

1082. A person under the Police Offences Act must be drunk in a public place, must he not?—Yes.

1083. Suppose a policeman is drunk in the barracks, does he not commit an offence under the Police Offence Regulations?—Yes. But you must prove him to be drunk, according to the Police Offences Act.

1084. Under the Police Regulations?—What I say is this: that the Police Offences Act defines the drunkenness or makes it an offence, the same as the Indictable Offences Summary Jurisdiction Act larceny, &c. It must be proved according to the Act.

1085. Is it not necessary to prove a case of drunkenness under the Police Offences Act—that a man must be drunk in a public place?—Yes.

1086. Well, under the Police Regulations, if a man is drunk on private premises he is equally liable as if he were in a public place?—Yes; but at the same time I do not know how he could be fined.

1087. The Police Offences Act has no more to do with the jurisdiction of a Magistrate under that Act than it has in the case of felony. They are altogether distinct.

1088. *Mr. Hardy.*] It is not necessary to punish a policeman under the Police Offences Act. You could punish him under the Police Regulations?—Exactly.

1089. *Commissioner Tunbridge.*] The Inspector must, or should, know that he has power to refer any case under Regulation No. 62 to the Magistrate to deal with?—Yes. But what I say is, the state of drunkenness must be according to the Police Offences Act for the Magistrate to deal with.

1090. If you can kindly produce the Police Offences Act or any other statute existing in New Zealand or in any other part of the world to clearly define drunkenness you will confer a benefit on humanity generally. Can you show us where drunkenness is defined?—No. We know all over the country a Magistrate would require it to be proved that a man was drunk. Mr. Beetham's definition was that if a man had so much liquor that he acted differently to what he usually did he would consider him drunk. I wish to state that a police officer can be punished for being slightly under the influence of drink, whereas a Magistrate would not convict in that case.

1091. Would not a man if slightly under the influence of drink be committing a breach of the Police Regulations?—Yes.

1092. Has not the Magistrate power to deal with any breach of the Police Regulations?—I think he has. I wish to make the distinction between the dealing of a Magistrate and the dealing of a police officer. The Magistrate requires proof that the man is drunk, whereas the police officer punishes him for being under the influence of liquor even slightly, because he would not be fit to go on duty in that state.

1093. There have been several of your statements in your report questioned, have there not?—There was a statement made to-day somewhat differing from mine.

1094. Mr. Bannehr questioned one to-day?—Yes; but I will explain that.

1095. The statement about the Postboy Hotel has been questioned?—I do not think so. I was questioned upon it, but I do not know that anybody said anything to the contrary.

1096. The truthfulness or otherwise of Mrs. Hall has been questioned, has it not?—I cannot help that.

1097. Have not some of your statements in the reports been seriously questioned?—I do not think so, except what Bannehr said to-day. Two members of the Committee said that they would not believe Mrs. Hall would tell an untruth. Perhaps under ordinary circumstances she would not, but any one who is intelligent enough can understand that many women do not care to be mixed up in abortion cases.

1098. You are rather prone to put into your official reports matters perhaps that on consideration had better be left unsaid?—I am not aware of it.

1099. One occurs to my mind just now. Did you in a report recently submitted gratuitously use these words: "I find the Maoris dreadful people to deal with. The Chinese cannot hold a candle to them in lying and thieving"?—I did.

1100. Do you think a statement like that is one that one should take for what appears on the face of it? Do you think it would be reasonable for this Committee, or anybody else who knows the Maori race, to accept a statement of that description as a reliable one and one that properly expresses the general opinion of the community?—I do. But I think it is a most improper question to come from you, the Commissioner, when a report is made for you only.

1101. I submit I have a right. I led up to it. How, in your opinion, does the conduct of the Force compare with the conduct of the Force five or six years ago?—Do you mean as a whole?

1102. Yes?—I consider it compares very fairly with the conduct of the New Zealand police of that date.

1103. You say you think that as a whole the conduct of the New Zealand police at the present date compares very favourably with the conduct of it five or six years ago?—I do.

1104. Well, now, would you expect that if I, as Commissioner, were in the habit of imposing punishments that were not commensurate to the offences?—I would not.

1105. As a matter of fact, does it not follow that if the discipline of the Force had been too easy it would not have improved under my *régime*?—Well, at the time you came here, Mr. Tunbridge—since you came here, I might say—the Police Force got such a shaking-up that it made them all careful in any case.

1106. *The Chairman.*] They have improved?—Since certain charges were made against a number of them.

1107. *Commissioner Tunbridge.*] You would not expect that if my management of the Force had been a lax one?—Well, I will say freely that I believe you did good to the Police Force in New Zealand.