

1064. Well, say boys about eighteen?—They are generally the worst; crime is ingrained in them. I have known some of those who are about eighteen to be incorrigible. They evidently had the hereditary taint. *Hon. Captain Fraser.*

1065. *The Chairman.*] Now, as to young men; I will put a case to you. Supposing a man twenty-three or twenty-four years of age gets a short sentence, is it fair and reasonable that that man should be put into the gaol with old offenders?—The object is to make the prison deterrent; but, if it was a special case, it would be so treated. 30th Aug., 1878.

1066. At the expense of prisoners and prison discipline?—We look to the public good, and individuals possibly may suffer.

1067. Is it for the public good that a man once in gaol should be classed with the confirmed criminals?—If he is a criminal, he must be classed as a criminal, and may have the hereditary taint.

1068. Do you think that light offenders and short-sentenced men should be imprisoned with penal-servitude men or with long-sentenced men?—You mean young prisoners.

1069. Whether young or old, first offenders?—It is a difficult question to answer.

1070. Have you any other suggestion to make to the Committee?—Under the present Act an actual or an ex Resident Magistrate has twice the power of a Visiting Justice within the gaol. I consider that it would be very desirable that a Visiting Justice had the power of bringing any Justice of the Peace into the gaol, for the purpose of adjudicating on such cases as might be brought before them. I am of opinion that it is very desirable that a uniform system of deterrent discipline should be introduced into all the gaols of the colony. And if this can be brought about by the appointment of an Inspector who would be prepared to carry out a deterrent system, not a reformatory one, then, I say, that the sooner such an appointment is made the better.

1071. The discipline of the gaols at present depends greatly upon the ideas of the Visiting Justices?—Entirely; as the gaolers unfortunately have not the same powers as in England and Ireland.

1072. It depends on their ideas as to the proper measure of the punishment or otherwise?—Quite so; I may remark we have adopted the American plan, which I think a good one—that is, to punish for misconduct by reducing their rations.

FRIDAY, 30TH AUGUST, 1878.

MR. SHARP, M.H.R., examined.

*Mr. Sharp.*

30th Aug., 1878.

1073. *The Chairman.*] You are a Visiting Justice of the Nelson Gaol?—Yes.

1074. You have been in regular attendance of late there?—Yes; pretty regularly.

1075. What is your opinion as to the condition of the Gaol, either as to the means of discipline or as to classification?—The building is not large enough to admit of proper classification.

1076. Is the discipline good?—Yes; the discipline is good, so far as it can be maintained under the present system of classification.

1077. Is there any means of separating first offenders from others?—No.

1078. Do you think it advisable there should be such means provided?—Certainly.

1079. You do not think it advisable that first offenders should be imprisoned with old offenders, and mixed up together?—No.

1080. Is there any distinction made between penal-servitude men and hard-labour men?—No.

1081. Do you think a distinction should be made in the matter of work?—I think so.

1082. Practically, the sentence of penal servitude is not carried out, I understand?—No; I may say that we have a limited number of officers and warders; and it happens, too, with us, that there is only one kind of work to which the prisoners can be sent out.

1083. Do you know any other gaols besides Nelson?—I have been over the Wellington and Dunedin Gaols.

1084. From your experience, do you consider the discipline and punishment is the same in all gaols in the colony?—Decidedly not. It is not carried out in the same way in Nelson as it is in Dunedin, from what I have seen. I have not seen Canterbury.

1085. Do you think Visiting Justices have any means, by their own visits, to check any abuse that may exist in a gaol?—Yes; every prisoner can communicate with any Visiting Justice. It is our practice to invite them to do so; and, as a matter of fact, we frequently have communications from the prisoners sent through the Gaoler as well.

1086. Supposing a case in a gaol where a gaoler and the warders were in collusion to misconduct themselves, either as to the treatment of prisoners, or as to the management of stores, or anything else, do you think it possible for the Visiting Justices to detect such misconduct in that case?—They would in time, because the friends of prisoners are allowed to visit the gaol, and it would come out through them, if it did not come out in any other way. Of course, if the gaolers and warders were in collusion it would repress the prisoners very much; but I think matters would come to light in the way I have described.

1087. But if there was a system of visitation by a superior officer, under whom, subject, of course, to the control of the Minister of Justice, the whole gaols of the colony were placed, it would virtually prevent such abuses ever creeping in. Do you think that such an inspection is necessary?—It has been my opinion for a long time that it would be desirable to have them under a more rigid system of inspection.

1088. Do you think it would be advisable to draft penal-servitude men out into a separate gaol?—I think so. I would like to see this with reference to penal-servitude men. Although, of course, these men may come up here as first offenders, it is quite possible that they may have had a very bad character elsewhere before they came here.

1089. Are the regulations strictly adhered to in the Nelson Gaol?—Yes, as far as they possibly can.