols.

751. Are the regulations carried out strictly in Auckland?—I think so.

752. How is the mark system working?—Very well. It has had a good effect in reducing the number of offences by prisoners. They have not been so numerous during the last twelve months as before. There are fewer cases of malingering than there used to be.

753. *Mr. Tole.*] Do you think the system would be a fair substitute for punishment?—Withholding of marks is punishment in itself, and the prisoners do not like it. There was a case of malingering just following the removal of a bankrupt from gaol to comfortable quarters in the district hospital, which removal was effected on a Judge's warrant. In that case of malingering which was brought before me the prisoner lost a number of marks, equivalent to two or three days of his reduced time. This had the desired effect immediately.

754. Do you think that the marks are fairly distributed by the officers?—I believe they are. I have not heard of any complaints, though I have often asked if there were any. The old hands profess to be timid.

755. Do you think prisoners are afraid to give information to Visiting Justices?—I have never got any particular information myself, though I have frequently asked for it; but I do not think they would be afraid of the officers if they had any real grievance. A good deal depends on the manner in which the questions are asked. If you say off-hand in a formal way to a body of men, "Are there any complaints?" you will not get much information.

756. Are breaches of discipline among officers frequent?—No; I have not observed it.

757. What is your opinion with regard to the scale of rations? Has your attention been called to the matter?—I have frequently seen the rations, and it has struck me as rather odd that the diet is lowered to men who will not undertake hard labour, although their sentence has not entailed hard labour. So with marks. A man cannot earn marks unless he volunteers to undertake hard labour, though he may not have been sentenced to hard labour. Some men cannot; they are physically unable to perform hard labour, and this regulation is rather hard on them. It seems, too, an injustice, that hard-labour men who work out the sentences of the Court get better or more food than non-hard-labour men or women who also fulfil the measure and punishment awarded by the Court.

758. Are there any trades taught in the gaol?—No. Some men, such as shoemakers, carpenters, and so forth, work at their trades; but trades have not, to my knowledge, been taught in the gaol. I may mention that the women make all the clothes, or nearly all. The washing for the hospital and the asylum is also done in the gaol.

759. Are the rations sufficient in your opinion?—Yes, I think so; although a good deal depends on the build and appetite of a man. That which would be sufficient for one man would not be sufficient for another.

760. Is there too much of any particular kind of food?—I do not think so; there does not seem to be any waste.