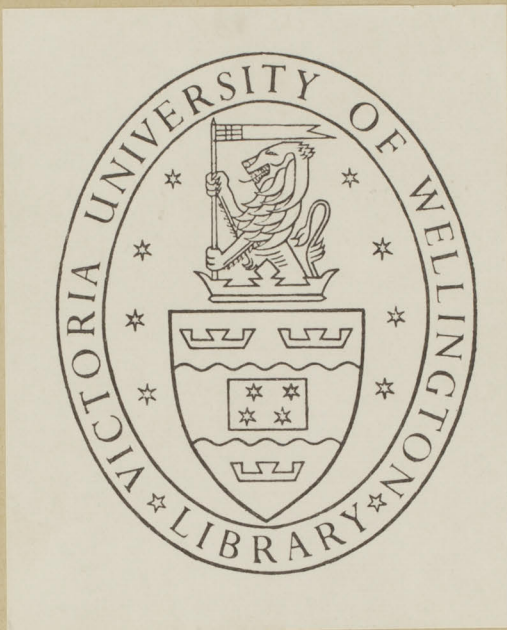


1973



GARY HILTON WEISS

THE DEVELOPMENT OF PAREMOREMO PRISON

SUBMITTED FOR THE DEGREE OF L.L.B. (HONS) AT THE
VICTORIA UNIVERSITY OF WELLINGTON.

1973

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"If this country needs Paremoremo - as it may - then let's not kid ourselves that it's a place where criminals are fitted to return to the community as reformed citizens.

Maximum security prisons may make it easier to incarcerate prisoners. They can do nothing to reform them.

...(T)he whole concept of a maximum security prison is a concession to that element in public opinion which simply wants the whole problem of crime and the criminal to be swept under the rug."

Editorial in The Tribune, December 15, 1968

"Only time will show whether Paremoremo is an impersonal machine or a human one."

The Auckland Star, December 7, 1968

INTRODUCTION

Paremoremo Prison has probably attracted a good deal more public scrutiny and criticism than any other penal institution in this country, Mount Eden included. Its brief history has been characterised by riots, unrest amongst inmates, frequent assaults on officers, and low staff morals.

As Dr. Robson once noted, "a decision to erect a maximum security prison should never be taken lightly." This paper traces the development of Paremoremo Prison, and seeks to outline the various factors which ultimately influenced the concept, design, size and construction of the present institution.

Section (1) is a brief analysis of penal policy in New Zealand. It is interesting to note that many of the problems encountered by penal administrators in New Zealand in the 1960's were very similar to problems which prevailed in the 1860's. This section sets the theme for the rest of the paper.

Section (2) deals with the proposed National Prison Centre at Waikeria. While the proposed scheme commands an important position in New Zealand penal history, it is not discussed here in a detailed manner. The information in this section has been culled from Annual Reports of the Justice Department, and, consequently, the section will add very little of interest to the reader, whose knowledge of New Zealand penal history is more than cursory.

Section (3) is a study of Mount Eden Prison, from

1949 until 1964. Any person associated with Mount Eden during the 1950's and 1960's will testify to its grave inadequacy as a modern penal institution. Much of the material in the section is based on newspaper reports and editorials, and on Annual Reports of the Justice Department. However, where the need has arisen, use has been made of some departmental files.

Section (4) is the nucleus of this research paper. As far as is possible, this section attempts to plug the many holes in the sketchy history of Paremoremo. The information contained in this section may provide the answers to some queries; however, by the same measure, it will undoubtedly raise many more questions concerning the development of the prison. The material in this section is based on both public records and departmental files.

Section (5) contains a conclusion to the research paper. The writer will attempt to deal with the many questions left unanswered, and will try to resolve the numerous difficulties which many students of penal history entertain about the institution. The second part of the section deals with some of the problems of maximum security imprisonment.

Section (6) outlines briefly some of the events which have occurred at Paremoremo since its opening. The two inquiries conducted by Sir Guy Powles and Mr. L.G.H. Sinclair, S.M. will also be touched upon. The reader is asked to bear in mind that this section is merely a superficial examination; an entire research paper could be devoted to this section alone.

The writer wishes to acknowledge the considerable help given by the Department of Justice (and Mr. D. McKenzie in particular) in granting access to departmental files.

THE DEVELOPMENT OF PAREMOREMO PRISON

OUTLINE

- (1) A BRIEF ANALYSIS OF THE DEVELOPMENT OF
NEW ZEALAND PENAL POLICY
 - (2) THE NATIONAL PRISON CENTRE AT WAIKERIA
 - (3) THE INADEQUACY OF MOUNT EDEN 1949 - 1964
 - (4) THE DEVELOPMENT OF PAREMOREMO PRISON
 - (5) CONCLUSION:
 - (a) AN ANALYSIS OF THE DEVELOPMENT
OF PAREMOREMO
 - (b) THE PROBLEMS OF MAXIMUM SECURITY
IMPRISONMENT
 - (i) CLASSIFICATION
 - (ii) CONCENTRATION VERSUS DISPERSAL
 - (6) PAREMOREMO 1969 - 1973
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(1) THE DEVELOPMENT OF NEW ZEALAND PENAL POLICY

Penal policy hardly existed in the period before 1840. The treatment of crime was essentially quick and punitive. Indeed, the first recorded gaol in New Zealand was 'an old sea chest with air holes bored into it' (1)

With the advent of British sovereignty in 1840, there was a wholesale importation into New Zealand of a vast array of British statute and common law, but little in the way of penal policy. During the first years of settlement, penal policy amounted to little more than "to execute the murderers, transport the worst criminals and build prisons that had some hope of holding the remainder." (2) Mayhew notes that:

"the first gaols in the colony were largely facades ... The Wellington gaol was unlikely to offer much resistance to a prisoner intent upon escape. It was a hut made of 'toi-toi' and was erected on the Petone foreshore where it was barely distinguishable from the huts in the adjoining native village. Its 750 square feet were divided into a room for receiving prisoners, a gaoler's room, a small stove, and 3 cells designed to accommodate no more than 7 men ... The gaols in the other parts of the colony were not generally more satisfactory than that of Wellington." (3)

1850 - 1880

The establishment of the provincial system in 1853 nullified any real opportunity of progress in penal policy. "The major characteristics of this period were: the lack of centralised administration; the lack of policy based on principle (in part a consequence of the first); the lack of a classification system; the lack of opportunities for rehabilitation; the lack of trained staff; the lack of prisons; ..." (4)

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1. P.K. Mayhew - The Penal System of New Zealand: 1840-1924 Justice Department, 1959, p.1.
 2. E. Missen - "The History of New Zealand Penal Policy" - A paper given at a V.U.W. University Extension Seminar 1971, p.2.
 3. Mayhew, op.cit., pp. 2 - 3
 4. L.H. Atkins - The Development of New Zealand Penal Policy - L.L.M. Criminology Seminar 1972, p.1.

The emphasis was on removing criminals from society: "... offenders were an unknown quantity. Few people knew or cared about them. Classification was unknown. Men and women, adults and children, the sane and the lunatics, received the same treatment in the same grim surroundings." (5)

During these years the insecurity of the jails was constantly emphasised. While many realised the need for a central prison run by the government, to which all dangerous prisoners might be sent, no progress was made in this field. "Inevitably, if the gaol was insecure other precautions had to be taken, and many of the penal servitude prisoners were kept in irons. Even so the escape rate was high. In Auckland 10 prisoners escaped in the first 10 months of 1860 and only 3 of them were recaptured. In Invercargill 10 escaped in 1862." (6)

Overcrowding in prisons was a serious problem. "Several inquiries and reports pointed to shocking conditions in Auckland and Dunedin gaols. In 1862 the Judges reported on the Auckland Prison. Their criticisms were cogent, scathing and ignored. The same fate befell the recommendations of a Royal Commission in 1868. Governments and the public were utterly indifferent." (7)

An attempt by the Prisons Act 1873 to standardise prison regulations and to set out the areas of jurisdiction of gaolers and Visiting Justices failed, since there was no agency to enforce it. In practice, penal administration reflected the views of individual gaolers and Visiting Justices, many of whom entertained "the firm belief that the aim of imprisonment was to punish and deter and discipline was its watchword." (8)

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- 5. Crime and the Community - Justice Department, 1964, p.11
 - 6. Mayhew, op.cit., p.18
 - 7. E. Missen, op.cit., p.4
 - 8. E. Missen, op.cit., p.4

1880 - 1908

In December 1880, Colonel Arthur Hume, a senior officer in the English prison service, was appointed Inspector of Prisons, amidst a blaze of controversy. Hume's first report was extremely critical of the jails and recommended an immediate start on a central prison for 300 prisoners. Hume also suggested that the birch be introduced, and that prison diets be drastically revised, since prisoners left jail heavier than when they arrived - a situation "not calculated to make our prisons places to be dreaded." "The emphasis was to be on punishment and deterrence and Hume's authority overrode that of Visiting Justices and gaolers."⁽⁹⁾

Hume recognised the need to classify and separate prisoners. He believed that all association of prisoners was dangerous and undesirable. "It was Hume's intention to separate entirely the penal servitude and long-sentence hard labour prisoners from the remaining prisoners. This was, in his view, the first essential in any classification system, and was based upon the argument that the longer the sentence the more depraved and contagious is the prisoner."⁽¹⁰⁾

Hume attempted to implement a system of separating entirely certain classes of prisoners and completely denying prisoners the opportunity of communicating with one another, except, perhaps, during religious services. Unfortunately for Hume, "... the system never really worked, mainly because it required as many different cells as there were prisoners, and this was a state of affairs which Hume did not experience until the last few years. In any event Hume considerably modified his views when he became enthusiastic about prison tree-planting camps where separation and silence were of course impossible."⁽¹¹⁾

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9. E. Missen, op.cit., p.8.
 10. Mayhew, op.cit., p.57
 11. Mayhew, op.cit., p.91

By the time of Hume's resignation in 1908, "there was some uniformity of treatment, of rations, remission, gratuities, rules, regulations, punishments and privileges. A prisoner knew where he stood and what was expected of him. One discipline prevailed throughout the prisons."⁽¹²⁾

1909 - 1950

The Hume regime was followed by Sir John Findlay's term as Minister of Justice. Findlay was convinced of the necessity of discarding the old penal system which he had inherited, and yet he was unable to ignore traditional priorities and regarded the task of the prisons administration as being primarily that of protecting the community from crime. Once that objective had been achieved, the welfare and reformation of the prisoner could then be considered.

Findlay laid down the framework for the establishment of a more effective classification system. The 'new method' changed Hume's ideas of classification and decided to try and set apart a different institution for each group of prisoners. Speaking to the Crimes Amendment Bill in 1910, Findlay remarked: "When this Bill becomes law we will have a prison system as efficient as any existing anywhere in the world."

Findlay also introduced the new measure of reformatory detention. Instead of receiving, or in addition to receiving, a finite term of imprisonment, an offender might be sentenced to reformatory detention for up to 3 years by a Magistrate and up to 10 years by a Judge. A Prisons Board, checking or reviewing at least once a year, was to have the responsibility of releasing the prisoner

12. Mayhew, op. cit., p.91

at any time during the sentence on determining that the prisoner had been reformed.

It cannot be doubted that the sentence of reformatory detention was a sorry farce. According to Mayhew,

"The 'new method' of 1910 was potentially as advanced as any penal system in the world and, properly applied, it might have prevented a great deal of crime. The king-pin of the system, however, was the introduction of the semi-indeterminate sentence of reformatory detention, and this form of sentence proved in practice to be a failure. Abused by the Courts, only partially implemented by the administration, misunderstood by the Prisons Board, it continued its sorry journey for 34 years, misleading the public and breaking faith with the prisoners." (13)

After the passing of the Findlay regime, there was virtually complete inactivity in penal reform over the next three decades. With two World Wars and the Depression, it was not surprising that little time or energy was spent on the "misfits of society". B.L.S. Dallard, who was the Permanent Head of the Justice Department from 1933 to 1949, remarked that:

"During my period of office the cold hand of Treasury was evidenced in our annual appropriations. This was understandable when we recall that we had the after effects of a World War, two financial depressions and a second world war. The shortage of money profoundly restricted the full expression of zeal for reform." (14)

During this period the groundwork was laid for a classification system which still partially exists today.

13. Mayhew, op. cit., p.21

14. J.L. Robson - "Crime and Penal Policy" - N.Z. Journal of Public Administration, 1971, p20 at p.24.

"The general scheme of classification at this time was based on sex, age, criminal experience and propensities. In the first instance prisoners were placed under observation for a short period at a central prison and subsequently assigned to institutions suited to their need and personality, where they were considered likely to react more satisfactorily. The more dangerous and intractable prisoners were detained at Mount Eden Prison; the more amenable for whom there were reasonable hopes of reformation were transferred to the farms and camps; the young offenders were sent to borstal institutions; prisoners showing an inclination to sex perversion were segregated at New Plymouth; and the older and infirm prisoners were kept at Wanganui. Wellington Prison was mainly a trial and remand prison, and Wi Tako a small prison farm to take the overflow of short sentence prisoners from Wellington and other nearby police gaols." (15)

1954 - 1960

With the appointment in 1949 of S.T. Barnett as Secretary of Justice, penal policy was given a much-needed boost. The 1951 Prison's report stated:

"The principal weakness in the New Zealand penal system arises out of the failure to revise the law relating to criminal punishment, the failure to provide a proper system of classification and the failure to provide adequately for the trade training and education of prisoners."

In 1952 the Department of Justice, in its annual report, declared its intention of revitalising the probation service.

In 1954 two Acts were passed, the Criminal Justice

15. Missen, op. cit., pp.17-18.

Act 1954, and the Penal Institutions Act 1954, to give practical effect to modern theories of crime and punishment and to provide a suitable legal framework for the treatment of offenders. These Acts "may well be found to mark a watershed in our penal history. What it did was to effect a break-through - the first comprehensive forward-looking and open minded legislation since 1910. It was then that the process of continuous reform and exper^mimentation began." (16)

While the legislation passed in 1954 undoubtedly marked the zenith of the Barnett era, the same year witnessed the surfacing of a spectre which was to haunt Barnett until the day he resigned: the paucity of proper and sufficient accommodation for prisoners. Overcrowding in penal institutions was in part a logical consequence of the failure by previous governments to allocate sufficient finance for the construction of new penal institutions. The problem was further aggravated by Barnett's unwillingness and, perhaps, inability, to press government for the finance necessary to build the sorely-needed institutions. As Barnett himself conceded in the 1959 Annual Report:

"During the 10 years I have been in this Department, capital expenditure on schools, hospitals, housing, roading and the like have come first. I accept that situation because, after all, I have been contending only for better penal institutions and a better penal system."

Barnett's lack of success in achieving government approval for expenditure on prisons can be attributed partially to the fact that New Zealand in the 1950's was preoccupied with economic questions. The problem was further compounded by the frequent changing of Ministers -

16. Missen, op. cit., p.23

during his term, Barnett served three different Ministers. The first Minister was Clifton Webb, who made it clear at an early stage that he did not endorse Barnett's reformatory programme; furthermore, some personal antipathy existed between the two men. J.R. Marshall became Minister towards the end of 1954 and, although he was eager to place greater emphasis on a reformatory policy, he did not make any major change. In 1957, with the election of a Labour Government, H.G.R. Mason became Minister of Justice. While he was deeply interested in penal reform he achieved little "partly because his Government held office by a slim majority and partly because he seemed unable to secure whole-hearted support within Cabinet for his policy measures." (17)

1961 - 1969

Much has been written about this period of New Zealand penal policy⁽¹⁸⁾ and it is not proposed to deal with the many progressive reforms initiated during the decade under the guidance of the Minister of Justice, J.R. Hanan, and the Secretary of Justice, Dr. J.L. Robson.

For the purpose of this paper, the most important characteristic of the Hanan^{-Robson} era was the emphasis given to the need for public acceptance of departmental policies. Robson realised the necessity of securing public approval if some of the more innovative measures which the Department proposed, were to be implemented. As Robson himself stated:

"In my ruminations on penal policy I kept coming back to the question of public attitudes. There seemed no other

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17. J.L. Robson - "Penal Policy in New Zealand - Australia and N.Z. Journal of Criminology, December, 1971: 4, 4, at p.196.
18. e.g. M.V. Stace - "Penal Policy In New Zealand, 1961-1969 - LLM Thesis Auckland University, 1971.
J.L. Robson, "Penal Policy in the Crucible" in Law, Justice and Equity, Pitman & Sons, London 1967, p.56
J.L. Robson, supra n.14
J.L. Robson, supra, n.17

way but a direct sustained attack over a wide front before progress could be made (19)... I knew I could make little headway until I had dealt effectively with the question of public attitudes." (20)

Robson realised that the reformatory policies of the department would stand or fall depending on public attitudes. Furthermore, public interest had to be diverted as far as possible away from the less savoury aspects of the penal system, such as escapes from institutions, overcrowding, etc. since such interest might consolidate so as to jeopardise the reformatory programme.

This paper traces the development of Paremoremo Prison and spans the entire Hanan-Robson period. Therefore many of the other salient characteristics of the era will become apparent as they arise in context. Suffice to say at this stage that it is the writer's contention that this emphasis on public relations influenced the construction of Paremoremo.

CONCLUSION:

If there is one feature which has been prevalent throughout New Zealand penal history, it has been the failure of successive governments to administer the penal system in a responsible and efficient manner. All too often the government of the day would shrug off its duty and refuse to authorise the expenditure necessary for the construction of vitally needed institutions. Mention is made in 'Crime and the Community', that between 1934 and 1964, only one complete building had been erected, that being Waikune Prison.

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19. J.L. Robson - "Penal Policy in the Crucible" - in Law, Justice and Equity. Pitman & Sons London, 1967, p.56
20. J.L. Robson, op.cit. n.18 at p.197

Inevitably, events caught up with the penal administration, and during the 1950's and 1960's, New Zealand prisons were characterised by severe overcrowding, especially in medium and maximum security accommodation.

SECTION 2: THE NATIONAL PRISON CENTRE AT WAIKERIA:

The notion of replacing Mount Eden Prison with a new maximum security institution was originally mooted in 1951. Faced with the prospect of inadequate institutions and imminent overcrowding, Barnett recommended that a long-term plan for the New Zealand prison system be drawn up. In the 1951 Annual Report on Prisons, Barnett stated:

"The best broad conception of the future that we can formulate is to set up gradually a comprehensive prison centre in the North Island. New Zealand has a relatively small prison population for its area, and it is impossible to do good classification and reach a high standard in training where there is only a series of small institutions with a certain "sameness" in the training potential and general character of the institution.

I think we should have a group of institutions on one site, such institutions to provide for classification from full security to completely open treatment. Then we could assemble in one group the small number of specialised staff we will need and provide a scope of vocational training.

.....It remains to be considered where best to site such a centre. As it happens we have an estate of sufficient size at Waikeria. Four or five institutions could be located around the perimeter at a sufficient distance from one another with a central administration block to serve all... The present institution at Waikeria would serve as the nucleus of the full security building, which is, of course, the most expensive of prison buildings to erect. To adopt this plan would be, I believe, the quickest way to get out of Mount Eden, and would, in the long run, give us the best chance of getting into the forefront of penal services."

Government approval of the proposed scheme was forthcoming and while the prospect of an immediate start to construction of the Centre was remote, Barnett was imbued with some degree

of optimism. In the 1952 Annual Prisons Report, he remarked:

"Although on present indications there appears to be little prospect of getting this centre for some considerable time, yet we may work toward it. Presently we are engaged in preparing the general plan. Given a variety of institutions in one place properly equipped, we shall have no excuse for not showing the way in penal practice."

Tentative plans of the Centre were prepared, but, in actual terms, no real progress was made on the construction of the proposed institutions.

The failure by previous governments to allocate sufficient finance for the erection of new institutions coupled with a steady increase in prison population, resulted in overcrowding in many institutions. In 1954, Barnett was prompted to remark that:

"We are on the verge of an accommodation crisis."

Then followed the inevitable query:

"With the pressing social need for houses, hospitals, and schools, we may well know where we stand in the order of priority. Nevertheless, the question which will soon press hardly for answer is - do we maintain and enlarge existing decayed and archaic institutions or do we make a modest commencement with the National Prison Centre which Government has approved in principle? Preliminary work has been done on the ground plan for siting institutions and incidental installations. It is our hope that we may be able to make a start on a medium security institution and free the present building for conversion into a full-time security institution in replacement of Mount Eden." (1)

1. 1954 Annual Report on the Department of Justice.

Barnett, unfortunately was guilty of indulging³ in some wishful thinking. While he recognised the very real need for a new institution to replace Mount Eden, it is apparent that either he never requested Government for the finance necessary to begin construction at Waikeria, or else he realised the futility of such a request. Perhaps the latter reason was somewhere nearer the truth for in his 1957 Report, Barnett commented:

"I have in the past been reluctant to request large sums of money for capital development for I have been aware of the urgent need for the development of other Government services."

Nevertheless, continued Barnett,

"The position has now arisen when there is no alternative to a large-scale prisons building programme (T)here has been a large increase in prison population and urgent action is being taken to provide more inmate accommodation at Waikeria. The construction of a new dormitory block has been approved and planning is in progress. Approval is also being sought to enable planning to begin next year on a new cell block and a new borstal as the first step in developing Waikeria as a National Prison Centre."

The consistent attitude of government in the 1950's had been to defer expenditure on major items, such as construction of new prisons and borstals, in favour of expenditure on minimum security buildings, which, obviously, were quicker and cheaper to erect. This attitude inevitably resulted in an embarrassment of riches in one area, and an acute poverty in others. The tone of the 1958 Annual Report was again one of despair:

"Once again I have to report a considerable increase in the number of men and youths in our prisons and borstals... The position has now been reached in which practically every

possible form of improvisation has already been made and there is still insufficient room in the institutions for the ever-increasing number of inmates... We have, however, now reached a stage in which the high proportion of minimum security accommodation has become an embarrassment. Our greatest need is for 150 maximum security beds because there appears to be a higher proportion of prisoners being received whose record of attitude is such that they should not be detained in other than maximum security conditions. Unfortunately however the quickest buildings to erect are of a minimum security type. This lack of maximum security accommodation is particularly serious in our borstal institutions.

It has been necessary, because of the increase in the number of inmates, to concentrate on new prison buildings, in particular, the development of Waikeria."

Barnett's frustration at banging his head against a brickwall of governmental indifference to the plight of the prison system, turned to resentment, and the 1959 Annual Report had much to say:

"...(E)vents have caught up with us ... I am now obliged to say that, even without attempting to modernise our penal system, a great deal of money must be spent in quickly planning and building unless there is to be a complete breakdown in the prisons, borstal and probation services. That we must build - and do so quickly - I think is undeniable ... The time has passed when we could expect to solve our accommodation problem simply by placing a few more huts in the prison camps, or by converting a stores room into a dormitory. It has ceased to be a matter merely of finding the space for a few more beds (T)he decision to enter into a major building programme cannot be deferred, nor can construction be impeded if offenders are still to be sent to penal institutions."

The Report then went on to discuss an overall plan for prison construction which would cater for the expected

increase in prison population until 1975. The plan outlined the new or enlarged institutions needed and also set out the location and type of institutions considered necessary. The plan administered the kiss of death to the proposed National Prison Centre at Waikeria.

"Our plans for the development of the National Penal Centre have been recorded previously ... (W)e have abandoned the conception of a National Prison Centre at Waikeria. When that idea was submitted first we were calculating on the incidence of crime remaining steady. It is now obvious that, by the time the institutions are built, there will be only room for young adult prisoners and borstal trainees..."

According to the plan, Waikeria was to become a National Centre for Young Prisoners, and the whole estate was to be given over to corrective and borstal trainees.

The proposal to turn the existing Waikeria institution into a maximum security institution was shelved; instead it was suggested that Mount Eden be used solely as a maximum security prison, and a new prison be built in the grounds of Mount Eden to cater for remands and short-sentence prisoners.

CONCLUSION:

While the concept of a national prison centre, catering for all types of offenders is open to debate, there is no doubt that had Barnett's ideas been implemented, New Zealand would have been 'blessed' with a maximum security institution by 1958, instead of 1968. The construction of a national prison centre, would have undoubtedly staved off much of the overcrowding and inmate unrest which were the bane of New Zealand prisons, and, especially, Mount Eden, in the 1960's.

SECTION (3): THE INADEQUACY OF MOUNT EDEN PRISON 1949-1964

Sir - Remember the song of about 35 years ago ?

In the Big Rock Candy Mountains,
The gaols are made of tin,
And you can walk right out again,
Once they've put you in.

- I am, etc.,
Mount Eden.

Letter to the editor which appeared
in the Evening Post in about 1964

"Mount Eden's a hell of a place. I'd sooner end
up in the cemetery than back there."

- Prison escaper Leonard Evans,
reported in the Evening Post
February 5, 1965.

(a) The 1950's

Mount Eden Prison was initially erected as a stockade in the 1870's. By 1917 it had become New Zealand's chief penal prison, and many hardened offenders served their sentences there. Various governments had authorised improvements to the Prison from time to time, but by 1949 there was a realisation that Mount Eden was an archaic and antiquated institution, which was in urgent need of replacement. The 1950 Annual Report on Prisons remarked that Mount Eden

".... was first erected some seventy years ago. It is now in a closely-built

residential area. It is now quite unsuitable and inadequate and there are insufficient exercise yards or suitable labour facilities for modern penological treatment. Apart from trial and remand prisoners and local short termers, the more dangerous and intractable prisoners in respect of whom security considerations are paramount are kept there. The replacement of such an institution is a major problem but it is hoped that a solution may be found within a reasonable time."

In a similar vein, the 1951 Annual Report commented:

"A most significant announcement, and certainly most gladdening to a prison administrator, is the decision of the Minister, the Hon. T. Clifton Webb (and Government), that Mount Eden Prison must go. We can never make radical changes to bring us in line with modern penal practice as long as we are tied to Mount Eden as our main institution.

In the same Report, the Secretary of Justice, S.T. Barnett, outlined a plan to erect a national prison centre at Waikeria. It was proposed that such a centre would cater for all types of offenders, and that the existing institution at Waikeria would house those inmates who warranted maximum security conditions. However, progress at the Waikeria site never extended beyond drawing up plans for siting institutions and incidental installations.

Overcrowding

Meanwhile, the prison population rose steadily and it was not long before many of the institutions became overcrowded. The lack of sufficient maximum security accommodation resulted in Mount Eden Prison holding many more prisoners than it was effectively capable of doing. In 1957 the daily average muster at Mount Eden was 348.83

male inmates. By 1958 this figure had risen to 393 with a peak, at one time, of 427 inmates being held in the prison. These figures are significant when it is realised that the designed maximum capacity of Mount Eden was less than 300.

Escapes

While overcrowding constituted a serious problem, it was escapes from Mount Eden which aroused much publicity. As Barnett himself noted:

"Escapes are the bane of the penal administration because, in this country at any rate, they attract so much public attention." (1)

Indeed, during the decade, public consternation was aroused not only at the frequency of escapes (from 1949-1959 a total of 20 inmates had escaped⁽²⁾), but also by the type of offender who escaped. Escapes from a so-called 'maximum security' institution are bad enough; but when the escaper is a convicted murderer, then all hell breaks loose.

There were some very notable escapers from Mount Eden during the 1950's, and their escapes attracted much public attention.

1. 1959 Annual Report on the Department of Justice.

2.

Year	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959
No of escapes from Mt. Eden	5	-	-	1	1	4	2	2	-	2	3

The escape of Leo Sylvester Hannan, a convicted murderer, on February 14, 1955, prompted Truth to remark that the escape

"... has possibly done Auckland a service by drawing attention to the vulnerability of New Zealand's reputedly strongest security prison ... Mount Eden is not only an out-of-date prison by any modern standards. It is also a constant risk, situated as it is in the centre of New Zealand's largest city and adjacent to one of its largest secondary schools. None of which removes the obligation of the authorities to ensure that all possible precautions are employed to prevent escapes." (3)

There was a further public uproar in 1955 when Edward Horton escaped on December 6. Horton had been sentenced in 1948 to life imprisonment for murder. The Chief Justice, Sir Humphrey O'Leary, addressed these words to Horton at the time of sentence: (4)

"Our English language scarcely has words powerful enough to express the heinous nature of your crime. I doubt whether diabolical or fiendish are adequate to describe the way you attacked, maimed and outraged and murdered this unfortunate little woman out for her Sunday morning walk.... It would appear you are a menace to society and dangerous to be at large."

"Horton was notorious enough but the circumstances in which he escaped made the situation much worse. He was one of a party who had been taken from the prison to a church hall for a game of bowls. The view was widespread that he should not have been allowed out for such a purpose so early in his sentence (N)ewspaper editorials throughout the country heaped abuse and criticism upon the administration. There were rumours that the Minister

3. New Zealand Truth, February 23, 1955.

4. For a fuller version of The Chief Justice's address see J.L. Robson - "Crime and Penal Policy". N.Z. Jo. of Pub. Admin. 1971, p.20 at pp 27-28.

would be obliged to resign ..." (5)

During 1956 there were two escapes from Mount Eden, both escapers were not regarded as dangerous to the public, and, therefore, the publicity given to the escapes was fairly minor.

However, in 1958 prison authorities discovered a systematic practice of prisoners escaping from Mount Eden, committing crimes and returning to their cells before daybreak. The press, as one would expect, were incensed at this discovery and were highly critical of both the prison administration and the prison itself. The New Zealand Herald commented:

"Such happenings might be held possible at one of the minor prison camps or farms, where prisoners abuse a trust system and take illegal leave. But not, surely, at Mount Eden.

For Mount Eden is the one New Zealand prison where full security is enforced. It houses some of the worst criminals in the country Tighter security precautions can be introduced at Mount Eden, but the long-term need of a new prisons set-up is quickly becoming a short-term urgency." (6)

Forced into a corner, the Minister of Justice, H.G.R. Mason, conceded that Mount Eden was "outdated and in the worst possible place for a high-security gaol. The latest escapade emphasised the need for increased staff and further buildings." (7) The Minister hoped, however, that the public would understand that the prison service was performing a most creditable task under circumstances that were not easy. Mount Eden was accommodating about 150 more prisoners than it was built for. Mr. Mason stated that the Government

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5. J.L. Robson, ibid, p.28
 6. N.Z. Herald, June 14, 1958
 7. Christchurch Press, June 16, 1958

was investigating ways and means of speeding up the development of the National Prison Centre at Waikeria.

Stronger security measures were taken at Mount Eden, and the Secretary of Justice, S.T. Barnett, wrote to the Superintendent of Mount Eden that:

"Although I do not suggest that the escapes resulted directly from the allocations to cells I feel that there is a need for the exercise of greater prudence in allocation In particular you must ensure that those inmates whose escape would cause undue public concern are in the most secure accommodation."

(b) The 1960's:

While the problems encountered at Mount Eden during the 1950's were sufficient to give a prison administrator a severe headache, events in the early 1960's were enough to induce a nervous breakdown.

Overcrowding continued to be a severe problem, and Mount Eden regularly held over 400 inmates. ⁽⁸⁾ Overcrowding led to tensions within the institutions and, inevitably, incidents occurred. In the 1962 Annual Report

8. Muster at Mount Eden 1960 - 1965:

Year	Average Number of Male Inmates	Average Number of Female Inmates	Greatest Number of Inmates at Any One Time
1960	413.34	10.35	446
1961	388	11	424
1962	394	10	441
1963	371	10	407
1964	358	10	408
1965	345	11.7	360

Dr. Robson alluded to this problem.

"Overcrowding is still the most serious problem in male institutions. The main reception institutions have been forced to continue placing 2 or more men in a cell, and it has been impossible to adequately segregate the various categories of offenders. Facilities for training, education and recreation have been taxed to the limit. The frustrations and annoyances that result from overcrowded conditions cause dangerous tensions manifested in outbreaks of violence or disorder. Several incidents that have occurred at Auckland Prison are the result of the gross overcrowding in that prison."

As in the 1950's, it was escapes from Mount Eden which attracted much publicity.

On April 11, 1960, Angelo La Mattina, a convicted murderer, 'escaped' from his cell and hid in the roof of Mount Eden for eight days until he was recaptured. On February 3, 1961, Trevor Edward Nash, a convicted pay-roll thief escaped and was at liberty for nearly six months until recaptured.

These escapes were publicised in the press, and the question always asked was. "How can inmates, dangerous to the public, escape from a maximum security prison such as Mount Eden?"

Overcrowding, escapes, and the publicity attributed to the deficiencies of Mount Eden, culminated in a drop in the morale of prison officers at the prison.

On April 21, 1961 the Central Committee of the Prisons' Group (P.S.A.) wrote to the Secretary of Justice, claiming that the Committee had received expressions of concern from the members at Auckland Prison at recent references by the press to Mount Eden as being a 'full security' prison. The

letter outlined several submissions put forward by the prison officers:

- (1) The vulnerability of a prison housing 400 inmates situated within New Zealand's largest city.
- (2) The lack of facilities for adequate segregation of different classes of prisoners, and the impossibility of classification of inmates occupying the double and association cells.
- (3) The impossibility of adequate supervision with the open system of visiting in a supposed maximum security prison.

The Secretary of Justice replied:

"Needless to say, the Department is fully aware of the limitations of Auckland Prison as a maximum security institution. However, it is undoubtedly our most secure institution and irrespective of what we call it, it will continue to be in the public mind, New Zealand's maximum security institution. I hope the time will not be too distant when we will have a maximum security prison of the standard of the most modern institution overseas.... In the meantime I see little point in trying to alter the general impression that this is a maximum security institution."

Public attention was again focused on Mount Eden, following the escape on April 2, 1962 of La Mattina and Edward Tell.

The Dominion, in an editorial, posed the question "How secure are the Prisons ?" (9)

"The escape of Angelo La Mattina from Mount Eden prison will naturally have

9. The Dominion, 3 April, 1962

given rise to a great deal of uneasiness, not to say alarm, among the public. La Mattina is a convicted murderer. His passion to escape his life sentence could involve him in desperate and dangerous acts. The public, therefore while demanding that every resource be turned to his recapture, will also wish to know how it can come about, as indeed it has before, that a prisoner of La Mattina's reputation can successfully bid for freedom. The short answer is that Mount Eden is not a full maximum security prison on modern standards, although it is the nearest approach we have to one. In fact, the most urgent of New Zealand prison needs in terms of new establishments is a male maximum security centre."

In an endeavour to prevent the unwelcome publicity caused by escapes, Dr. Robson wrote to the Superintendent of Mount Eden.

"The Mattina-Tell escape and other recent incidents have emphasised the problems you are faced with in the management of Mount Eden. I wish I could paint a better picture for the future but at present I can see little hope of any significant drop in numbers or of any improvement in the character of the inmate your institution is holding .. While any escape from Mount Eden will always attract some public interest, there is a considerable group of inmates whose escape would cause, not only interest, but also concern and even alarm. Such a group might include lifers and others convicted of crimes of violence as well as known escapers and the more serious offenders against property. You will tell me that many of these are no longer security risks but as long as they remain in Mount Eden, they must be assumed to require maximum custody."

La Mattina again escaped on September 19, 1962, but was recaptured the same day. In a press statement the next day, Mr. Hanan pleaded for public understanding of the difficulties faced by the prison administration at Mount Eden:

"In any institution holding maximum security prisoners there will always be some who constantly seek to outwit the staff and

make good their escape ... In an inadequate institution such as Mount Eden, these men should be watched continuously as individuals but the present overcrowding coupled with shortage of staff makes continuous supervision extremely difficult... At the present time the institution is 14 officers short of authorised establishment This shortage in staffing in an institution which is both overcrowded and inadequate makes the task of the staff a particularly trying one and the public should know of these difficulties."

In the 1963 Annual Report of the Department of Justice, reference was made to the problem of escapes from Mount Eden:

" because of the inadequacy for its purpose of our only maximum security prison, some of the escapes in 1962 were of a spectacular nature and attracted much publicity. It is clear that special accommodation must be provided for a small group of inmates whose thoughts and plans are constantly directed towards escape."

The Report then went on to propose that women prisoners be removed from Mount Eden, and that a specially secure unit for security risks and recalcitrants be constructed.

1963 got off to an extremely bad start, when on January 29, four inmates (including the celebrated George Wilder) escaped from Mount Eden. All the inmates involved had previous escape records, and two had absconded from Tongariro Prison Farm only a month previously.

The reaction of the press was predictable:

"The Auckland Prison - ill-sited, grossly overcrowded and difficult to manage - is no place for such men. Yet there is nowhere

else to send them. Whatever efforts are made to intensify security at Mount Eden, escapes will continue. The very nature of the breakaway yesterday shows the inherent weaknesses of an archaic institution. It should make the Government determined to apply one practicable remedy - a new prison." (10)

"No-one can blame the Mount Eden Authorities for the escapes. Mount Eden is not a full-security prison and bad-overcrowding increases the difficulties of supervision. Obviously escapes will continue so long as no better place than Mount Eden is available to house our most desperate criminals" (11)

"It is not right that, because of a lack of a suitable institution, the public should be periodically subjected to the anxiety caused by the knowledge that desperate criminals are on the run." (12)

On March 14, 1963, Mr. Hanan released a press statement on strengthening the security of Mount Eden. The Minister stated that:

".... he had to emphasise once again that Mount Eden could not now be regarded as a maximum security institution. There were fundamental weaknesses in its design which would be most difficult to correct but his Department had embarked on a number of measures to strengthen its security."

The Minister had decided, therefore, that the segregation of inmates who were intractable could not wait the completion of the new maximum security institution. He had considered several possibilities and was convinced that the best answer lay in the removal of the woman's section from Mount Eden. This would enable the area vacated to be set aside for the construction of a small secure unit to contain this type

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10. N.Z. Herald, January 30, 1963
 11. The Dominion, January 30, 1963
 12. The Timaru Herald, February 1, 1963

of inmate.

The Auckland Star was quick to applaud the Minister's statement:

"The so-called maximum security jail in Auckland is no longer officially so-called. In acknowledging this, the Minister of Justice, Mr. Hanan has realistically got into step with public opinion. His recognition that something must be done right away to tighten security in this leaky old prison is also realistic.... However, the decision to build the secure unit cannot be regarded as anything but a stop-gap." (13)

In 1964 construction began on the secure unit at Mount Eden. It was proposed that the unit hold up to fourteen of the worst offenders at Mount Eden.

The unit was completed in February, 1965.

Conclusion:

The inadequacy, insecurity and sheer old age of Mount Eden in the 1950's prompted the decision to construct a new maximum security institution. By the end of the 1950's the Government had finally realised that the prison was out-dated and antiquated, and that it fell far short of the standards required of a maximum security institution.

Events in the early 1960's reinforced the decision taken by the Government in August 1962, to build a new maximum security institution in place of Mount Eden. However, it was not until the riots at Mount Eden in July, 1965 that urgency was accorded to the project.

SECTION (4): THE DEVELOPMENT OF PAREMOREMO PRISON

(i) The Decision to Build a New Maximum Security Institution.

It will be recalled that the 1959 Annual Report of the Department of Justice contained a plan outlining the new and enlarged institutions needed for the effective operation of the New Zealand penal system. The Report stated that Mount Eden Prison was overcrowded and that it catered for remands and short-sentence prisoners as well as for long-term prisoners and others requiring maximum security conditions. It was therefore proposed

"to build another institution in the grounds of Mount Eden Prison to cater for those men held on remand awaiting transfer, or serving short sentences.

These buildings will enable Mount Eden to be used solely for the hard core of prisoners who have to be held in conditions of maximum security."

In June, 1960, a memorandum from the ^{Minister}~~Secretary~~ of Justice was circulated to all members of the Cabinet Works Committee, seeking the approval, in principle, of the Committee to the erection of a Remand and Short Sentence Prison in Auckland. The memorandum also noted that:

"An alternative proposal has been considered but rejected on the grounds of economy. The proposal is to build a new maximum security institution on another site away from Auckland city and to use the present Mount Eden Prison as a Remand Centre. Such an institution would cost an estimated £910,000 and this expenditure is not recommended because of our extensive requirements and the fact that our requirements can be satisfied with the erection of a smaller institution."

The memo reflected the logical opinion held by many

persons in the Justice Department, that the cheaper the cost of the institution, the more likely it is to be approved by Government.

Evidently, some members of the Cabinet Works Committee harboured serious doubts as to the desirability of prolonging the existence of Mount Eden as a maximum security institution. The Committee deferred consideration of the matter and invited the Minister of Justice to submit a report outlining the reasons why maximum security prisoners could not be accommodated on the site of the planned maximum security prison at Waikeria.

Dr. Robson was appointed Secretary of Justice in July, 1960, and he held firm views on the concept of a national prison centre. At a Penal Group Meeting late in July, Dr. Robson stated that he considered a Prison Centre, with an expected population of 983 inmates, to be an "administrative horror". It was resolved that the Centre would cater for 750 inmates at the most.

Dr. Robson's doubts over the desirability of the national prison centre received Ministerial approval in November, 1960 when the Minister of Justice, Mr. Mason, replied to the Cabinet Works Committee as follows:

"The objections to accommodating maximum security prisoners at Waikeria are summarised as follows:

- (a) It would be quite wrong to have borstal and maximum security inmates on the one property. Although any maximum security institution established there would be enclosed by a wall and inmates would seldom be outside the wall, I am certain that the mere presence there of the worst of our adult criminal population would have a most unsettling effect on the younger age group.

- (b) It is important to our borstal training to have a nearby community which will accept the institution and play its part in its recreational, cultural and spiritual programme ... I feel sure that the presence of a maximum security institution in the area would alienate our good relations.
- (c) I would much prefer that any new maximum security institution be established in the Auckland area near a large centre of population.

When I put forward the proposal for the Remand Prison, I did so because I felt that it was the most economical way of overcoming our problem in Auckland, It would cost an estimated £ 250,000 against about £1,000,000 for a new maximum security institution plus the cost of converting the existing Mount Eden Prison into a Remand Prison."

In November/December, 1960 upon Dr Robson's return from an extensive trip overseas, the building programme for prisons was completely reviewed and an assessment made of requirements for the next 15 years. This assessment included the need for a new male maximum security institution, the completion of which would enable Mount Eden to be converted into a institution for trial, remand and short-sentence inmates.

An editorial in the New Zealand Herald on 8 April, 1961 called for more vigorous progress with the long deferred building programme. This

"would not only improve security but also enable more offenders to be restored to a useful and law-abiding place in society."

On May 10, 1961, a revised building programme based on overseas trends was submitted to the Cabinet Works Committee. The programme limited Waikeria to borstal accommodation only and included provision for a new maximum security institution at Auckland.

However, it was nearly nine months after this programme had been submitted to Cabinet, that the Justice Department eventually sought Government approval for the construction of a new maximum security institution. In a memorandum to the Cabinet Works Committee⁽¹⁾ the Minister of Justice, Mr. Hanan, stated that:

"The Auckland Prison has a maximum designed capacity of 275 to 300 inmates but at times during the past three years it has been holding up to 450 inmates. There is serious overcrowding and conditions are unsatisfactory. The institution holds remands including young offenders, short sentence and long term inmates and it is difficult to segregate these groups. ... In 1960 my predecessor proposed, on the grounds of economy, that the remand centre be built The building of a Remand Prison on the present site in Auckland would temporarily relieve the problem but there is no doubt that pressure would be brought to bear to remove the maximum security institution particularly with two institutions in Auckland city ... Although a new maximum security institution will cost nearly £1,000,000 it would be false economy to meet the problem by building a new remand institution and using the present institution for maximum security... The problem should be faced now and a decision made to rebuild in the Auckland area."

The Minister recommended that the Cabinet Works Committee:

- "(a) Approve in principle the construction of a new maximum security institution of 200 beds in the Auckland area ...
- and
- (c) Authorise negotiations for the acquisition of a site for the maximum security institution."

1. 26 February, 1962

At their meeting on March 14, 1962, the Cabinet Works Committee accepted the recommendations, and the Justice Department commenced a search for a suitable site for the proposed institution.

(ii) Site:

The requirements of the Justice Department were that the site be within a general radius of 30 miles of Auckland (with a definite preference for land south of Auckland) and that the land should be about 80 acres in area.

Prior to 1962, the Department had investigated numerous sites, but by May 1962, interest had focused on two properties - one was 12 miles north of Auckland at Paremoremo, near Albany, and the other was south near Manurewa.

At a meeting on May 28, 1962, the Buildings Committee decided in favour of the Albany property, but considered that the possibility of acquiring other sites in the area should be investigated further.

On July 4, 1962 a memorandum was circulated to members of the Cabinet Works Committee by the Minister of Justice, requesting approval to purchase the site at Paremoremo. In addition, the Minister requested that the Committee approve the expenditure of up to £52,000 to purchase the site.

On July 18, 1962 the Cabinet Works Committee approved the expenditure requested for the acquisition of the site.

The New Zealand Herald breathed an editorial sigh of relief at the approval to purchase a site for the new maximum security institution. ⁽²⁾

"The choice of a site on the upper

Waitemata for the new maximum security prison promises an end to 20 years of political procrastination. The replacement of the gaol at Mount Eden - in its present form a 'socially dismaying' anachronism - will pave the way for wider reforms and should help materially in overcoming the frustrations of a system which crams nearly 2000 prisoners into institutions designed to accommodate 1400."

The property at Paremoremo was purchased on September 8, 1962.

(iii) Design

With the purchase of a site, preliminary planning commenced on the design of the new institution. Initially there was a conflict of opinion as to what type of institution should be constructed.

Dr Robson had firm views on the proposed new prison. He preferred the design of the Swedish institution at Norrtälje which comprised

"separate villa type living units with a central administration block and separate workshops and other service buildings. None of the living units would be more than single storey, no buildings should form part of an outside wall, and a fence rather than a wall should be provided to give security." (3)

A contrary opinion was expressed by some who had doubts as to

"building the maximum security institution without having adequate facilities for keeping inmates in conditions of security. The provision of a wire fence would not, in their view, give anything like full security. It was thought too that

Superintendents with long experience of our criminals would be unwilling to accept an institution along the lines suggested." (4)

In November, 1962 Mr. Hanan wrote to the Minister of Works stating that:

"... the choice lies between a fortress type with high walls as exemplified in several of the prisons recently or about to be erected in U.S.A. and a one storied pavilion type of institution as at Norrtälje, Sweden, which is surrounded by a high wire fence and relies on electronic equipment and other modern devices. At the moment I lean in favour of the Swedish type providing that it is in fact secure up to a standard one would expect of a maximum security institution for this country."

Meanwhile, Dr. Robson had written to the Director-General of the Swedish Prisons Board, and queried whether, 'If you were erecting a new maximum security prison today would you follow in every major way the design you had at Norrtälje?'

The Director-General replied:

"My answer is definitely no. Norrtälje is not a maximum security institution we have just started to build an institution at Kumla which could be labelled 'maximum security'. In my opinion the Kumla central institution is as good as any full security institution could be these days."

Plans of the Kumla institution were subsequently sent to the Justice Department.

With the escape of four prisoners from Mount Eden in January, 1963, the newspapers called for urgency to be accorded to the building of the new prison at Paremoremo:

"Four determined prisoners who escaped

from the Auckland Prison have once again demonstrated the urgency of proposals for the building of a new full security gaol. On present plans such an institution may be completed at Paremoremo in 1968 - or later. That date is too far away Granted appropriate priority, the Paremoremo buildings could be completed and Mount Eden virtually evacuated in 1964 or early 1965. To procrastinate on such an issue is to trifle with public security." (5)

The Minister of Justice replied in a press statement that he had been in touch with the Minister of Works about the planning of the new institution and he was trying to arrange for an architect from the Ministry of Works to go overseas soon to study designs of the latest maximum security prisons in other countries.

In a further press release a month later, Mr. Hanan stated that he was doing his very utmost to hasten the building of the new maximum security prison at Paremoremo. Cabinet had already agreed to send an architect overseas to study the most up to date security installations. This architect would look not only at the design of institutions but also at modern construction techniques for this type of building to ensure that the quickest possible methods of construction were used.

Early in 1963, Mr. J.R.P. Blake-Kelly, the Assistant Government Architect, went overseas to study maximum security prisons in the United States, Sweden and England. Prior to his departure Dr. Robson wrote to him that:

"I am not enamoured of the fortress approach and prefer the conceptual approach shown by Sweden in such institutions as Kumla. However, the design that we eventually adopt must produce maximum security." (my emphasis)

Mr. Blake-Kelly returned in mid-1963, and the design of the new institution was decided upon. Unfortunately the writer was unable to obtain a copy of Mr. Blake-Kelly's report. While it is therefore impossible to state categorically that this report provided the blueprint for the present institution, it is the writer's contention that the conceptual design and chief characteristics of the prison as it exists today, had their genesis in Mr. Blake-Kelly's report.

One can only speculate over the role played by various penal administrators in the design of the prison. For example, how much influence did Mr. E. Buckley (the Superintendent of Mount Eden at the time) exercise over the design of the institution? Some people have labelled Paremoremo as "Buckley's Prison", and it is well known that he was constantly approached by Justice Department officers for his opinion on many issues concerning the construction of the prison.

In a similar vein, one can also query the position of Dr. Robson. The ultimate design of the prison was a far cry from what he envisaged initially as an ideal maximum security institution - the idea of utilising a wire fence to provide perimeter security gave way to high concrete walls, villa type living units became cell blocks, and so on. Was Dr Robson perhaps persuaded by Mr. Blake-Kelly and others within the Justice Department, that the conceptual design which he favoured could not produce maximum security, and that there existed a very real possibility of escapes from such an institution? It must be remembered that the officers in the Department were greatly concerned at the time over the numerous escapes from Mount Eden prison. This concern undoubtedly affected their attitude to the design of the new institution; they were unlikely to sanction the construction of a maximum security institution which could not guarantee the virtual impossibility of escapes.

Only Dr. Robson knows the reason for his change of mind; unfortunately, however, he would not comment on the subject when approached by the writer.

In August/September, 1963 the plans of the new institution were sent to the Superintendents of all penal institutions in New Zealand for their comments. The design of the proposed institution met with general approval.

(iv) Size:

In May, 1961 a revised building programme was submitted by the Justice Department to the Cabinet Works Committee.

This programme included provision for a new male maximum security institution in the Auckland area. The capacity of this institution was assessed at 200 inmates. The decision to settle on 200 was made on November 1, 1961. However, "there seems to be no basis for the 200 at that time,"⁽⁶⁾ other than a rough estimate of maximum security inmates currently being held in institutions in New Zealand.⁽⁷⁾

The proposed size of the new institution was somewhat surprising in view of the comments made by Dr. Robson in the 1961 Annual Report that:

"(a) We should avoid large institutions as far as possible. Small institutions offer the best hope of success in the reformatory field, and they are easier to control.

(b) We have too high a percentage of our inmates in maximum security. A substantial proportion of the Mount Eden inmates should be placed in our medium security institutions.

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6. Minutes from Senior Executive Officer (Penal) to the Secretary of Justice, February 1, 1972.
 7. It will be recalled that the 1958 Annual Report made mention of the need for 150 maximum security beds. Perhaps the figure of 200 was based on this figure plus the expected increase in the future of the number of inmates requiring maximum security.

I consider that the ideal number in an institution is 100-150 and ... our future programme should adjusted to keep within this limit."

In February 1962, the Cabinet Works Committee accepted the recommendation of the Minister of Justice that approval be given to the construction of a new maximum security institution of 200 beds.

On March 18, 1963, Dr. Robson wrote to the Assistant Government Architect, Mr. Blake-Kelly, giving some directions on the question of the size of the proposed institution. Dr. Robson suggested that the prison have a capacity of 200 inmates, with a small unit of 20 for top maximum security.

Mr. Blake-Kelly returned in June, 1963 and in his report, recommended that the new institution include a reception and classification centre of 50 beds. He therefore proposed that the institution be increased from 200 to 250 bed capacity.

On July 31, 1963 the Cabinet Works Committee approved in principle this increase in the size of the new prison.

In 1963 information was obtained from all institutions on the security category of inmates then in custody. One survey found that of the 1348 inmates then in custody, 210 required full maximum security. (8)

On June 27, 1966 and again on December 15, 1967 the security groupings of inmates were categorised. These

8. It appears that another survey was conducted earlier in 1963 which revealed that between 70 and 80 inmates required full maximum security. Unfortunately, the papers relating to this survey could not be located. Furthermore, there is no record as to the criteria employed for this breakdown of security groups. It is also important to note that the results of the later survey were submitted to the Cabinet Works Committee as partial justification for the increase in the size of the institution, recommended by the Assistant Government Architect. One can therefore deduce, in view of the results of later surveys, that the figure may have been, perhaps somewhat inflated.

surveys showed that there were 75 and 197 inmates respectively who should be held in an institution like Paremoremo. The following is a summary of the figures:

<u>Institution</u>	<u>27.6.66 figure</u>	<u>15.12.67 figure</u>
Mount Eden	13	95
Waikeria	48	68
New Plymouth	4	6
Napier	nil	nil
Wellington	10	17
Christchurch	<u>nil</u>	<u>10</u>
	75	197
	==	===

There is a considerable discrepancy in these figures taken out after only an eighteen month period. The increase in the number held at Mount Eden can be partially explained by the transfer of many prisoners back to Mount Eden, after the damage incurred during the riot in 1965 had been repaired. In addition, it appears that at that time "there was considered to be a general hardening of the category of inmates and this is borne out by the figures for each of the more secure institutions."⁽⁹⁾

Perhaps the substantial difference between the two figures is more easily explained when it is borne in mind that these figures were subjective estimates made by prison superintendents and staff and therefore liable to considerable fluctuations.

One can conclude that the statistical information on which the Department based its decision to construct an institution for 200 (and, later, 250) inmates was somewhat sketchy and open to severe criticism. The four surveys conducted after the initial decision was made to settle on a capacity of 200 inmates provided little concrete justification for that figure. The wide divergence in the results of the surveys is hardly surprising when it is

9. Minute from the Senior Executive Officer (Penal) to the Secretary of Justice, February 2, 1972.

considered that no specific criteria were used for classifying prisoners.

It is interesting to note that during this period, Dr. Robson must have changed his views on the desirable size of penal institutions, or, at least, maximum security institutions. In March, 1961 he asserted that the ideal number of inmates in an institution was 100-150; yet in November, 1961 the decision was made that Paremoremo would hold up to 200 inmates. Furthermore, upon the Assistant Government Architect's return from overseas, the capacity of the prison was increased to 250 beds.

Had Dr. Robson violently disagreed with the proposed size of the institution, there is little doubt that he could have vetoed the plans, or, at least, altered the designed capacity to a more modest figure. One is left to draw the obvious conclusion that Dr. Robson consented to the inmate capacity of Paremoremo. Whether his consent was obtained by pressure exerted on him by some of his departmental colleagues is a question to which only he can provide an answer. (10)

(v) The Riot at Mount Eden 1965:

In August 1963, the Cabinet Works Committee gave approval to the preparation of working drawings for the new institution at Paremoremo.

In Parliament later that year, Mr. Hanan referred to the new prison:

"No target has been fixed for completion, but unless we can occupy the institution within four years we will be in dire straits to cope with those who will be in our charge by then." (11)

10. It must be pointed out that Dr Robson refused to comment on the question of size to the writer.

11. Parliamentary Debates, Vol 336, p.1402

In September, 1964 a tender for site works was let and work began on the new institution. Government approval was also given to the construction at Mount Eden Prison of a small secure unit for fourteen inmates. It was proposed that this new unit would hold the worst offenders until the completion of a new prison at Paremoremo. This unit was completed in February, 1965.

On February 4, 1965 three inmates (including convicted murderer, John Frederick Gillies) escaped from Mount Eden at gunpoint, taking with them a warder as hostage. The next day, however, they surrendered peacefully to the police. An inquiry into the escape by Mr. A.A. Coates, S.M. made a number of recommendations concerning the security of Mount Eden, and several of these were acted on by the Department.

The "ugliest incident in New Zealand's penal history" occurred on July 20, 1965. An escape attempt by two armed remand prisoners developed into a full-scale riot at Mount Eden. The prison was extensively damaged by fire before control was regained. There was no loss of life or serious injury, although 293 men were held in the prison at the time of the riot.

The prison was evacuated and 218 prisoners were transferred to other institutions. The east wing at the Waikeria Youth Centre was converted into a maximum security block for 89 of the worst offenders. A further 31 inmates were sent to a lesser security unit at Lake Alice Psychiatric Hospital.

Several days later, on July 25, a second riot occurred at Paparua Prison. The riot was quickly subdued, but not before a cell block had been badly damaged.

As a result of the riots there were between 50-70

fewer beds in medium security accommodation. Mount Eden could hold only 200 men as compared with its previous capacity of 300-350. Furthermore, the use of Waikeria for maximum security prisoners placed a great strain upon the borstal system.

The newspapers regarded the riots as a damning indictment of the failure of the Justice Department and Government, to replace Mount Eden:

"Built first as a stockade in the 1860's, Mount Eden has long been totally inadequate as a maximum security prison. Escapes have been frequent ... The inadequacies of Mount Eden must have been known to the authorities for a long time." (12)

Mr. A.A. Coates, S.M., was appointed under a Royal Commission to inquire into the rioting. He found that there was a severe shortage of staff at Mount Eden and expressed concern at the effect this and long hours of work were having upon morale and efficiency. His final comment was:

"One of the main difficulties at Auckland Prison has been the need to hold there under maximum security conditions a large and mixed prison population. On the night of the riot the muster at the prison was 293 inmates. Hardened criminals and petty offenders, long term and short term inmates, prisoners who can be trusted and those who are known security risks, and many who will resort to violence, have all been confined in this one building which is outmoded, and in many respects, structurally inadequate and inconvenient. It has been a most difficult task to preserve maximum security under these conditions. It is to be hoped that this situation will be largely remedied when the new prison at Paremoremo is completed. This latest outbreak of violence and destruction further emphasises the urgent need for

that institution." (13)

One 'beneficial' side effect of the riot at Mount Eden was that Cabinet gave approval to proceed with the urgent construction of the new maximum security prison. The contract for the building of the prison was let in October, 1965. Construction work on the site began in December, 1965.

(vi) 1966 - 1969;

Bad weather during the winter months of 1966 affected progress on the project. The New Zealand Herald reported later on in the year,⁽¹⁴⁾ however, that construction work was progressing steadily, and that the prison was expected to be completed sometime in 1968.

The 1967 Annual Report nominated the end of June, 1968 as the expected completion date of the new institution.

In January, 1967, the Manawatu Evening Standard reported that while there had been some concern in Government circles at the slow progress, the construction of the prison at Paremoremo was not^w developing satisfactorily. The paper went on to note that:

"The chances of escape of the criminals sent to the place are considered by the authorities to be remote."

In December 1967, it was announced that the completion date of the new prison at Paremoremo might have to be extended from July 9, 1968 because of the delay in the arrival of steel grilles from Canada.

The project architect for the Ministry of Works, Mr. Hitchcock, was reported in February, 1968 as stating that work by many specialist trades had still to be completed, and so it was probable that the target date of July 9 would not be met.

14. New Zealand Herald, December, 2, 1966

As the new prison began to take shape, and the plans made available to the new media, it was not long before certain aspects of the prison attracted considerable public attention and criticism.

The Auckland Star, on April 6, 1968, in an article entitled "The 'Intractables' Will Live Alone", stated:

"New Zealand's toughest criminals - the 'intractables' as the Justice Department calls them - will live virtually alone in the new Paremoremo maximum security jail. These men will need to leave their 10' by 9' windowless cubicles only to shower and exercise. They will eat alone in their cells (the food will be brought to them) and work in them at a special steel bench... And all the time they will be under the closest guard, hemmed in by electric-power locked doors, and double-watched by closed-circuit television. 54 of the 250 cells at Paremoremo will be for 'intractables'."

Other newspapers featured similar articles, and generally conveyed the impression that in constructing Paremoremo, the Justice Department had created an inhuman monster operated and controlled by sophisticated electronic gadgets and devices.

Dr. Robson was incensed at the treatment of the new prison by the press. In April, 1968, he wrote to the editor of the New Zealand Herald requesting the newspaper to print a "more informed and perceptive article" on Paremoremo, as "some recent publicity has left many people with the wrong impression and it seems a pity that there should be this misunderstanding so early in the life of this new institution."

In May 1968, Dr Robson wrote to Mr. Hitchcock, the supervising architect of Paremoremo, that:

"The way the structure has been

featured in the press down here made me quite ill and I felt obliged to write the letter to the editor."

There was further controversy in June 1968, when a Sunday Times report ⁽¹⁵⁾ revealed the planned conditions of the prison at Paremoremo and contained a legal opinion that solitary imprisonment in the 54 cells for intractables would be illegal under the Crimes Act.

Two days later, the Minister of Justice, Mr. Hanan, replied that he knew of no provision in the law which would be contravened by conditions in the new prison at Paremoremo, and that the Sunday Times report was 'riddled with fundamental inaccuracies."

The Auckland Star in November, 1968 reported that Ed Buckley, the superintendent at Mount Eden Prison, had been appointed Superintendent of Paremoremo. Mr. Buckley was described as a man whose philosophy was "be firm, be fair, be consistent and, above all, keep your temper."

A week before the official opening of Paremoremo Prison in December, 1968, the concept and design of the prison was subjected to a scathing attack by Dr. I.F. McDonald, a senior lecturer in criminology at Auckland University. He described the prison as a

".... monument to the spirit of vindictive retribution. The concept and design of the prison and its system are based on nothing more enlightened or progressive than society's old-age desire for revenge and punishment of the criminal." (16)

The new \$6 million institution was officially opened on December 10, 1968. In his speech at the opening ceremony, the Minister of Justice, Mr. Hanan, stated that recent prison escapes and the community's consternation during the time of the Mount Eden riot

15. Sunday Times, June 23, 1968

16. As reported in the New Zealand Herald, December 5, 1968

justified having one institution like Paremoremo.
Describing the achievement of the new prison as

"something remarkable, Mr. Hanan said penal planners had to reconcile the two objectives of an environment which was secure and at the same time allow within that environment for a programme which would ensure that the inmates could be adequately prepared for return to the community."

Mr. Hanan maintained that

"those involved in the planning of the prison have attempted to rid it as far as possible of an institutional character. It has not been an easy task to reconcile in a single building the two objectives of maximum security and humane custody ... and for my part I am well pleased with what has been achieved." (17)

The opening of the new prison met with general approval from the newspapers. The New Zealand Herald for example commented:

"... New Zealand generally can derive justifiable satisfaction from the opening today of a new full-security gaol at Paremoremo.... The protection of society remains a primary purpose of any system of justice. For some (prisoners)... there remains no alternative but imprisonment under conditions of absolute security... Any policy which ignored such cases or underestimated their danger to the community would prejudice all the hopes for progressive penal reform. On the other hand, imprisonment under full security conditions, however justified, must not mean entombment." (18)

There were some, however, who found the prison, and its electronic gadgetry, appalling. The Auckland Star commented: (19)

".... There is little doubt that Paremoremo will do the job for which the money

17. As reported in the Northland Times, December 10, 1968

18. New Zealand Herald, December 10, 1968

19. Auckland Star, December 7, 1968

was primarily put up - to keep men society fears safely out of the way. But it is the very efficiency of the security measures that critics find dismaying. Paremoremo is a world removed from the slop-bucket squalor of the prison at Mount Eden. But it is too close to Orwell for comfort. It is society's contemporary nightmare cast in concrete, steel and shock-proof glass."

In a similar vein, a letter to the editor of the Evening Star remarked: (20)

"Here we have an institution reminiscent of George Orwell's '1984' of Big Brother Watching You - where a human being is scarcely given a chance at all and is scarcely a human being any more. The latest in electronic equipment is hardly what is needed to prove that any man is a worthwhile person."

Towards the end of March, 1969 the transfer of inmates to Paremoremo began.

SECTION 5CONCLUSION:PART 1: ANALYSIS OF THE DEVELOPMENT OF PAREMOREMO

There can be little disagreement over the decision to replace Mount Eden Prison with a new institution which would cater for many of New Zealand's hardened criminal population. Events in the 1950's and 1960's confirmed the widely-held belief that Mount Eden was an ancient, antiquated and totally inadequate institution.

The unfortunate characteristic of Mount Eden Prison was that it was, as Barnett once put it, "distressingly durable". Improvements to the institution from time to time provided the Government of the day with a ready excuse to justify the retention of Mount Eden as New Zealand's maximum security jail. But by 1961 the Government had finally realised that a decision to replace Mount Eden could not be deferred any longer.

Government acknowledgement of the need to relieve the serious overcrowding and unsatisfactory conditions in Mount Eden Prison, meant that the Justice Department was confronted with the very real problem of finding an alternative to Mount Eden. Three different options were open to the Department:

- (1) Construct a large maximum security institution which would hold most of New Zealand's hardened criminals and security risks.
- (2) Construct a small secure institution which would accommodate only the very small number of inmates who required top maximum security.
- (3) Construct two or three small maximum-security blocks within some of the medium security institutions in the country.

The Department opted for the first alternative apparently without much investigation or discussion

over the feasibility of implementing either of the other two alternatives. However, before discussing the issue of the size of the institution, the question which must be considered initially is, "Why was the policy of concentrating hard-core prisoners in the one institution preferred to a policy of dispersing those prisoners among a number of secure prisons?" (1)

One reason for the preference of a policy of concentration lies in the fact that the penal administration of this country has generally adhered to a policy of detaining certain types of offenders and inmates in specially designated institutions. This policy had its genesis in Hume's classification system and by the 1930's it had become a standard practice - the more dangerous and intractable prisoners, for example, were detained at Mount Eden, sexual offenders were held at New Plymouth Prison and so on.

During the 1950's and 1960's the Justice Department continued its policy of concentrating at Mount Eden those prisoners who required the highest degree of security, although in some rare instances, troublesome groups of inmates were broken up by dispersing some prisoners to other institutions around the country.

Another reason for departmental preference of a policy of concentration was basically an economic one: 'intractable' prisoners, though only a very small percentage of the total prison population, absorbed a disproportionate amount of the Justice Department's limited resources. It was considered that if an institution existed that was suitable to cater for these 'intractables' then those limited resources could be applied more effectively and more economically.

It is not surprising, therefore, that the issue of

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1. The debate over the advantages and disadvantages of concentration and dispersal of maximum security inmates will be examined in Part 2.

concentration of maximum security prisoners in one institution did not generate much debate, if any, within the Department. The decision was therefore made that Mount Eden Prison would be replaced by a new maximum security prison which would hold all 'intractable' prisoners and inmates who were considered security risks. (2)

(i) Size:

It was to be expected that the question of the size of Paremoremo was attended by discussion and disagreement.

Some administrators contended that a large prison was necessary as there was a sizeable number of inmates who required maximum security detention. One memorandum in 1965 said:

".....It is generally recognised that 10% to 15% of a prison population should be held in maximum security. Our needs have been assessed at a higher level, but it must be remembered that we strive to keep offenders in the community longer than any other country. Thus we could expect to have a higher percentage of hard core criminals."

The supporters of the size of the prison justified their claims by citing the results of surveys carried out of the security groupings of inmates in custody. The fact that these surveys were, by their very nature, likely to be erroneous in no way doubted many administrators from using the results as justification for a number of inmates which Paremoremo should accommodate. *detained?*

Others within the Department argued that the prison should cater for fluctuations in prison population and therefore, should be as large as possible. They cited the example of Mount Eden during the 1950's and early

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2. It is interesting to note that the Mountbatten Report in 1967 proposed that inmates requiring maximum security be detained in a custom-built high security prison to be constructed on the Isle of Wight. In 1968, however, the Advisory Council on the Penal System recommended the dispersal of high-security prisoners. X

1960's as a compelling reason for the construction of a large institution.

On the other hand, there were many who claimed that Paremoremo was too large - that there were no more than 40 to 50 inmates in the whole of New Zealand who required maximum security custody. Furthermore, it was argued that if a large prison was built, many inmates who were not true maximum security material would be sent there; in other words, that medium security inmates would be detained in a maximum security institution; this in turn would have a detrimental effect on those inmates.

In October, 1963, Mr. J. Hobson, the Superintendent of Waikune Prison (and now Superintendent of Paremoremo) wrote to Dr. Robson over the question of the size of the new institution:

"Even with future projections - population growth, increased reception rate, and more liberal policies - probation, periodic detention, youth centre, etc. we doubt if the prison population of New Zealand warrants a maximum security institution of this calibre to cater for as many as 240 inmates To allow for a maximum of 150 would, we feel, be nearer the mark."

In 1965 the commission of inquiry into the rioting at Mount Eden alluded to the very real problem of holding a large and mixed prison population under conditions of maximum security. The commission noted that it was a most difficult task to preserve maximum security in such a situation.

During the debate in Parliament on the riot at Mount Eden, the Hon. M. Moohan (Petone) remarked that it would be a waste of public money to build a maximum security prison to house 240 prisoners, and he asked the Minister of Justice to consider the construction of a prison to house 50, or at the most, 100 inmates. (3)

The criticisms levelled at the number of inmates that Paremoremo was to accommodate received further impetus in 1968, when the Advisory Council on the Penal System issued its report on "The Regime for Long-Term Prisoners in Conditions of Maximum Security."⁽⁴⁾ The report estimated that there were only 138 prisoners in the whole of the United Kingdom who required maximum security custody. One can merely speculate as to what impact, if any, this report would have had on the size of Paremoremo had it been released in 1960 instead of 1968.

If the Department had hoped that the opening of Paremoremo would silence much of the criticism made of the size of the institution, then it was sadly mistaken; on the contrary the criticisms became more pronounced. For example, a minute to the Secretary of Justice noted that:

- "... (1) Paremoreremo is conceived on the wrong principles. i.e. 248 maximum security prisoners.
- (2) We have no more than 10-20 intractables in New Zealand at any one time.
- (3) Therefore, we need only a small maximum security prison to accommodate those inmates - a capacity of 40 would see us out for the next 10 - 20 years." (5)

Similarly, the 1972 Report by Sir Guy Powles and Mr. L.G.H. Sinclair S.M., into "Various Matters Pertaining to Paremoremo Prison" stated:

".... This is supposed to be a maximum security prison, and thus only maximum security risks should be sent there... On the best of authority we learn that there may be up to a maximum of 40 men in Paremoremo who really need maximum security detention. This means that Paremoremo is being used as a medium security prison, when it does not have the proper facilities for such, and the men suffer accordingly." (my emphasis)

4. H.M.S.O.

5. Minute to the Secretary of Justice from the Director of Penal Education, 16 December, 1971

Why was such a large prison built ?

The answer to this question hinges largely on the role played by Dr. Robson, the Secretary of Justice at the time. There is no reason to suppose that Dr. Robson was an ardent advocate of the size of Paremoremo; indeed he was on record as stating that not only was there too high a percentage of inmates held in maximum security conditions, but also that no institution should hold more than 100-150 inmates.

Why then did Dr. Robson sanction the construction of a maximum security prison which would hold up to 250 inmates ?

In the writer's opinion, there were three major reasons which influenced Dr Robson's decision to settle on an intituion the size of Paremoremo.

(1) Pressure from departmental colleagues

The decision to build a large maximum security prison in place of Mount Eden came at a time when many penal administrators were on the verge of despair; there was severe overcrowding in many penal institutions; many prisons were outmoded, obsolete and totally inadequate to carry out an effective role in a modern penal system; departmental efforts at obtaining finance from Government for the construction of new institutions had been constantly rebuffed; there was a serious shortage of staff; and so on.

It is not surprising then that these disenchanted administrators demanded the construction of a large prison. They had learned a number of important lessons from events in the 1950's and early 1960's.

The first lesson was that prisons must cater for fluctuations in penal policy. Many administrators contended

that, judging from New Zealand penal history, Paremoremo was going to last a very long time; therefore, they argued, it should be built as large as possible in order to cater for the expected increase in numbers of maximum security inmates in 20 or 30 years time. While on present indications it was hard to justify the erection of such a large institution, the passage of time would prove them correct. Indeed, Sir Roy Jack, the former Minister of Justice, recently remarked that:

".... some people had asserted that Paremoremo was too large for the number of maximum security cases in New Zealand.... However, it had to be borne in mind that the institution had been designed to fulfil its functions for many years to come." (6)

Another factor was that penal administrators wanted never to be faced with the same situation as confronted them in the 1950's and 1960's. They were determined that the problems of overcrowding, escapes, obsolete institutions, etc., should be overcome so that the Department was never again 'caught with its pants down'. Governmental indifference and inaction over the deficiencies of many institutions, and especially Mount Eden, strengthened the determination of many departmental officials to ensure that the situation never arose again.

A third lesson learned was that governments are liable to procrastinate on matters of penology; governments have traditionally been extremely loathe to allocate finance for the construction of urgently required institutions. As the Auckland Star sagely remarked: (7)

"They were not going to turn down the chance of getting Cabinet approval for the biggest secure prison possible."

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6. Press release on September 11, 1972
 7. Auckland Star, December 7, 1968

(2) The impression that there was a sizable number of inmates who needed maximum security detention -

The publicity given by the press to the escapes, inmate unrest and riots at Mount Eden during the 1950's and 1960's created the impression that there was a large number of inmates who needed to be held in conditions of maximum security. Because of this publicity, the public believed that many of Mount Eden's inmates were recalcitrant and dangerous prisoners; likewise, many departmental officials were convinced that a high percentage of the prison population were maximum security material. This unfortunate impression reinforced the belief in many people's minds that a large prison was necessary.

(3) Public Opinion -

A third reason which can be advanced in explanation of the size of Paremoremo, and one which is intimately connected with the reason cited immediately above, is that, essentially, Paremoremo was a sop to public opinion. Dr. Robson was a publicist par excellence; not only did he realise the value and potency of public opinion, but he was also aware that public opinion can be moulded and influenced. He was convinced that to have a successful and progressive penal policy, public opinion must support the measures you propose; nothing can be achieved in the face of a hostile and intransigent community attitude. Dr. Robson was well aware of the public consternation over the inadequacy of Mount Eden; further more, he was equally well aware that this consternation might jeopardise public acceptance of progressive penal policies.⁽⁸⁾ Consequently, if Mount Eden was replaced with an institution which would hold all those prisoners whose escape would cause public alarm, then the battle would be half won. Dr. Robson was, therefore, undoubtedly swayed in his deliberations by his conception of the type of institution which the public wanted.

8. Indeed, Dr. Robson once remarked that:
 "...A maximum security prison is an anchor for the whole penal system, but once the anchor begins to drag then we are confronted with grave problems - internal as well as external." - Australia and N.Z. Jo. of Criminology (Dec. 1971): 4,4, p.203

(ii) Design -

One criticism which has been consistently levelled against Paremoremo is that its design borders on the inhumane.

Dr. I.F. McDonald was critical of what he termed as "the zoo-like environment at Paremoremo:

"The prisoners ... will be exposed to view at all times in cells that seem more like rows and storeys of cages. It is clear that the whole concept is based on a view of prisoners as wild animals. If a man is not a wild animal when he enters Paremoremo then he will almost certainly become one after suffering such treatment. The environment is a constant reminder of restriction and degradation." (9)

The Auckland Star described Paremoremo as

"... society's contemporary nightmare cast in concrete, steel and shock-proof glass.: (10)

In December 1969 the New Zealand Institute of Architects publication said:

"A medieval castle often had a prison or oubliette in the entrance tower. Security was ensured by 20 foot thick stone walls, possibly below moat level and access limited to a trapdoor in the porch-floor above. The new maximum security prison at Paremoremo uses more sophisticated techniques... The design of this prison shows that this is an organisation which wants a controllable, static, even rigid, state of suspended animation. It does not favour individual, spontaneous, non-conforming action. That situation makes life very hard for well trained modern prison staff. Here they find themselves in a system that is so complex that they dare not but follow the book."

9. As reported in the New Zealand Herald, December 5, 1968
 10. Auckland Star, December 7, 1968

Professor J. Spencer, a British sociologist, described the prison as "inhuman".⁽¹¹⁾

Others have claimed that Paremoremo is far too secure and that this, in turn leads to inmate frustration and resentment. In October, 1970 the New Zealand Herald featured an article entitled "Is Paremoremo Too Secure ?":

"What Paremoremo needs is a couple of successful escapes ... The trouble at the maximum security prison, which has several times led to violence, is serious - and only radical measures will ease it... The fundamental trouble at Paremoremo is psychological. Anyone who has visited the prison will agree that one emerges not so much impressed by its security as appalled by it.

When the prison was built, the first requirement was that, regardless of cost, it should be absolutely Houdini-proof. In this aim at least, the designers have been completely successful.... Indeed, as anyone will know who has been caught where he does not want to be, the thought of escape can become an obsession as powerful as the impulse of flight in a trapped animal. Put men in an electronically controlled steel-and-concrete fortress like Paremoremo and their instinctive urge for freedom must appear foredoomed. Against human agencies they can put their wits; against this inhuman, mechanical monster they feel powerless. Resentment grows into fury and fury that cannot be vented on doors and walls falls on the human symbol of one's frustrations - the warder.

..... Far brighter, cleaner, better equipped than Mount Eden it may well be, but this 'model' prison is beset by infinitely more tension and strife than that gloomy old dungeon ever was." (12)

The prison, however, has not been without its apologists.

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11. New Zealand Herald, April 6, 1971
 12. New Zealand Herald, 23 October, 1970

Mr. C. H. Rolph, a British criminologist, stated that the prison:

"... does everything a maximum security prison ought to do in the way of imagining and forestalling escape methods, but it is a perfect illustration of how much freedom and open training there can be inside a really secure perimeter."

The New Zealand Howard League for Penal Reform similarly voiced its approval of Paremoremo.

".... The new prison will be a much more sanitary and humane place than the old prison at Mount Eden and inmates will respond to the better and more comfortable surroundings at Paremoremo... Inmates living under the better conditions at Paremoremo will be much less victims of the frustrations, depressions, hopelessness and bitterness which are so common among prisoners." (13)

Likewise, the Minister of Justice, Mr. Hanan, lavishly praised the concept and design of the new institution.

Why was such a secure prison built ?

The answer to this question again hinges on the role of Dr. Robson. Much the same reasons which were advanced above as influencing the size of the prison also influenced its design.

Perhaps, however, the question of public relations is more important in this context. The public were sick and tired of the seemingly endless procession of escapes from Mount Eden; they demanded an institution which would effectively contain all dangerous prisoners. Dr. Robson realised the effect that escapes had on public attitudes;

13. As reported in the New Zealand Herald, January 18, 1960⁷¹

he was apprehensive of the influence on public opinion of publicity given to escapes and riots. For example, this article appeared in the Evening Post after the Mount Eden riot in 1965:

"The (Justice) Department has been sowing the seeds of penal reform in the shape of rehabilitation rather than punishment. After this week's riot no doubt many people will say: "I told you so. See what happens when you let the psychologists loose in a prison."

..Those prisoners considered beyond reformation should be shut away and forgotten about Although its prison reforms programme may have lost a lot of ground and may even seem to have failed, there is still a case for rehabilitation rather than punishment for many of the persons in our prisons.

If the entire effort is devoted to these people and men like Wilder and La Mattina are just put away and forgotten about, then prison reform measures will be worthwhile." (14)
(my emphasis)

It was this very sort of article which Dr. Robson hoped to silence by the construction of an extremely secure institution. Never again would the public be subjected to alarm because of prison escapes, riots, etc.; prisoners whose escape would cause public concern would be shut away and detained in an institution where escape would be a virtual impossibility.

CONCLUSION:

Paremoremo was conceived, designed and built during Dr. Robson's reign as Secretary of Justice. Yet this institution, which distinctly smacks of regressive penal thinking, stands in marked contrast to the progressive

measures (such as periodic detention, release-to-work, etc) which the Justice Department introduced and implemented under ^{the} aegis of Dr. Robson.

Why then did Dr. Robson sanction the construction of Paremoremo, an institution which is difficult to reconcile with his much vaunted progressive penal policy?

Several reasons have been advanced in this paper in explanation of Dr. Robson's approval of the concept of Paremoremo. Yet one is left with the uneasy feeling that these reasons are merely peripheral to the whole issue. If the reasons cited above are regarded as conclusive, then the implication arises that Dr. Robson was incredibly naive as to the possible effects on inmates and staff of an institution like Paremoremo. But to label the man as naive is to ignore ~~the~~ reality: Dr. Robson was generally regarded as an astute, able and, at times, ruthless administrator who was exceedingly well versed in matters of penal policy. To argue that he could not have foreseen the possibility of trouble at Paremoremo is to distort the facts.

Perhaps the answer to this perplexing problem is that Dr. Robson, while recognising that inherent dangers existed in an institution like Paremoremo, sincerely believed that it would effectively serve a dual purpose:

- (1) That it would detain in extremely secure conditions, all those inmates who were considered security risks and whose escape would cause great public concern;
and
- (2) That the high degree of security at the perimeter would provide for more scope for freedom of movement within the institution.

Dr. Robson was certainly conscious of the public demand that the new institution be extremely secure; yet at the same time, he was convinced that the prison had to provide for humane custody - Paremoremo was not going to be merely a human garbage disposal unit.

It would be reasonable to assume that Dr. Robson hoped that the modern facilities and amenities at Paremoremo would be sincerely appreciated by the maximum security inmates, especially those who had experienced imprisonment within the confines of Mount Eden.

Unfortunately, as recent events have shown, this was a vain hope. Dr. Robson completely misjudged the very nature of the institution he built at Paremoremo. While it provided facilities far superior to those at Mount Eden or Mount Crawford, the inmates resented the cold, impersonal and super-efficient character of the institution.

Sir Guy Powles once remarked that the troubles at Paremoremo lay in the nature of the institution itself. Departmental overemphasis on security has resulted in the construction of an institution which will never be trouble-free unless radical measures are taken to alter its constitution and character.

Paremoremo stands today as a monument to a hope which never eventuated. One wonders whether it will become the Mount Eden of 2073.

PART (2): SOME PROBLEMS OF MAXIMUM SECURITY IMPRISONMENT:

(1) The Classification of Prisoners - Who Needs Maximum Security Imprisonment ?

"To be classified as maximum security implies that the person is unable to function in another setting and is perceived as being dangerous to the community, staff or other inmates. It also implies that the person in this category has serious problems in inter-personal relationships and in coping with situations which demand self-control and the acceptance of limits. Unfortunately a paradox develops since the imposition of maximum external controls tends to diminish the development of internal ones on the part of the inmate."

Design of Federal Maximum Security Institutions (Special Report No. 1
Department of the Solicitor-General,
Ottawa, November 30, 1971) at p. 14.

"The only sort of men who will have to be sent to Paremoro are vicious men bent on violence, the dangerous psychopath, the aggressive simpleton and the periodic psychotic."

Editorial in the Manawatu Evening
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Standard, December 14, 1968

One of the greatest problems of maximum security imprisonment is to determine what sort of inmate should be detained in high-security custody. As the Advisory Council on the Penal System stated in its report: ⁽¹⁾

"We are very doubtful if it is possible

1. "The Regime for Long-Term Prisoners in Conditions of Maximum Security", H.M.S.O., at p.15

to select 80, or 100, or 120, of the long-term prisoners now in custody and to be sure that they require a different degree of security than other prisoners. The proposal to do so presupposes a degree of accuracy in the processes of selection that is unlikely to be achieved and places a weight on the selection processes that they are not really able to bear."

Unfortunately there has never been any consistent agreement on the criteria that should be employed in classifying prisoners as "maximum Security" material.

The Mountbatten Report

Following the escape of George Blake from Wormwood Scrubs prison in England, the Home Secretary appointed Lord Mountbatten to inquire into prison escapes and security. In his report ⁽²⁾ Lord Mountbatten recommended that prisoners should be divided into four main categories according to their security risk:

- Category A - Prisoners whose escape would be highly dangerous to the public or the police or the security of the State.
- Category B - Prisoners for whom the very highest conditions of security are not necessary but for whom escape must be made very difficult.
- Category C - Prisoners who cannot be trusted in open conditions but who do not have the ability or resources to make a determined escape attempt.
- Category D - Those who can reasonably be trusted to serve their sentences in open conditions.

According to the Report, only those prisoners in Category A required maximum security custody.

2. Report of the Inquiry into Prison Escapes and Security
Cmd 3175.166 - paragraphs 212 and 217.

The British Government accepted these recommendations and in pursuance of them the Prison Department drew up early in 1967 a first list of 138 male convicted prisoners who were placed in Category A.

The Report of the Advisory Council on the Penal System:

The Advisory Council was asked to consider the regime for long-term prisoners detained in conditions of maximum security, and its report was released in March, 1968.

The Council undertook a study of the characteristics of Category A prisoners. It was found that all were long sentence prisoners. Furthermore, the bulk of the prisoners in Category A

"are young, or fairly young, violent professional criminals who are both dangerous and persistent in their criminal activities. Many of them are difficult to control even inside prison. Where their most recent conviction is not for murder or manslaughter it is usually for robbery with violence or a more serious assault (Taking the Category A prisoners as a whole, for 130 about whom the information was available.... only 12 had had no conviction for personal violence outside prison). These violent criminals seem to have had decreasing periods of liberty between sentences and by and large to have committed increasingly serious crimes. They tend to have no legitimate regular employment and .. to have disordered personal and family lives." (3)

In addition, Category A prisoners were liable to escape. Of 138, 51 had escaped or attempted to escape from prison during their present or previous sentences and as many as 83 were suspected of making escape plans during their current sentence.

3. Op. cit., at p.8

The Report noted that:

"There was general agreement that only a relatively small proportion of the 3,000 long-term prisoners now in prison were really dangerous people whose escape from custody must be prevented at virtually all costs, but no agreement on how small or large that proportion was, and a wider divergence of views on the meaning of dangerousness." (4)

The Council, unfortunately, did not lay down any specific criteria for deciding which inmates required maximum security imprisonment. The Report, however, did outline several reasons for which it might be necessary to place a long-term prisoners in conditions of maximum security:

- (1) If there is reason to think from his past record that he may plan an escape attempt
- (2) If a prisoner's previous record, and the interval of time between his last release from custody and his most recent conviction, suggest that if he escaped he would at once revert to the commission of further very serious offences, such as robbery with violence.
- (3) A prisoner's record may suggest that if he escaped he would use firearms to resist arrest.
- (4) The prisoner is one of the small group of prisoners who are liable, if at liberty, seriously to injure or to kill women or young children.
- (5) Where a prisoner is so notorious that his escape would be a national scandal, and gravely damage the repute of the prison service.

Other than outlining these very vague reasons, the report provided no basis on which to identify those prisoners who need the very highest degree of security which a prison system can provide.

4. Op. cit. at p.10

The 'Design of Federal Maximum Security Institutions'
Special Report: (5)

This special report recommended that only inmates who met the following criteria should be confined in a maximum security institution:

- (a) (i) those who actively try to escape and will be dangerous to the public if they do.
- (ii) those who are actually or potentially dangerous to staff, or other inmates;
- (b) those who are not primarily psychiatric cases.

Classification at Paremoremo

The criteria outlined in the Mountbatten Report and in the Canadian Report are probably the best guidelines in determining the classification of maximum security prisoners.

What then are the criteria used by the Justice Department in deciding who is sent to Paremoremo ?⁽⁶⁾

In the 1972 Annual Report of the Justice Department, the Secretary of Justice, Mr. Missen, referred to the type of inmate detained at Paremoremo:

"The community rightly expects that offenders who have shown themselves to be a serious menace to society will be held in conditions offering little, if any, chance of escape. Paremoremo houses this class of offender. It also houses inmates who have escaped from or have been serious disruptive elements in other institutions. Finally it receives all men sentenced to life imprisonment in the first place, though they may later be transferred elsewhere."

Similarly, Sir Roy Jack, the former Minister of Justice, referred recently in a press statement to

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- 5. Special Report No. 1, Department of the Solicitor-General Ottawa, November 30, 1971.
 - 6. Unfortunately, the Department would not provide me with the criteria which is employed in maximum security classification.

the classification policy pursued by the Justice Department in deciding whether to transfer an inmate to Paremoremo:

"There has been some misunderstanding as to the purpose for which the prison had been designed. This was firstly to provide for the safe custody of offenders whose escape would pose a serious threat to the public; secondly to provide for the safe custody of those who although not classified as dangerous had in fact escaped or were thought likely to escape from medium security prisons; thirdly, for the proper control of inmates^{who} while not escape risks, were a disturbing influence in less heavily staffed institutions. Examples were active homosexuals, traffickers in drugs or men prone to violence. Finally, as a matter of public policy, all prisoners sentenced to life imprisonment are now initially held at Premoremo." (7)

It is obvious, therefore, that the criteria used by the Justice Department for maximum security classification are couched in wider terms than those set out in the Mountbatten and Canadian reports. This means that some inmates who are, at best, medium security risks, are being detained in maximum security conditions at Paremoremo. Indeed, the report by Sir Guy Powles and Mr. L.G.H. Sinclair into 'Various Matters Pertaining to Paremoremo Prison' noted that out of a muster at Paremoremo of 163, only about 40 could be considered as real 'maximum security' material. The report pointed out that:

"this means that Paremoremo is being used as a medium security prison when it does not have the proper facilities for such, and the men suffer accordingly..."

The report concluded:

"... too many medium (or less) security risks are confined in this maximum security prison. This is unfair to the

men concerned, depriving them of the opportunity to rehabilitate under more open conditions and with at least some better opportunity for contact with people and with nature in the form of grass, plants and animals. Even for maximum security risks, to spend nearly three years under such conditions as it the case with some, must have a dehumanising effect, however necessary this type of confinement may be deemed to be."

In a further report released in March, 1973 Sir Guy Powles and Mr. Sinclair stated that the present standard of security were needed for approximately two-thirds of the inmates. This figure points to a substantial increase in the number of inmates considered to require maximum security custody.

The report considered that the remaining one-third be transferred to less secure accommodation: (8)

"If they remain at Paremoremo they are subject to the disruptive effects of the others, and their very isolation precludes any programme that could prepare them for integration into the social whole. We believe that it is in their interest, and ultimately, in the public interest, that they be moved to medium security conditions."

Conclusion:

The detention of medium and minimum security risks in an institution like Paremoremo highlights "the folly inherent in the intitial construction of an institution of this nature and size in a country the size of New Zealand!" (9) Furthermore, as both Powles/Sinclair reports note, confinement in this institution seriously affects the individual's rehabilitation. The onus lies on the Justice Department to ensure that only those inmates who really require maximum security custody are sent to Paremoremo. (10)

8. In the 1973 Annual Report, Mr. Missen stated that almost all of these inmates had been transferred to lesser security institutions before the report was presented in March 1973.
9. N. Cameron- "Report of the New Zealand Department of Justice" -Aust. and N.Z. Jo. of Crim. (March 1973); 6, 1. at p.60
10. It is worth noting that the daily average muster at Paremoremo in 1972 was 145 as against an actual capacity of 250. This indicates commendable restraint on the part of the Department.

VUW Law Research Papers:

**There is no PAGE 69
in this document**

PART (2): CONCENTRATION VERSUS DISPERSAL

There are two ways in which a penal system may attempt to deal with maximum security prisoners:

1. Concentration: the first way is to place such prisoners together in one maximum security institution.
2. Dispersal: the second way is to spread these prisoners among a number of secure prisons.

The choice between concentration and dispersal is a difficult one; there are strong arguments on both sides, and "neither solution is a panacea." (6)

1. CONCENTRATION

The Arguments in Favour of Concentration

- (i) The strongest argument in favour of concentration is that the presence of a small number of maximum security inmates in a medium security institution can harm its regime. In the interests of the development of a liberal regime in medium security institutions, and in the interests of the rehabilitation of the prisoners in these prisons, the worst inmates should be detained elsewhere. This argument is referred to by the Advisory Council in its report: (7).

"First, the governor and his staff might be so anxious to prevent the escape of a few very dangerous prisoners that restrictions had to be placed on the movement and activities of all prisoners. Second, the staff might be so concerned, and rightly concerned, with the control of a few prisoners, and the prevention of their escape, that they would not be able to devote enough time and thought to the treatment of the majority. Third, the influence of a few evil men exercised partly by intimidation and the threats of violence against other prisoners, and partly by the manipulation of situations and grievances, would permeate the whole prison, and militate against all the efforts of

6. Report on 'The Regime for Long-Term Prisoners in Conditions of Maximum Security' at p.13

7. Ibid p.16

the staff. It was argued to us that persistent escapers always plotting some new way to escape, troublemakers, those of an incurable disposition to disobey rules, and those determined to dominate the prison cannot be handled in an ordinary prison without restricting the general regime, and maintaining a several range of custodial measures".

- (ii) The penal system can hold all its bad eggs in the one basket. A small maximum security prison, with a high staff ratio and with a mature and experienced staff, would enable difficult prisoners to receive a degree of individual treatment impossible in a larger prison.
- (iii) A liberal regime can be built up on the basis of good security and of good relations between staff and prisoners.
- (iv) Experiential methods could be tried out in such an institution.
- (v) It is economical, The concentration of dangerous inmates in the one institution reduces the necessity for multiplication of facilities and specialist staff. Efforts can be directed at one institution.

Arguments against Concentration:

- (1) "If there were only one such prison in the system all the prisoners sent there would be publically labelled as the worst. Once a prisoner has been allocated to that prison it would be illogical to move him elsewhere until such time as it was felt that security precautions could be somewhat reduced for him.⁽⁸⁾ In all likelihood, the dominant atmosphere of such an institution could hardly fail to be excessively custodial.

- (ii) "There is a danger that the atmosphere might also become more repressive with the staff attitudes becoming affected by their anxieties about the attitudes and activities of a concentrated group of evil men who felt themselves finally rejected by society and who felt they had nothing to gain by co-operation and nothing to lose by revolt.⁽⁹⁾ There are inherent dangers in concentrating in one small prison, a hundred or more criminal minds whose energies and ingenuity might be expended on plans for escape or on conflict with authority.
- (iii) There is a danger of such a prison becoming a "chokey-block" where the toughest inmates square up to the toughest officers.
- (iv) A more basic argument against concentration lies in the difficulty of classification. Is it possible to select 100 or 120 inmates and to be sure that they require a different degree of security than other prisoners? A policy of concentration must be backed up by an extremely efficient classification system.
- (v) A maximum security prison is, by its very nature, inflexible and extremely difficult to adapt to changes in penal policy. The decision to build a maximum security prison presupposes that there will always be a substantial number of inmates who require maximum security custody. Such an attitude ignores the very basic fact that penal policy changes, often rapidly, and that the prison may be obsolete and totally inadequate within a matter of years.

(2) DISPERSAL

Arguments in Favour of Dispersal

Many of the arguments advanced against concentration

9. Ibid,, p.14

can also be utilised as justification for a policy of dispersal. Other reasons are:

- (i) The removal of persistent trouble-makers to a special maximum security prison may only result in the appearance of fresh leaders to take their place.
- (ii) A prisoner who is a trouble-maker at one prison, or at one stage of his sentence, may settle down in another prison and at another stage of his sentence. The Advisory Council on the Penal System was impressed by the example of Alcatraz⁽¹⁰⁾

"This American evidence reinforced our view that to move the most recalcitrant prisoners to a small maximum security prison, and to leave them there, is likely to increase the number of apparently incorrigible prisoners with whom the system as a whole has to cope."(11)
- (iii) A policy of dispersal allows for more flexibility in penal planning. The penal system is not tied to a rigid, inflexible maximum security institution which it must fill.

10. Between the Wars the U.S. Federal Bureau of Prisons adopted the concept of concentration, and for a time sent their most difficult prisoners to Alcatraz. They were then forced by a combination of financial and other circumstances to abandon that site and decided not to build a new Alcatraz, but to adopt instead a measure of dispersal. When Alcatraz was closed, and its inmates dispersed to other very secure prisons, the majority settled down into their new communities. Some prisoners who had been very difficult and recalcitrant at Alcatraz and for whom there seemed no hope, had behaved very much better when moved. A small proportion of these prisoners were still very dangerous and disruptive, but the general regime of the other prisons was not jeopardised.

11. Ibid, p.17

The Arguments against Dispersal:

Again, many of the reasons put forward in favour of a policy of concentration militate against a policy of dispersal.

Possibly the strongest argument against dispersal is that the presence of some maximum security inmates in a medium security prison may severely restrict the type of regime within the institution, and gravely affect the rehabilitation of other inmates.

Conclusion:

Paremoremo is a living example of a policy of concentration. In the 1972 Annual Report of the Justice Department, Mr Missen remarked:

"I believe that at Paremoremo we avoid the worst disadvantages and achieve some of the benefits of concentration. The prison has three standard cell blocks together with a classification block and a separate block for the most fractious and difficult inmates. This avoids the dangers of bringing together in isolation a small group comprised of the most difficult and dangerous offenders and provides opportunity for more relaxed conditions within secure boundaries."

It is considered, however, that much of the trouble at Paremoremo lies in this policy of detaining at that institution all the most dangerous inmates in New Zealand. One can conclude that:

"There are grave disadvantages for both prisoners and staff in the proposal to concentrate the most difficult and dangerous prisoners in one.... maximum security prison." (12)

12. Ibid, at p.79

SECTION (6): PAREMOREMO 1969-1973 (1)

(1) 1969

The transfer of inmates to Paremoremo began in March, 1969. At a Penal Group meeting on May 5, 1969 it was reported that:

".... The inmates appeared much more relaxed and the new institution offers more freedom of movement and of conversation. The staff also appear more relaxed and are showing more of a positive attitude than was apparent at Mount Eden." (2)

This relaxed atmosphere at Paremoremo ended abruptly in October, when 80 prisoners at the institution went on strike. The strike arose following a dispute over the amount the prisoners were allowed to spend "on Christmas fare".

On November 19, a modified toy pistol, believed to be capable of holding .22 calibre ammunition, was found in a workshop at the Prison. The Police believed the weapon was to have been used in an attempted armed break-out.

Later on in the month, two prisoners assaulted three prison officers. The assault followed a refusal

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1. The incidents chronicled in this section have been taken from newspaper reports. It is therefore highly probable that these reported incidents represent only the tip of the iceberg. One wonders how many more incidents occurred which never made the front pages of the newspapers.
 2. Minutes of the Penal Group Meeting, May 5, 1969.

by the two prisoners to obey orders by the officers to move back into their cells. The prisoners attacked the officers, knocking them to the ground. One of the officers suffered a suspected broken nose and black eyes in the assault.

In the 1970 Annual Report, Mr. Missen referred to the incidents which had occurred at Paremoremo:

"The concept of the Auckland Prison was so completely new to the New Zealand scene that it brought its problems of adjustment. Its spaciousness, its amenities, and its longer hours of unlock were appreciated by most of the inmates, but towards the end of the year a handful of trouble-makers created strife which culminated in a strike. This was short lived and it was evident that the great majority of the inmates would gladly have no part in it."

(2) 1970

During the first half of 1970 there were frequent assaults on prison officers, and the morale of the staff at the prison dropped.

In August, 1970 an attack on a prison officer prompted the Paremoremo Prison Officers Sub-Committee to call for an inquiry into the management of the prison. The Sub-Committee cited as their main reason, assaults on officers, an official policy of lax discipline and wilful damage to property within the jail by inmates. The officers blamed the frequency of assaults on:

".... an obvious lack of discipline engendered by the permissive attitude adopted toward the inmates... Appeasement is the general practice and, although this may avoid major trouble, it is not conducive to discipline or the self respect which it is our job to help inmates to acquire." (3)

On October 12, a riot occurred at the prison. Ten prisoners knocked a warder unconscious, seized three other officers as hostages, and barricaded themselves in part of D Block (which contained the most troublesome and difficult prisoners). The officers were eventually released after the prison administration had acceded to some of the inmates' demands.

The Tribune commented⁽⁴⁾

"Security-wise, Paremoremo is a giant leap ahead in protecting the public from dangerous criminals, but whether the advance has made for a penal policy less soul destroying or more geared to rehabilitation than was possible in the dungeons of Mount Eden, must now be open to serious question. In its first 16 months of operation, Paremoremo has seen no less than 25 acts of violence on members of the staff - hardly indicative of a happy therapeutic atmosphere.

Last week's revolt brought things to a head."

Following the riot, new security measures in D Block were announced by the Minister of Justice, Mr. Riddiford:

".... D Block, which held the most difficult inmates, would now be divided into two groups.

Those on the upper landing would be allowed out of their cells at certain times between the hours of 8 a.m. and 5 p.m. only.

Those on the lower landing would have more liberal hours of 'unlock', but the inmates of both groups would

4. The Tribune, October 18, 1970

be moved singly and then only when three officers were present. To facilitate movement within the block and to permit of some association of inmates, additional sally-ports would be installed." (5)

(3) 1971

In April, it was reported that the prison officers at Paremoremo were dismayed at the delay in installing new security measures at the prison. One officer was quoted as saying that:

"Unless these measures are introduced very soon, there's going to be a lot of trouble in the (D) Block." (6)

On October 19, three inmates tried to overpower four prison officers and take control of a cell block. However, they were quickly subdued and order was restored.

In November, there were a number of incidents at Paremoremo. On November 8, the prisoners in D Block, in retaliation for the banning of two visitors from the prison, refused to work. They intimated that a hunger strike would begin on November 16, unless visiting rights were restored to the banned visitors.

In a press release several days later, the Minister of Justice referred to incidents at the prison:

"Because of the hostage incident, additional security measures were introduced to guarantee staff security. Inmates had retaliated against this tighter control by a series of demonstrations aimed at attracting public sympathy. These had included refusing work, lighting fires, flooding their cells with water from the built-in toilets and washbasins, attacks upon

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5. Reported in the Evening Post, October 21, 1970
 6. Evening Post, April 5, 1971

staff, brief hunger strikes and wilful damage to fittings."

This increasing incidence of rioting and general unrest, which had led to considerable public unease, culminated in late 1971 in the appointment of a Visiting Justice (Mr. L.G.H. Sinclair) to investigate conditions at the prison. At the same time the Ombudsman had received a number of complaints from prisoners and others concerning the conditions at Paremoremo.

(4) 1972

In January, 1972 Sir Guy Powles and Mr. Sinclair issued their report into "Various Matters Pertaining to Paremoremo Prison". Some of the more important findings of the Report were :⁽⁷⁾

- (i) The existence of D Block was considered to be justified. The Report thought that it was necessary within a prison such as Paremoremo to segregate under stricter security conditions that small group of inmates who were liable to be unpredictably violent, could become uncontrollable at times, and could have a disturbing effect on the other men in the prison.
- (ii) The authors of the report were concerned at the tension within the prison. The report stated:

"... it is our impression... that there is a morale problem in the staff and a morale problem in the inmates and one cannot be resolved without the other."

Furthermore, the report found that there was a severe shortage of qualified staff:

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- 7. Some of the major points covered in the Report have been dealt with elsewhere.

".... we feel that the root cause of trouble at Paremoremo is shortage of qualified staff."

- (iii) One important conclusion reached by the authors was that there should be a psychiatrist attached to the prison. The authors were impressed by the number of men who, to their lay minds, appeared to need psychiatric advice and counselling.
- (iv) The Report considered that too many medium (or less) security risks were confined in Paremoremo. This has been discussed earlier.
- (v) The Report was critical of the delays in transferring inmates out of Paremoremo to less secure institutions:

"The delays are too long - upwards of many months. There are more than a dozen men in Paremoremo awaiting such a transfer. Some of these may now be lost to society because of this delay...."

On February 5, 1972 Mr. J. Hobson replaced Mr. E Buckley as Superintendent of Paremoremo. The D Block inmates refused meals for seven days to 'greet' Mr. Hobson in his new appointment.

On June 24, more than 30 inmates staged a sit-down strike. The next day, six men in D Block refused to return to their cells and made it apparent that they were going to make a determined stand. The inmates brought mattresses out into the corridors to act as a shield and armed themselves with various weapons, including broomsticks and chair legs. After a five or six minute scuffle with prison officers, the inmates were locked in their cells. Several prisoners were injured, one receiving lacerations to the skull. One

prison officer suffered a broken skull.

On June 29, it was reported that efforts to return Paremoremo to a state of normalcy had been interrupted by a fire in one of the cell blocks.

On September 1, seven D Block inmates went on a hunger strike.

The rash of incidents at Paremoremo provoked much soul-searching within the Justice Department. The Secretary of Justice initiated an investigation of the possibility of using part of Paremoremo for medium security inmates. In August, 1972 Mr. Missen reported to the Minister of Justice that:

"... a very careful investigation has been made of the possibility of using one or more cell blocks for medium security purposes. I have come to the conclusion that such a course would be impracticable. The security of the whole institution would be seriously affected with the consequent risk of escapes and danger to the public. Furthermore, there would be no reasonable way of attempting to use the institution for medium security without very costly modifications."

In a press release the following month, the Minister of Justice, Sir Roy Jack, conclusively quashed the suggestion of using one or more of the cell blocks for medium security purposes:

"The unavoidable contact between maximum and medium security inmates would mean that the security of the whole institution would be seriously affected with a consequent risk of escapes and danger to the public. Paremoremo was built against the background of manifest deficiencies of Mount Eden Prison as New Zealand's top security prison and public alarm at recurring escapes. One of the major problems at Mount Eden had been the fact that it was required to fulfill a maximum and medium security role (T)o introduce a similar concept at Paremoremo would be to recreate the unsatisfactory situation that formerly existed at Mount Eden."

On November 13, an escape attempt from Paremoremo was foiled.

On November 25, the Evening Post reported that

"A total of 26 prisoners in Paremoremo Prison has been isolated from others in the institution following fires, threats of violence, and the escape attempt.. The recent outbreak of disturbances began when prisoners went on a rampage in one of the stores, shredding 40 pairs of white shirts and pants which they wear when receiving visitors."

In December, the Minister of Justice, Dr. Finlay, ordered a further investigation of Paremoremo.

(5) 1973

In March, the second Powles/Sinclair report was released. The Report concluded that Paremoremo Prison must, with all its unfortunate built-in difficulties, be kept as it is, used for its intended purposes, and operated as best it can be. This view was reached after consideration of an alternative providing for the reclassification of Paremoremo from maximum to medium security and the transfer of major trouble-makers and security risks to a smaller maximum security institution.

The Report also considered two alternatives to retaining D Block as at present - increasing its isolation within the prison or entirely separating it physically. The report felt that the first alternative though it would minimise disruption, would not eliminate entirely the influence inmates in this block were capable of exerting. Of the other alternative, the report said

it had insufficient knowledge of the extent of the country's prison population and no knowledge at all of projected figures for the future. The Report therefore recommended that D Block be accepted as it was, subject to the principle that no man should remain there indefinitely.

The Report also considered that rehabilitation in a prison such as Paremoremo was extremely difficult, if not impossible, within the present programme.

"We are inclined to wonder if any programme of rehabilitation that is at all worthy of the name can function in such a closed and secure environment. The incentives to conform hardly exist at all, particularly since the policy of progression has been halted and privileges curtailed... We will go further and say that there is little more than a minimal programme of rehabilitation at Paremoremo."

In the 1973 Annual Report, the Secretary of Justice applauded the results of the inquiry:

"Another Powles/Sinclair report has been presented. The purpose for which Paremoremo was designed and built as New Zealand's one maximum security prison has been affirmed; the administration of the superintendent, Mr. Hobson, has been vindicated; moves towards a more relaxed regime for the small group of inmates held in the tightest security block are shown to have been vitiated by those inmates themselves.

The report highlights the inherent difficulties in moving towards reform in prisons administration and particularly in balancing maximum security with the insistent goal of rehabilitation."

Conclusion:

Fires, riots, assaults on staff, hunger strikes - all these factors have characterised Paremoremo as an inherently troublesome institution. Something must be done to alter the very nature of the institution if it is to enjoy a relatively troublefree life.

Recently, the prison has settled down and the number of incidents have decreased. How long this state of affairs will last is anyone's guess. That this may well be the lull before the storm was recognised by Mr. Missen, when he stated in the 1973 Annual Report that:

"Experiences here and abroad indicates that it would be quite unrealistic to think that the resolution of present difficulties will mean an end to upsets in the prison."

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