

Territorials. We do not get fines back into our Department, so that we are spending but getting nothing in return, and the whole question of detention is most unsatisfactory. Either revert to civil punishment, or we must have a special department to deal with detention.

41. If a military department were added to the Prisons Branch in some way?—It would ease us entirely. You see, the detention department is a quite separate organization in itself; it is not carried out by soldiers at all.

42. *Hon. Mr. Anstey.*] I understood, in reply to the Minister, that you said our system was similar to the English: is it not a fact that the English system is a voluntary one?—Yes.

43. Very well, our system is compulsory. In England if a man has a conscientious objection he need not join; here he must join, and he must violate his conscientious conviction. The two positions are not alike. In England a man voluntarily binds himself, including military punishment; but here the position is different?—If you are to have a military organization it is quite impossible to run that organization and run it efficiently unless it is governed by certain rules and regulations.

*Hon. Mr. Anstey.* I am not asking that point at all, Colonel. I understood you to say that the Military Defence Act is a civil Act: then offences are civil offences. These people say they have conscientious objections: I think I understood you to say that you have really no alternative except imposing military punishment, which still further violates their conscientious objections—there is no alternative. Having committed a civil offence, the punishment ought to be civil, or the whole thing ought to be placed under the military law. Clearly, now, there is a civil offence and there is no alternative but to impose military punishments, which still further violates the conscience. We have to devise some means for punishment for a civil offence.

44. *Hon. Mr. Smith.*] Do you think it is reasonable to make the performance of that duty a part of his punishment? Do you think it is a reasonable thing if a man is subject to punishment for a certain offence to make the performance of that which he is punished for not doing part of his punishment?—Well, it is rather a peculiar position. His duty is to obey the regulations while in detention. One of those regulations is that he shall do a certain amount of drill. Presuming that he is a soldier he may go in there because he has refused to drill. Well, that is only part of his punishment.

45. Well, of course, I do not dispute your duties, but I ask, given a conscientious objector, do you not think we get to an impossible position?—Yes, but that presupposes that you recognize his right to having a conscientious objection. At present there is no such recognition. His conscientious objection, according to law, is not recognized. You have to deal with him according to law.

46. Can you make these people drop their conscientious objections and drill—are you likely to be able to make them do that? Is it going to pay?—Well, no, it is not; but the presumption is that if these lads in Ripa Island can be successfully insubordinate it encourages lads of the same kidney to become insubordinate also, and the consequences are that in Christchurch you have a very large number of passive resisters who are opposed to any form of military work, not from conscientious objections, I think, but they find that they can evade military service and also not be punished. I think, if you recognize conscientious objections—which I do not mean to advocate entirely—you should find these conscientious objectors adequate and other kind of work, but ensure that they do that work: then I think you would find their conscientious objections would very soon disappear. There is, however, danger in recognizing conscientious objectors as such.

47. *The Chairman.*] You think this system at present very unfair to the military authorities?—Yes.

48. Suppose the military authorities were able to try the cases and award the punishment, do you think the country would accept that situation?—Well, I have my doubts. I do not think the country is sufficiently educated yet in military matters. Of course, in England it is different; it may be voluntary, but that is not the point. The point is that we deal with our own cases; we have our own courts-martial. There are no deputations and complaints about men in detention—nothing of that sort.

49. *Hon. Mr. Smith.*] If you did recognize conscientious objections, and impose alternative services, would you not cut the ground from the shirker?—Yes, sir, provided that you had an organization which would ensure that they did their alternative services, and did it as it should be done; but we cannot undertake that.

50. *Hon. Major Harris.*] How are you going to find out what are genuine conscientious objections?—It is a very difficult matter. You cannot get inside a man's head and mind to determine whether his conscientious objection is really a conscientious objection or whether he is shirking or malingering. Take the Swiss system: there are there people exempt from military service, but that does not free them from liability to do something for their country. Every man who is exempt from service in Switzerland has to pay a sum in proportion to his income, so that he does not get out of it.

51. *Mr. Veitch.*] Well, that would enable the rich man to buy out?—Yes, but the exemption is limited. Only for certain good reasons is he exempted.

52. Is it not a fact that nearly all the drill there is done on Sundays?—A great deal of it. Switzerland is a very democratic country, and they do far more service than we do, and there is not much objection.

53. In your experience of the objections, do they come mostly from the employers or from the men?—Well, of course, we can deal with the employer who objects; according to the law the employer who prevents his employee from rendering personal service can be dealt with. The parent is in a great many cases the influence that acts on the young man and prevents him from