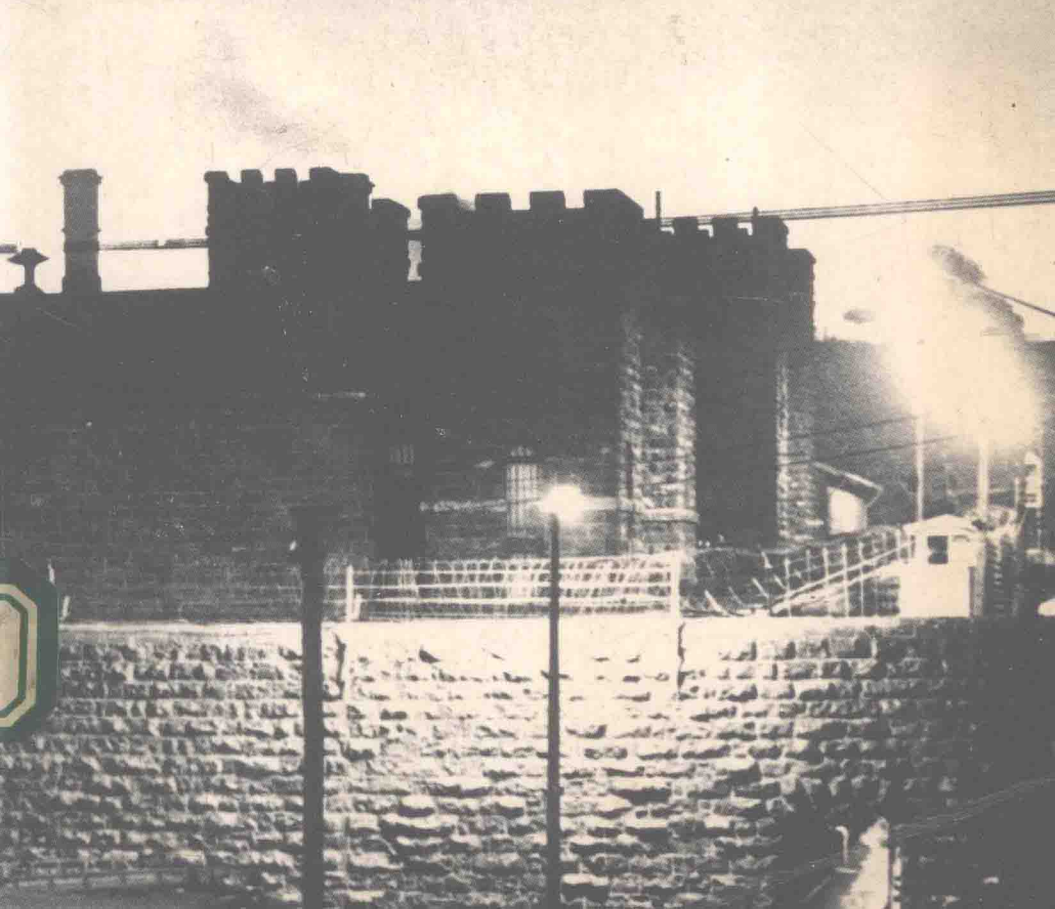


PUNISHMENT & POLITICS

Maximum Security Prison
in New Zealand

GREG NEWBOLD



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PREFACE

One fine afternoon in the winter of 1975, detectives kicked the door down. The next day, sitting in the cold stone cell in the old gaol at Mt. Eden, I began to wonder about the history of the maximum security prison.

Until now nobody has ever documented the varied and intricate sequences which have informed the development of the security prison in New Zealand. Instruction about what has gone on in our prisons has been largely restricted to official reports on specific matters and the selective folklore of old timers. The years pass and the memories of the old lags and the screws who worked with them fade, as surviving numbers steadily dwindle. Piece by piece, the history of the prison is lost.

In the spring of 1975, not long after my entry to the top custody institution at Paremoremo, Auckland, I began the research which ended twelve years later with completion of this book. Five years in gaol talking to inmates and studying their culture for an MA degree, preceded six years of doctoral research at the University of Auckland. It was during the latter period that the bulk of material contained here was collected. Perusal of the century of parliamentary debates and departmental annual reports gave foundation to the reconstruction of the past. This was supplemented by coverage of significant events in the back-files of the nation's major press offices and data from official and archival files in Wellington. Some sixty former inmates were contacted, as well as prison staff, head office personnel, Ministers, and professional and voluntary workers. In all, over a hundred individuals were spoken to, sixty in formal recorded interviews. Transcripts from the interviews total more than two thousand pages; my personal notes another four thousand. It is from these that this book has been written.

When I set out to compile this history I did so with three objectives in mind. First of all, I wanted, for the first time, to chronicle the matrix of events which have taken place in the security prison of New Zealand, especially over the last forty years. Secondly, I wanted to situate those events in relation to complex interacting forces. The principal factors which motivate change in a penal system are those operating at inmate, local administrative, head office, and political levels. However, the correspondence of these, in turn, is sensitive to factors such as population pressure, economics, public opinion, international trends, and even a good measure of chance. An ambition of this project was to place these variables in contexts which could illustrate how each of them contributed to the development of the lock-up.

The third major goal of this research was, having painted a picture of the prison in evolution, to comment on New Zealand developments in relation to those overseas. While New Zealand has frequently looked abroad for directions in policy, it has also shown a willingness to experiment on its own. Likewise, although the social system of inmates shares much in common with those in Australia, England, and the United States, it has a strong local flavour as well. A purpose of this work was to indicate areas of similarity and difference and to consider why the situation is so.

It is probably commitments of time and expense that have prevented such an exercise from taking place before, and which make another unlikely in the future. However, the information I have collected is precious not only in that it encompasses an interesting aspect of New Zealand's mortal and degradable past, but because of its relevance to circumstances today. Without knowledge of a system's background, its course cannot be steered properly. Just as genetic engineering is impossible without a grasp of the mechanics of inheritance, so is the future of the prison unpredictable without awareness of its executive structure. In fact almost every sociological enquiry into prison unrest since 1950 has emphasized the importance of analysing the administrative foundations. The value of such attention has been recognized by the New Zealand Justice Department for almost two decades. In 1960 an official publication commented on the need for a study which would:

... involve prison administration from the most senior personnel to the prisoners themselves. Recent studies on the sociology of institutions have revealed the importance of personalities, interactions, tensions and role conceptions of the people involved. Studies of this nature would help iron out many difficulties and mutual misconceptions which traditionally exist between theorists, researchers and senior officials, and prison staff. (Dept. J. (1970b) 2.)

Currently the penal system of New Zealand is in a state of crisis, and perhaps at no other point has research of this type had more occasion. Prisons are so overcrowded that police cells have been gazetted as temporary gaols and inmates have been released before their time. In the system generally and in maximum security in particular, relationships have deteriorated to the point where almost one in four inmates needs some form of segregation and 9 per cent are in protective custody. The conditions I described in the book about my prison experiences, *The Big Huey*, have vanished. The rate of self-mutilation and suicide has rocketed. The Department of Justice can only speculate about the causes of this situation and is labouring hard to discover remedies. However, the prison is no stranger to adversity, and today's difficulties result partly from accelerating change. No change, it is said, can be made without inconvenience, and prisons are for ever evolving. The value of this critique, then, is that an unravelling of the past can help identify the hazards of the future. It might be too much to hope that durance vile will ever service inmate reform, but attention to historical detail may at least inspire policies which are practical to run.

Greg Newbold
October, 1988

ACKNOWLEDGEMENTS

To examine the history and politics of the New Zealand maximum security prison was an idea I first had while awaiting trial at Mt. Eden gaol in 1975. The desire was not fulfilled until nearly six years after my release, sixty-three months hence.

Failing the insight of a long period of confinement, this project could not have come about. However, inimitable though the instruction of experience might be, few scholars can organize lengthy research programmes without the significant help of others. Such has been very much the case here.

Contacts and friendships I made in gaol were crucial to the creation of this history, and although too numerous to nominate, I must acknowledge my deep indebtedness to the former inmates, Justice employees, politicians, and independent workers who made themselves available during the data-collection period. It is their personal contributions which have drawn the facts of the security prison's progress into lively, often dramatic, relief.

In addition to firsthand material, primary documentation has proven invaluable in reconstructing the eras with which I have been concerned. Accordingly I would also offer my special thanks to the library staff at *The New Zealand Herald*, at News Media Ltd., and at Wellington Newspapers Ltd. I could not have done without the generous access they gave me to back-file resources.

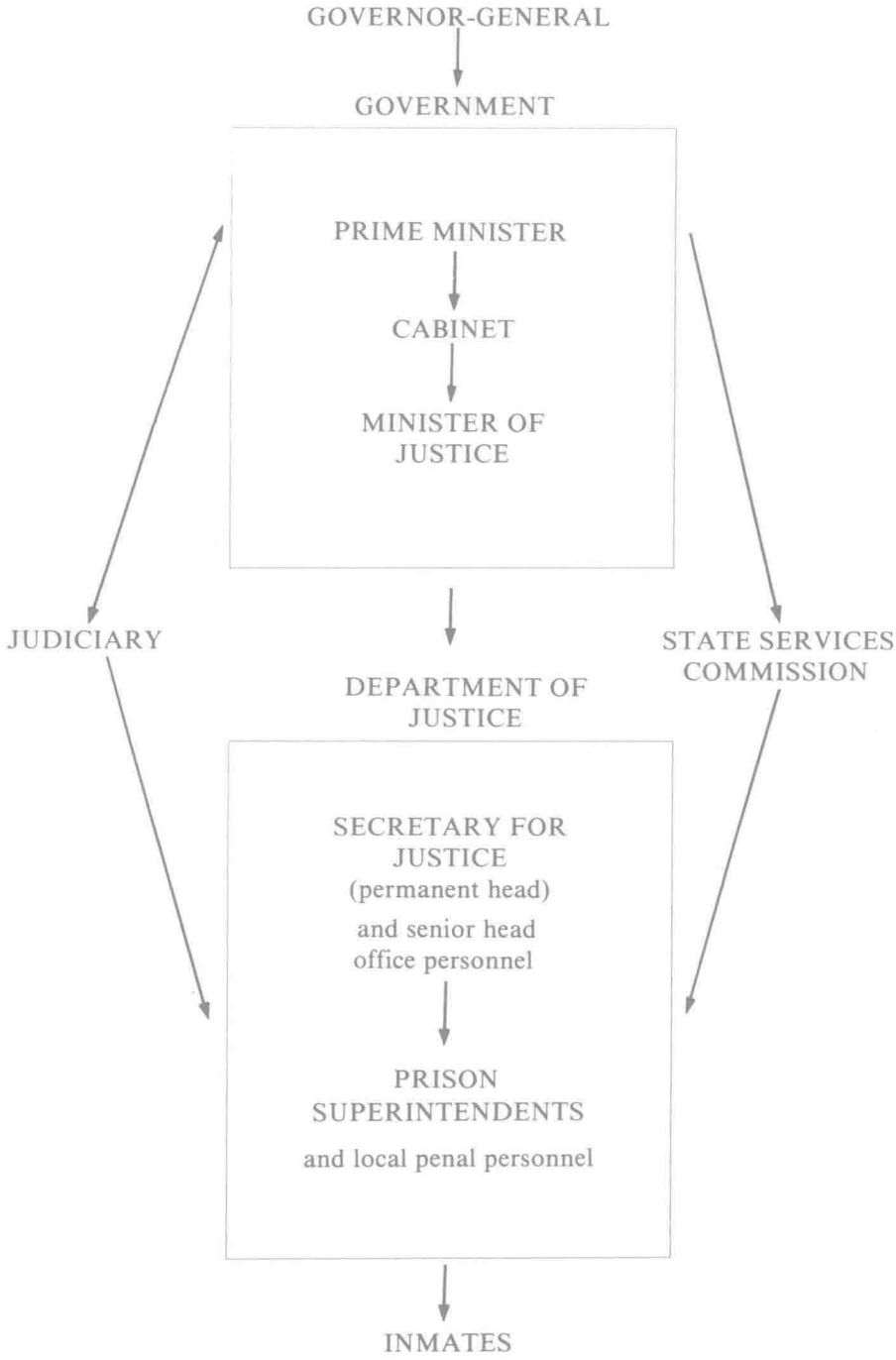
Conducting work of this nature inevitably requires assistance from people who are not involved with the investigation itself. Although, once more, these have been many, particular gratitude is due to Megan Clark and Dr Peter Donelan of Victoria University's Mathematics Department, for arranging office space in Wellington, and to Belinda Clark, Diana Corrigan, Andrew Murdoch, and Margaret Franken, for their kind assistance with accommodation. I am also thankful to Robyn Lawson, Kevin Steel, and Simon Oliver, who efficiently managed most of the word processing.

Finally, as the doctoral dissertation, from which this book derives, evolved from a series of scrappy drafts, I must record the helpful advice of those who commented on parts of the script. Professor Ian Carter, Associate Professor Bill Hodge, Dr Charles Crothers, Mr Nick Perry, and Mr John Jackson of the Justice Department have all been valuable in this regard, but more important than any have been my supervisors, Associate Professor Bernard Brown and Dr David Bedgood. These two patiently oversaw what must at times have seemed an endless procession of chapters and rewrites, and offered many suggestions for improvement. While their useful input has been abundant, their advice has not always been taken; my own judgement has prevailed and if any shortcomings in the book remain, responsibility is entirely mine.

CHRONOLOGY OF TENURE: GOVERNMENT AND SENIOR JUSTICE PERSONNEL 1938-1988

	Maximum Security Superin- tendents	Permanent Heads (Secretary for Justice)	Ministers of Justice	Prime Ministers	Governments	
1938	W.T. Leggett	B.L.S. Dallard	H.G.R. Mason	M.J. Savage	First Labour	1938
1940	1935-1946	1925-1949	1935-1949	1935-1940	1935-1949	1940
1942				P. Fraser		1942
1944				1940-1949		1944
1946	J.J.H. Lauder					1946
1948	1946-1951					1948
1950		S.T. Barnett	T.C. Webb	S.G. Holland	First National	1950
1952	H.V. Haywood	1949-1960	1949-1954	1949-1957	1949-1957	1952
1954	1951-1963		J.R. Marshall			1954
1956			1954-1957			1956
1958			H.G.R. Mason	K.J. Holyoake	Second Labour	1958
1960		J.L. Robson	J.R. Hanan	1957	1957-1960	1960
1962		1960-1970	1960-1969	W. Nash	Second National	1962
1964	E.G. Buckley			1957-1960	1960-1972	1964
1966	1963-1972			K.J. Holyoake		1966
1968				1960-1972		1968
1970		E.A. Missen	D.J. Riddiford			1970
1972	J. Hobson	1970-1974	R.E. Jack 1972	J.R. Marshall	Third Labour	1972
1974	1972-1984	G.S. Orr	A.M. Finlay	1972	1972-1975	1974
1976		1974-1978	D. Thomson	N.E. Kirk	Third National	1976
1978		J.F. Robertson	J.K. McLay	1972-1974	1975-1984	1978
1980		1978-1982	1978-1984	W.E. Rowling		1980
1982		J. Callahan		1974-1975		1982
1984	S.G. Ward	1982-1986	G.W.R. Palmer	R.D. Muldoon	Fourth Labour	1984
1986	L. Hine	D. Oughton	1984-	1975-1984	1984-	1986
1988	M. Hindmarsh					1988
	1987-					

DIAGRAM OF LEGAL AND ADMINISTRATIVE RESPONSIBILITY IN
NEW ZEALAND PRISONS



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1: ORIGINS AND BACKGROUND OF THE MAXIMUM SECURITY PRISON 1880-1949

THE BIRTH OF CUSTODIAL POLICY

The foundations of criminal justice in New Zealand lie in the soil of British colonialism. It was in the nineteenth century that the fundamentals of this country's penal philosophy, law, and architecture were cast, and one of the most enduring examples of the period is the maximum security prison. Its design, like the background of the man who ordered it, belongs to the traditions of Victorian England. ✓

Locally administered gaols are known in New Zealand from as early as 1838, but sour comments about them led, in 1876, to a Government resolution to centralize its penal system.¹ A decision was made to appoint an experienced overseas officer to administer the new system and in 1878 the position of Inspector-General of [New Zealand] Prisons was advertised in Britain. Two years later the post was filled by Captain Arthur Hume, forty years old, late of the Seventy-Ninth Highlanders. ✓

Born in Dublin in 1840, Hume had been educated at the English public school of Cheltenham. At the age of nineteen he had joined the army as an ensign where he remained until 1874 before leaving with the rank of Captain and joining the prisons service. He then served a further six years as deputy governor of the convict institutions at Millbank, Dartmoor, Portland, and Wormwood Scrubs.² When Hume arrived in New Zealand in November 1880, he came with a background which was hardly typical of the colonialists he had chosen to join. His boarding-school education and military training had given him a taste for discipline, and his experience in English prisons, at that time controlled by an autocratic puritan called du Cane, had reinforced these sentiments. Like du Cane, Hume's approach to his job was rigid and closely allied to traditional concepts of crime and punishment. Lawlessness in the colony was an imposing problem, and the solution, Hume felt, lay in stern corrective measures.

In England, the 'reformation' of criminals was being pursued through a programme of deterrence. The object of imprisonment, du Cane had said, 'is not to make it pleasant'.³ It was this model which Hume wanted to re-create in New Zealand, and he resolutely pursued his task. By 1892, progress had gone far enough for Hume to comment, 'the English system is the right one and is, as far as practicable, being carried out in New Zealand prisons'.⁴ The first goal of incarceration in the colony would be deterrence and prevention. Prisons, Hume believed, should be places to be dreaded.⁵

When Hume arrived there were four major penal establishments in the territory of New Zealand: at Dunedin, Lyttelton, Wellington, and Auckland.

Along with minor lock-ups these accounted for a total of about 700 prisoners. The largest of all the gaols was at Auckland, and in 1878 it was reported to have accommodation for 281.⁶ This facility, known as the Stockade, had opened in 1856. Sited beside the extinct volcano of Mt. Eden, it had become the city's major place of confinement when the old City gaol in the centre of the town was pulled down in 1865. A stone wall had been erected around the site between 1862 and 1876, but the wooden buildings were decrepit, and conditions inside them were poor.

The condition of this institution, among others, had been repeatedly criticized since the early 1860s, and in 1877 a Commission of Inquiry into the Stockade had resulted in plans for a new prison on the site.⁷ Action on these plans, the 'Mahoney Plans', had been deferred, however, pending arrival of the new Inspector-General whose appointment was about to be advertised.

When Hume took up his duties at the turn of the decade, he was unimpressed with what he saw. His first report of May 1881 was scathing, and one of his recommendations was for the immediate construction of a large central prison in Auckland. The Mahoney draft was scrapped and Hume prevailed upon Pierre Burrows, the Colonial Architect, to draw plans for two large new institutions. One of these, Mt. Cook prison in Wellington, was to be for first offenders and was at the time of its completion the largest building in the colony. The other, at Mt. Eden, would be for hardened convicts and would be constructed in the place of the old Stockade.

Mt. Eden prison, the only building of the two that still stands,⁸ clearly reflects the architecture of the period. Built upon the same 'radial' pattern used at places like Trenton (New Jersey, 1836) and Pentonville (UK, 1842),⁹ its imposing Gothic structure marks it as unmistakably Victorian. The link between it and the early English gaols is direct. In 1874, the Colonial Architect W. H. Clayton had requested that all available material on prisons be sent to him from the Agent-General in London. Among this information came the Blue Books, which contained the plans of nearly all the institutions in England and Ireland. It was from the Blue Books that New Plymouth prison, Taranaki, had been developed in 1876 and it was to these books that Clayton's successor, Burrows, now referred as he worked on the plans for Mt. Eden. Although Mt. Eden is reputed to have been based on the structure of a prison in Malta — itself built on the English model¹⁰ — Stacpoole believes that the former was probably the result of an amalgam of ideas drawn from the Blue Books.¹¹ The result was an institution highly reminiscent of those at places like Pentonville and Dartmoor. Burrows' plans for Mt. Eden — then known as Auckland gaol¹² — were ready by 1882, and in the same year, on 20 November, and under the supervision of Captain Hume, labour on the foundations began.

Mt. Eden prison was designed so that as the need arose, extra wings could be added, and with this intent, the project advanced over the next thirty-five years. Built out of bluestone excavated from the adjacent quarry,¹³ it was 1888 before the first prisoners were transferred to the new buildings and demolition of the wooden quarters began. The institution's new wings and extensions were added in 1893, 1905, 1906, 1911, 1913, and 1917. In 1917

the gaol was classified as New Zealand's strongest, safest, and chief penal institution.¹⁴

Mt. Eden prison was planned twenty years after its antecedent at Pentonville and by the time it was completed, forty-five years after it had been designed, it was already out of date. The punitive philosophy in the service of which it had been built died with the retirement of Hume in 1909. By 1910, the Minister of Justice had already declared it obsolete.¹⁵ However, this inert stone bastion, with its solid steel doors and walls over a metre thick, was to serve as the country's only maximum custody facility for more than seventy years.¹⁶

THE NEW METHOD

From the very beginning, the appointment of Hume had been controversial. His rigorous performance of duty was criticized often during his twenty-nine years in office, and although he mellowed as his colonial experience grew, it was with relief that Hume's resignation was accepted in 1909.

One of the characteristics of penal reform in this country is that a period of stagnation is often followed by one of intensive activity. It is almost as if a succeeding regime behaves in reaction to that which preceded it. Hume's disciplined and orthodox programme was a direct response to the chaos he inherited. The regime of his successors came as a challenge to his rigidity.

When Hume retired, control of the Prisons Department was taken over by the Minister of Justice, and it was the Member for Parnell, Sir John (Dr) Findlay, who now became the Department's guiding figure. Findlay's objective, later known as 'the new method', was to discard the shackles forged by Hume and to create a prison system which, he believed, would be 'as efficient as any existing anywhere in the world'.¹⁷ His principal tool would be the Crimes Amendment Act of 1910. The emphasis of punitive justice would be replaced by correctional care.

The Crimes Amendment Act brought welcome change to the work of the Prisons Department, but no sooner was the legislation passed than Findlay's seat was lost in the general election of 1911. Six months later, a confidence vote led to the dissolution of Parliament. The Liberal administration, led for most of its twenty-two years by Richard J. Seddon, was ousted and William Massey's Reformists took power. With the public service newly reorganized in 1913, responsibility for prisons passed to Charles E. Matthews, a former Private Secretary to the Minister of Justice.¹⁸ Findlay's brief tenure had prevented his experiment from being fully tested.¹⁹ Matthews, however, energetic and already versed in the workings of the Department, sympathized with his predecessor and eagerly put the new method into effect.

Compared with John Findlay, Matthews was a prudent man and his interpretation of duty reflected the Ministry he served. Massey's Government arose out of rural conservatism, drawing its support from the small North

Island dairy herders. Industrious and practical, they saw purity as springing from the land, and the countryside as a source of virtue. Moral edification could come through productive labour, and it was this reasoning which promoted agriculture as a linchpin of prison industry. As a consequence of these ideals, between 1910 and 1922, tens of thousands of acres were purchased or reclaimed at Waikeria, Turangi, Trentham, and Templeton. Large prison farms were founded on these sites, and by what Matthews called 'the gospel of hard work',²⁰ the key to reclamation was pursued. Matthews believed that if handled properly, 75 per cent of all prisoners could be managed like ordinary people. Thus, from 1910 to 1923, the number of New Zealand prisoners employed in outside work schemes grew from eight per cent to 70 per cent.²¹

The contribution of Findlay and Matthews was targetted principally at the open institution. However, their interests were not confined here and there were wider applications also. The maximum security gaol was finished under Matthews, and although little could be done to remove the stamp of its creator, 'new method' principles were incorporated here as well as they could be. The ethic of work was pursued at Mt. Eden too, and there was an effort to improve its neglected industries. Activities like tailoring, bootmaking, and concrete-block casting were introduced, and after the end of construction work, metal crushing was reorganized.²² The latter soon became the gaol's biggest business, so that by 1925, 15.5 per cent of Mt. Eden's labour force was employed in the quarry. Between 1918 and 1925 cash returns for that enterprise relative to others increased from 12.9 to 38.14 per cent.²³ Quarrying continued as a major source of revenue until the early 1960s.

The new stress on reform brought with it a renewed concern for inmate welfare. In 1914, the first schoolteacher was appointed to Mt. Eden, and in 1920 wages were introduced for married inmates. Lighting was improved and lighting hours were extended. Libraries were enlarged. The emphasis on security was relaxed. Broad arrows were removed from prisoners' clothing after 1913, and by 1918 the general issue of arms to prison officers had ceased.²⁴ A sincere effort was made to replace the regimen of stark containment at Mt. Eden with one where custody and reformation could exist side by side.

In 1919, the Prisons Department was again split from the Justice Department, and henceforth Matthews bore the title of Controller-General. He died five years later, but by then, after almost fifteen years of constant review, reorganization was nearly complete. Findlay had foreseen a programme as efficient as any in the world. Had he still been in politics, he may have considered his goal has been reached.

While it was generally applauded, enthusiasm for the new order was not shared by all, and many thought libertarianism had been taken too far. Among staff, for example, a decision to recognize inmate petitions after 1909 was a source of unease and confusion. Administration was becoming inefficient and it was felt, even at head office, that insufficient regard had been paid to order.²⁵ Discipline had become unstable and there was criticism from the newspapers as well. For although Matthews had rationalized training by shifting it from humanitarianism to rehabilitation-through-work,²⁶ his zeal and lack of expertise had led to promotion of unsound schemes.²⁷ As we

shall see, this may have been why an accountant was chosen to replace him after his death.

The Department's feeling that penal progress had gone far enough was matched by electoral sentiment. The decade or so after 1912 was a period of growing conservatism and myopia, which Sinclair suggests was attributable largely to the leadership of Massey.²⁸ It was a time of change, when economic power shifted from the large landowners of the south to the small farmers of the north; to self-made materialists who valued the practical and the ascetic over the academic and the abstract. Adding to this concern for the mundane was the fact that after 1920 the national economy started to falter. Export prices fell and, although they recovered briefly between 1923 and 1925, they dropped again the following year.²⁹ Credit became tight, permanent unemployment appeared, and the economy wavered precariously before collapsing after 1929.

By the time of Matthews' death in 1924, finance was already a priority. The nation could ill afford the extravagance of further refurbishment in prisons and in any case, the public was not really interested. As the Commissioners searched for a replacement head for the Prisons Department, philosophical considerations doubtless took a back seat. What was sought now was a practical man who could conform to the conservative mood of the times. In 1924, a temporarily liquid Treasury removed the need for urgency, but by the time an appointee was found, the economy has recommenced its erratic downward slide.

B. L. S. DALLARD, CONTROLLER-GENERAL OF PRISONS

When Matthews died, the control of his Department passed briefly to the inspector, M. Hawkins. The following year, Berkeley Lionel Scudamore Dallard from the Public Service Commission signed on as the Prisons Department's new permanent head.

Born at Rangiora in 1889, a former scoutmaster and a wartime soldier, Dallard's professional experience prior to his Prisons appointment palpably affected his approach to the job. In 1909 he had joined the Public Service as a cadet, becoming audit examiner in 1910. In 1919, after his return from the war, Dallard was appointed Advisory Consultant to the Board of Trade, and in 1924 was promoted to Inspector in the office of the Public Service Commissioner. As Public Service Commission Inspector, Dallard proved an able accountant, whose principal strengths lay in finance organization and management. It was through working with him that the Commissioner became aware of the man's qualities and it was he, personally, who urged Dallard to take the Prisons appointment in 1925.³⁰

In these years of uncertainty and disenchantment with penal liberalism, Dallard must have seemed an obvious choice. Here was a manager with a mind for efficiency, who seldom took a step without analysing it from a cost-

benefit point of view. He was also an austere and patriotic gentleman and as such, fitted in well with the mood of the day.³¹

Although Dallard's knowledge of correctional theory was scant, he did not allow it to remain so. In 1925, straight after his appointment, he attended the International Penal and Penitentiary Congress in London. The experience of the Congress was important to the new head, and having acquired the written reports from it, he used them as his 'Bible'.³² He also studied more widely, and familiarized himself with the philosophy of his Department. Having done this he visited every prison in the Dominion to observe how ideas were being put into practice.

The Controller-General was not satisfied with what he saw and immediately began to attend to the question of efficiency. Mechanization in the rural sector was reducing the value of cheap labour, but at the same time superphosphates were making farming more profitable. Convinced that Matthews' programme was working below optimum, Dallard resolved to restore its viability. Thus, in his first Annual Report of 1926, Dallard outlined a revitalized prison industry scheme, the accent of which was to remain on primary production. One of his first moves in this direction was to begin developing the land reclamation camps at Hautu and Rangipo into fully operational farms.³³

It was Dallard's expanded agricultural programme which proved his most important contribution to penal justice. Although his objective of self-sufficiency was never achieved, by 1933 prisons were producing up to 40 per cent of the cost of their own rations.³⁴ It was due to the success of this scheme that the economy of the gaols during the depression suffered less than it might have, and conditions in the borstals — where particular interest was taken — were probably better than in many sectors of the free community.

Lock-up prisons, however, particularly maximum security, did not appeal to Dallard and they barely profited from his rule. His first reaction to Mt. Eden was of repugnance. The stone cells and high, slit windows reminded him of the works of Dumas, and he disdained the smell of sweaty, unwashed bodies. He promptly organized carbolic soap to be made up and distributed to all inmates, and he increased the number of showers permitted from one to two each week. He had air vents fitted to the cells, with floorboards installed in some of them. He ordered that bedsheets be distributed to all prisoners and he provided an oil-burning stove for use in the prison kitchen.³⁵ The bootmaking plant was upgraded, the quarry was improved, and from 1927, all 'sex perverts' (Dallard's term for sex offenders) were transferred to New Plymouth prison, which he had especially set aside.³⁶

These concessions were, of course, only minor and reflected mainstream sentiment of the day. Dallard's general lack of empathy with prisoners was reproduced in Parliament as well as the community at large, and this accounts partially for why there was so little pressure for change. In spite of improvements in areas like farming and borstals, the entire Dallard period is remembered for its rigidity, its parsimony, and its want of vision. A principal reason for this was economic. Dallard took over the prison system at a time of financial decline, and the scarcity of public-works funding meant that for most of the thirties any large-scale reform programme was impracticable.³⁷ The Controller-

General knew this, after all it was his tight-fisted approach to spending that had endeared him to his employers in the first place. After eight years in office his performance was rewarded, and in 1933, at the height of the depression, Dallard was also given charge of the Justice Department.³⁸

Another reason for the inertia of the period is political. No sooner had the economy begun to recover than the clouds of another war began to gather over Europe. Once again, attention was drawn away from prisons and towards more critical issues. Prisoners — and the 700 or so military defaulters who later became committed to custody — attracted little political sympathy. After Labour came to power in 1935, the Justice Minister was never particularly interested in prisons,³⁹ and what little he did attempt was apparently obstructed by his leader.⁴⁰ In the first two years after Labour took office, there was a 29 per cent drop in national prison populations and a 40 per cent one in maximum security, but it was not long before numbers began to creep up again. Within the gaols the routine remained unchanged. Even during the tremendous bursts of activity in 1936–1938 and 1945–1946, when Labour created the Welfare State, there was little done for convicted criminals. In contrast to the decades before it, for a quarter of a century after 1925, only one new penal institution was built.⁴¹

Much about the status of the Prisons Department during this period, therefore, is explicable in terms of the prevailing politico-economic climate. However, if the personality of Dallard was favoured specifically in response to this climate, then it is also unlikely that had he been selected at another time, his approach would have been any different. The Controller-General's personal ideology did not endear him to the notion of penal reform. Dallard's personal writings and speeches⁴² are those of a man committed to orthodoxy, to sovereign morality and rule, and to the iron law of super- and sub-ordination. Hard working, dedicated, and guided by inveterate tradition, Dallard was as predictable as he was unimaginative. Precepts he held when he took over the Prisons Department altered little through the passage of the years. As late as 1980, Dallard still advocated sterilization of forensic 'mental defectives',⁴³ the imprisonment of active homosexuals,⁴⁴ and the use of corporal punishment, especially for sex offenders. Many of the latter, he argued, are paedophiles.

Dallard did not believe in corporal punishment as a special deterrent to crime, but he saw it as an appropriate expression of State disapproval towards certain forms of conduct. Likewise he believed in the retention of capital punishment, not because he felt murder rates could be affected by it, but to 'satisfy the claims of justice'.⁴⁵ It was necessary, he felt, that society should make a strong statement about behaviour it abhorred. An illustration of how this philosophy was implemented appears in instructions he issued on executions procedure in 1931.

As the Union Jack is emblematical of British justice, such a flag will be hoisted to the main flagstaff on the morning of an execution. At the time the execution takes place a black flag will be hoisted to a lower flagstaff, the Union Jack in the ascendant, silently proclaiming the suzerainty of the law.⁴⁶

Dallard made frequent claims to 'liberalism', but evidence of professional enlightenment is scant. Asked in 1976 about specific reforms he made, the former chief was vague and non-committal, speaking briefly on the question before changing the topic.⁴⁷ Such reformative measures as he did approve were tempered with a good measure of the authoritarian. Despite the shift in prison officers' duties from custody to 'reclamation', for example, Dallard retained the disciplinarian provisions created before his appointment. Throughout his office, prisoners were required to march to and from their places of work, and to stand to attention and salute whenever addressing officers or visitors.⁴⁸ Familiarity between staff and inmates was discouraged.⁴⁹ When interviewed, Dallard described his administration as one of 'cautious progressiveness'. 'I didn't want to make prison a comfortable place,' he said, 'but there is a certain minimum below which it becomes inhuman. So my aim was to treat prisoners fairly.' Later he remarked:

I was careful not to give undue publicity to improvements in prison. I didn't want to do anything that would detract from the fear of prison. Nothing annoys me more than to hear prisoners say that they can take it standing on their head. Or that conditions in prison are not at all bad. . . . Well, that's not satisfactory from the point of view of the deterrent factor of prisons.⁵⁰

Yet in spite of his very static set of personal beliefs, and notwithstanding the fact that fourteen of his years were served under a leftist Government, Dallard appears to have got on well with most of his political masters.⁵¹ The Controller-General never voted Labour, but of Rex Mason, the Minister who removed corporal and capital punishment, Dallard speaks with particular affection. During his term in office, and when he retired, Dallard says he received messages of thanks from Mason, as well as the other politicians he had served.⁵²

There is no doubt that Dallard earned many of the accolades he received. For whatever his shortcomings, Dallard was a dedicated and faithful servant, committed to discharging duty as he saw it. During his years in the Prisons and Justice Departments, he claimed to have worked late regularly, and regretted that due to his job commitments he saw little of his wife, who died a few months after his retirement. The weight of responsibility he assumed was considerable, and although he operated in the name of his Ministers, most departmental activity was taken upon his own initiative. In 1941, when union secretary Tom Stanley attacked Mason for ignoring the nation's gaols, for instance, a quick response from Mason — prepared by Dallard — outlined the many advances made since Labour had taken office. Dallard asserted, and evidence supports, that he had a major say in the conduct and promotion of the Department. Ministers simply acquiesced, he said, in most of what he wanted to do.⁵³

Dallard's approach to his job was meticulous and he took signal pride in his work. Archival files brim with correspondence written by him to explain current policy and frequently, as we shall see, to defend it. Dallard's writings were informative and detailed, and it mattered little to him whether a letter