

1903.
NEW ZEALAND.

CASE OF MR. J. J. MEIKLE

(STATEMENT BY THE RIGHT HON. THE PREMIER RELATIVE TO).

Laid on the Table by Leave of the House.

STATEMENT RELATIVE TO THE CASE OF MR. MEIKLE.

HONOURABLE members will recollect that when the report of the petition of James Meikle was brought up the Premier promised that the Government would go fully into the case and would make an announcement to the House as to what the Government proposed to do in the matter. This announcement has not been made at an earlier date because the Government was desirous of giving the fullest consideration to all the circumstances, feeling that a matter of such importance should not be dealt with hastily.

I may say that Mr. Meikle's case has caused the Government much anxiety. We have desired to hold the balance evenly—on the one hand, not to do a wrong to the petitioner; on the other, not to ask Parliament to create a precedent that is fraught with the gravest possibilities.

I need not detain the House by recapitulating the facts of Meikle's case, but I must refer to the report of the Committee of 1895 on the first petition presented to Parliament. That Committee reported that it was of opinion that, after eliminating Lambert's evidence, there was not sufficient evidence to warrant Meikle's conviction; that his request to have his name removed from the prison records merited serious consideration; and that the Government should pay him a sum of money by way of compensation for his losses, for the legal costs incurred, and for the imprisonment he had suffered. I wish the House to note that no subsequent Committee has gone further than this report. Well, the Government has complied with one out of the two recommendations of that Committee—that is to say, it has paid £294 16s. towards the legal costs incurred, and a sum of £500 by way of compensation. The only question that now remains to be settled is the erasure of Meikle's name from the penal records.

I do not purpose to enter upon the question of Meikle's guilt or innocence; I merely point out that the conviction of Lambert has not finally and conclusively proved Meikle's innocence. The most that can be said is that if Lambert's evidence had not been given the chances are that the jury would have acquitted Meikle. His case, therefore, stands on a different footing to those cases in which it has been conclusively proved—either by the confession of the real offender, or by a series of circumstances absolutely negating the possibility of guilt—that the wrong man has been convicted.

To remove Meikle's name from the penal records would require an Act of Parliament. It would necessitate the cancellation of the record of his conviction in the Supreme Court, the erasure of his name from the prison registers, and would generally involve an extensive mutilation of the public records of the colony. And for what purpose? If every public document bearing the name of Mr. Meikle were cancelled or destroyed to-morrow it would not alter the facts. The newspapers containing the accounts of his trial cannot be destroyed, nor can the *Hansard* in which appear the debates on his case. If the public records are mutilated, Mr. Meikle will not be one whit in a better position than he is to-day, except in this important respect: that if Parliament solemnly declares by statute that he is an innocent man, beyond laying the foundation for a further claim for compensation no other good purpose would be served, and this would probably stimulate others to appeal for a statutory declaration of innocence.

I am of the opinion it would be highly improper to mutilate the public records of the colony by cancelling the record of Mr. Meikle's conviction in the Supreme Court, and the erasure of his name from the prison registers and records of the colony; and not only these records, but the records of Parliament, petitions and reports, and *Hansard*, all set forth the fact of the imprisonment Mr. Meikle has suffered. Again, there are the reports which have appeared in the Press—in fact, the suggestion as to the removal and erasure from public records is impracticable; and if every public document or record were destroyed, the facts would remain unaltered.

In justice to Mr. Meikle and his family, however, I am of opinion that, as Lambert, the principal witness against him at his trial, was subsequently convicted of perjury, printed slips stating this and other facts favourable to Mr. Meikle's innocence might be inserted in the pages of the records, and attention would be thus drawn to the matter. This would meet what I understand Mr. Meikle and his family desire—namely, that had it not been for the evidence of Lambert Mr. Meikle might have been acquitted of the charge upon which he was convicted.

It is well that the House and Mr. Meikle should clearly understand that what I have hereinbefore suggested is done with a view to placing the facts clearly and impartially before honourable members, and any attempt to obtain further compensation would be strenuously resisted, seeing that with the full facts before it, after inquiry and on the recommendation of a Committee of this honourable House, the Government offered, and Mr. Meikle accepted, the sum of £500 by way of compensation, together with the sum of £294, legal costs incurred.

R. J. SEDDON.

Approximate Cost of Paper.—Preparation, not given; printing (1,250 copies), 17s.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1904.