

Hon. Captain
Fraser.
30th Aug., 1878.

1035. Do you think, supposing there was a gaoler who was taking advantage of his position, either with regard to the treatment of the prisoners, or with regard to the disposal of the stores or otherwise, it would be possible for the Visiting Justices to detect it when on their ordinary visits?—Yes; persons in the habit of visiting the gaol would soon know.

1036. Would you know it?—Oh, yes; I have been Visiting Justice so long that I should be sure to hear of it from one quarter or another.

1037. Do you think Visiting Justices are in a position to get information if there was collusion between the gaoler and his officers?—It depends upon the character of the Visiting Justices. Many men walk through the world with their eyes open, but they see not.

1038. You have visited other gaols in the colony?—Yes.

1039. Do you think the gaol system is similar throughout the colony?—No. I examined the punishment-book in Lyttelton the other day. The punishment there is much less severe than at Dunedin.

1040. Do you think generally the discipline is the same throughout the colony?—No.

1041. Do you consider a sentence of a given number of years is a similar punishment in all the gaols throughout the colony?—No. I would answer that question in this way: We were called upon not long ago to reply to certain questions put to the Visiting Justices throughout the colony with regard to task-work, some persons wishing to introduce it in Auckland; and I wrote to this effect: From climatic or other causes, that which would be considered in the Auckland Gaol as a sufficient task, would, in the Dunedin Gaol, be considered as "idling on the works," and punished accordingly. I consider that the best leverage for discipline in the Auckland Gaol would be to hold out the threat of the prisoner being sent down to the Dunedin Gaol to work out his sentence.

1042. Then, I understand, you consider the punishment is not the same?—No.

1043. Do you think a system of skilled inspection is necessary in order to have the gaols on a common footing?—No; I do not think it would be a good plan to have the gaols on one common level. There would be no emulation.

1044. Do you think it beneficial that the discipline in the different gaols is different?—I think it is a failing.

1045. How would you propose to remedy the failing?—By appointing a different set of Visiting Justices if necessary.

1046. But how could a Minister know if the Visiting Justices were not doing their duty?—By calling for the punishment-books.

1047. But that is not all that would be necessary. The punishment-book would not show what sort of discipline was kept in the gaol?—Yes; that is the point. I must say it is desirable the Government should know what discipline is carried out in every gaol.

1048. If there is no general inspection, how are they to do so?—That would be difficult to say.

1049. That is what I want to get at—whether, in your opinion, a general inspection is necessary? You are aware such inspection is highly thought of at Home?—Yes; I think there should be inspection. I know the gentleman who is Inspector in Ireland, and he is so valuable that they could not get on well without him. He has great powers intrusted to him in the way of punishing, including corporeal punishment.

1050. Well, that is my question, whether you consider inspection necessary? At present we are absolutely without inspection?—I say this, to have proper discipline throughout the colony probably it would be desirable.

1051. I need not ask you as to whether the Dunedin Gaol could be easily adapted for classifying, because you do not think it is desirable or necessary?—No; the Dunedin Gaol is quite large enough for all prisoners we have, and they are not increasing them. We are sending them elsewhere.

1052. You do not think it advisable that long-sentence men and penal-servitude men should be imprisoned by themselves and separately?—No.

1053. *Mr. Swanson.* You made one remark, I think, something to this effect, that a man had to do his work. That if a prisoner was sentenced to fourteen days' hard labour he had to do it, and that if he did not care about work and shirked it you would keep him in till he did do it?—Yes.

1054. How do you manage that?—By adding to his sentence under the regulations.

1055. Supposing he does not do it then?—Add to his sentence.

1056. Under what law can you do that?—Under the Act.

1057. Then, supposing a prisoner is ill, if the Visiting Justice does not happen to think so, the man can be kept in gaol indefinitely?—We have a doctor to say whether a prisoner is fit for work or not.

1058. Do I understand a man can be kept in gaol indefinitely?—"Indefinitely" is a wide term. If a man is guilty of malingering he can be kept in a long time. We think he should work out the whole of the hard labour he was sentenced to.

1059. Do you think that is right?—To a certain extent.

1060. Well, put it the other way. If you lay down a certain amount of work as a fair quantity for fourteen days, and a man does that work in less than fourteen days, would you then let him out?—Oh, no; that could not be done. I may mention that the most difficult prisoners we have to deal with are the short-sentence men. They say, "Oh! it is only for a fortnight, we will do as we like;" and, unless the Visiting Justices had some power to punish, these men would do nothing.

1061. You think if a man could do his work in half a day he should spread it over the whole day? Yes, that is better than his idling half the day. If a prisoner is capable of performing a certain amount of labour in half a day, we would expect that he did a similar amount during the other half.

1062. Then, you propose to bring all the strong men down to the level of the weaker men?—No, we expect a strong man to do a strong man's work.

1062A. *Mr. Brown.* I gather you are of opinion prisoners cannot be reformed?—I do not believe in prison reformation.

1063. Do boys often come back to gaol?—We send boys to the reformatory.