

the causation of whose offence some mental disability entered. It was deemed that this was especially so in the case of many sexual offenders, and the Board passed a resolution suggesting that such persons should be placed under separate observation and receive any medical or surgical treatment indicated.

The Prisons Department have under consideration a separate institution for the class of cases discussed, and I would advocate building in connection therewith an annexe for certain criminal patients in our mental hospitals—persons needing not only medical but also strict custodial treatment. Some years ago, a building known as “Larnach’s Castle,” on the Otago Peninsula, was purchased for this purpose, and arrangements were under way for carrying-out the necessary adaptations when the scheme was abandoned in response to hostile local pressure.

For the most part, persons accommodated in such an institution will be held mainly during the pleasure of the Minister of Justice, having been “acquitted on the ground of insanity” by a jury. I would like to make some remarks regarding the proceedings under which this verdict is returned. Where there is no conflict in respect of facts and deductions there would be no difficulty—a rough-and-ready agreement would be come to, followed by an obvious verdict; but where doubt exists, the persons weighing the technical points should have some knowledge in regard to them and their value and bearing.

In marine cases the law does not consider that the judicial authority can decide upon technical questions, and it is assisted by Nautical Assessors; but in cases involving responsibility of mind, generally more obscure and needing more technical knowledge and trained insight, there is no independent alienist to advise the Court.

It is not possible for a subject, which has taken the witness years of study, to be imparted to persons hearing it for the first time in the short duration of a trial, and naturally they will be influenced as much by the demeanour of a witness testifying to the truth as he sees it as they would be by the demeanour of ordinary witnesses when estimating their credibility and the value of their evidence. I am scrupulously trying to avoid reference to a recent case, and am dealing with the general question. Under existing circumstances, if a prisoner is to get the benefit of an alienist’s opinion his counsel must draw upon our present or ex-medical officers, and so also must the Crown to meet the defence. As a rule there will be no material conflict; but, should there be, the jury has the grave responsibility of deciding to the best of its ability. I think it is essentially wrong that evidence of this nature should be made a matter of sides, each placing before its experts the history of the case and other factors, often differing, and that these expert witnesses should continue in separate camps, because one side or the other has had divulged to it matters which are at that stage confidential, a procedure which, whatever may be the facts, tends to produce on the mind of the jury an idea of partizanship. I am of opinion that when the defence of insanity is to be raised due notice should be given as early as possible, and the accused be placed under skilled observation; that a Board should be appointed to examine him and report to the Judge, who, if any matter seems to him to require further elucidation, may call for a report from the Board, with or without further examination on its part. The Board should consist of three, and the report be the majority report. All depositions should be placed before this Board, and should it report that the accused is responsible, the defence of insanity would be disallowed; if, on the other hand, the accused is reported to be *non compos mentis*, the trial could go far enough to establish that he committed the alleged act. This would do away with the subsequent-to-verdict examinations which are a fairly frequent feature at present.

I have before dwelt on the therapeutic value of work in the gardens, orchards, and farms, with the sense of spaciousness and freedom which they convey. Apart from this important aspect, it must be acknowledged that the day’s work of individual patients is not great, but its aggregate over a number of years has made our estates very beautiful, and the land more productive and an increasingly valuable asset. The estates vary in size, in the nature of soil, in the fields being near or scattered, and neighbouring the buildings or otherwise—factors which influence working-expenses, including salaries. Then, at some institution it is necessary to lease land, and the rent is a charge against the receipts. Farm horses and labour are employed for general cartage, for which the farm account is not credited. This has pressed rather heavily on Tokanui, where so much carting has to be done. That institution is in the early stages of developing a milking-herd, and in this respect is at a disadvantage compared to the institutions where we possess herds of high repute costing no more to feed.

The general result of the year’s operations is satisfactory, for our farms, as shown in the following statement of expenditure and revenue, yielded a credit balance of £13,000

Expenditure.				Receipts			
		£	s. d.			£	s. d.
Salaries and wages	..	9,235	2 3	Cash sales	..	15,216	14 8
Feed	..	6,122	0 1	Produce consumed	..	25,154	0 7
Seeds, manures, &c.	..	2,951	2 2				
Implements, repairs, &c. ..	..	1,359	11 1				
Stock	..	3,308	14 8				
Rents, rates, &c.	..	1,897	0 11				
Fencing, roading, &c.	..	574	5 10				
Harvesting, &c.	..	642	1 4				
Railages	..	192	4 3				
Buildings	..	91	9 6				
Sundries	..	964	7 9				
Balance	..	13,032	15 5				
		£40,370	15 3			£40,370	15 3

In Table XVIII is a statement of the average cost of each patient per annum given in detail. It will be seen the gross average was £75 2s. 5½d., a sum which exceeds the cost of the previous year by £13