

*Mr. Pearce.*

15th Aug., 1878.

456. For whose benefit?—The Gaoler's.
457. But is there room enough in the Gaoler's garden to grow produce for the use of the gaol?—The garden might be extended.
458. Could any more land be got, and would it be an advisable thing?—The suggestion is new to me; but I think if the prisoners could be taught agriculture and gardening the knowledge might be useful when they come out.
459. We should like to have any suggestion you would like to make to the Committee on any question of importance that may strike you from your experience?—Improvements within the gaol can hardly be carried out without more accommodation. The discipline at present I believe is almost perfect; there are no complaints to speak of, and altogether I think that the Gaoler here performs his duty admirably. If he had more accommodation for the purpose of classification great improvements might be effected, and men might be put to more trades than the one of shoemaking.
460. If the long-sentence prisoners were drafted out of that gaol would there be room for ordinary offenders?—It would improve it very materially, and there would be room for prisoners committed for trial, and who ought to be kept separate from those who are convicted.
461. Is there no means of keeping prisoners committed for trial separate?—None whatever.
462. We understand that there is no provision for such a case as imprisonment for contempt of Court?—No; but in the only case that has occurred since I have been Visiting Justice we were able to keep the prisoner entirely separate from the ordinary criminals, because we had the debtors' room.
463. We were told that in one instance the person imprisoned objected to being put with a debtor, who was then removed to a cell. Do you know anything of that?—No; I did not know he was put into another cell.
464. We were told the prisoner objected because the debtor had a dirty face; and, to make matters quiet, they put him into another cell?—I do not know that.
465. *Hon. Mr. Fox.*] I want to ask your opinion on another matter as an experienced Visiting Justice. We have had a statement made to us by a member from the Provincial District of Auckland, that although they had active Visiting Justices there, they utterly failed to discover a long series of transactions of a very gross character—frauds relating to rations; and that they went on to report that everything was satisfactory, until at last a Committee of the Council was appointed to investigate, and they discovered a state of affairs very discreditable to the governing authorities—that flagrant offences had been committed by the authorities of the gaol. When you inspected the gaol was your inspection of a character which would enable you to discover any sort of mal-administration, except what is entirely on the surface; have you any means of going into details with reference to transactions where there might possibly be some fraud or mal-administration of any sort?—I confess I cannot understand how fraud can be committed by any officer in the gaol. The rations are supplied according to scale, and the providore has to send in returns according to the number of persons who are at the time in gaol, and he has to send in vouchers for the Visiting Justices to sign.
466. Then there is no audit?—I confess I do not know how any officer of the gaol could get any benefit by making a false statement of accounts, unless in collusion with the providore; and then it would be very difficult, because the gaoler would have to make false returns of the number of persons within the gaol.
467. I suppose you do not make any scrutiny sufficient to enable you to discover anything that may be purposely concealed?—I cannot see how the officers of the gaol could make any false returns that would not be discovered.
468. *Hon. Mr. Fox.*] In Auckland, the whole thing appears to have been so bad that the officers were dismissed right and left. The wonder to me is how any such transactions as described by Mr. Swanson could have escaped the notice of the Justices?
- Witness.*] Had that reference to the sale of articles within the gaol?
- Hon. Mr. Fox.*] One of the things he alluded to was the wholesale disposal of coal, firing, straw, and kerosene.
- Witness.*] That, surely, ought to come within the cognizance of the Store Department.
469. Are you aware whether, since the abolition of the Store Department, there has been any other system of checking the stores of the gaol?—No; I am not aware.
470. *The Chairman.*] We gather by the previous evidence that there is none; and that since the abolition of the Store Department the Government have not initiated any new system?—It never occurred to me that the Visiting Justices were bound to attend to the business of the stores. I always thought that the Government would deal with that through their own officers.
471. While the Store Department existed the stores were checked by them?—They were.
472. And since then there has been no surveillance?—I am not aware. I never looked upon it as part of my duty to keep any tally of stores. I should say that since I have returned from England, during the past six months, I have not attended at the gaol as often as I used to do; but I have been up occasionally, partly by appointment with the Gaoler, to deal with small cases of trivial offences, and partly to see that affairs were in order at the gaol.
- Hon. Mr. Fox.*] The inference which Mr. Swanson intended to be drawn from the state of the Auckland Gaol was that Visiting Justices are quite unnecessary, as it is impossible for them to make such an examination as would be of any value. That is not my own opinion. Even if they cannot discover cases of gross fraud, which might be purposely concealed, there are a large number of duties which they can perform?
- Witness.*] I think so too. I think it would be very wrong that the gaols should be without Visiting Justices.
473. You would not think of handing the whole thing over to the gaoler?—No, not even if a Government officer were appointed. There should be Visiting Justices, not only to protect the Government officers, but the prisoners themselves.
474. *The Chairman.*] Have the prisoners every facility for complaining to the Visiting Justices?—They have.