

work. Many of the witnesses also stated that they are dissatisfied with the administration, and feel a "sense of insecurity" as regards their position, which has apparently been accentuated by the agitation culminating in the signing of the various petitions referred to in the evidence. And it is the connection of John Kennedy with this agitation, and his actions and statements with reference thereto, that form the subject of this inquiry so far as he is concerned.

The case of Davis (the baker) is to some extent mixed up with that of Kennedy, both men being charged with being "untruthful and untrustworthy."

The question as to whether these attendants and employees at the Asylum are within their rights in approaching members of Parliament, getting up and signing petitions and round-robins for the redress of their grievances, is one upon which I am not called upon to express an opinion. But it seems very clear to me that an agitation such as the one disclosed in the evidence attached is calculated to have a most injurious and prejudicial effect upon the strict discipline which it is of the first importance to preserve in an asylum. A very large majority (twenty-two out of twenty-six) of the attendants on the male side are in a state of unrest; and should this state of things continue the authority of the Superintendent must be very considerably weakened. Both he and the attendants will be hampered in the discharge of their several duties, and the result must be detrimental to the well-being and comfort of the inmates of the institution—a matter before which all other considerations sink into insignificance. This being the case, if it can be shown that any person has made himself unduly prominent, either by fomenting such an agitation, or, by reason of his seniority in the Asylum, has attempted to exercise influence over those junior to himself, or has made false statements or misrepresentations to his superior officer regarding any such agitation, then that person should at once be removed from his sphere of influence; he is a standing menace to the well-being and proper working of the institution.

The conclusion at which I have arrived from the evidence before me is that John Kennedy is such a person, and that his suspension should be followed by his services being dispensed with.

Whether the attendants were justified or not in approaching members of Parliament with the view of redressing their grievances, it is quite clear that Kennedy had doubts on the subject, because he denied to the Superintendent that he had approached or interviewed any member of Parliament on matters concerning the working of the institution; whereas, in truth and in fact, he with others had done so. This justifies the charge of the Superintendent that he was "untruthful and consequently untrustworthy." Kennedy himself says, "I did not admit going to members, because I had the impression that I was being made a scapegoat over the whole matter."

It is further alleged that Kennedy was untruthful as to his visit to the bakery. I will deal with that in considering the case of the baker.

As regards Kennedy's untruthfulness in denying his interviews with members of Parliament, it seems to me if the Superintendent is to be hampered in his management of the institution by the falsehoods of those in a position of responsibility, whom he should be able to trust, it is a very serious matter, more especially in this instance where he was trying to get to the bottom of an agitation which was seriously undermining his position and his authority.

It appears from the evidence that the agitation took the form of informal meetings and conversations, in the course of which Kennedy was elected as secretary; that he drew up these petitions—as he says, "formed them and pieced them together with the approval of the other attendants" (*vide* page 15 of evidence); that most of the signatures were obtained at his instance and under his supervision; and although the attendants called by him strenuously support him in the action he took—I cannot blame them for their loyalty in that respect—I am satisfied that he, so to speak, engineered this agitation and was the moving spirit in the whole matter.

As I have said before, he must have known that his actions and the actions of those who followed him were inimical to the welfare of the institution, because he lied to the Superintendent when taxed by him with having fomented this agitation. The position of seniority in which he was placed only renders his conduct more reprehensible. He should have known, and no doubt did know, that the ordinary and proper course of procedure was to approach the Minister through the Superintendent. There would then have been no necessity for secrecy, or double-dealing, or lying on his part.

IN THE MATTER OF THE DISMISSAL OF CHARLES EDWARD DAVIS, BAKER.

The suggestion here is that an article appearing in the *Lyttelton Times* on the duties of the baker was the result of an interview between Kennedy and Davis in the bakehouse; and it is further suggested that both Kennedy and Davis have been "untruthful" in their statements to the Superintendent when questioned as to the visits of Kennedy to the bakehouse. There is really no evidence bearing on this matter excepting the statements of the parties themselves, and I think it probable that there was more misunderstanding than lying as regards the occurrence. There is certainly no evidence to bear out the suggestion that the information obtained by the *Lyttelton Times* was supplied either by Davis or by Kennedy. Both parties agree in the statement that Kennedy went there (to the bakehouse) to borrow a lead pencil, and it is impossible to prove that it was not so.

The Superintendent states that one ground for the dismissal of Davis was that he was "unsuitable." As regards that, the Superintendent is, no doubt, on the whole, the best judge; but he (the Superintendent) says (page 16 of evidence) that "the bread is better now." Possibly it may continue to improve if the baker should be reinstated, which course I beg to recommend.

I attach to this report three copies of the evidence and statements made to me, also the documents and papers referred to during the investigation, and two carbon copies of this report.

The Hon. Mr. Hall-Jones, Wellington.

I have, &c.,

RICHMOND BEETHAM.