

(No. 63.)



1862.

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TASMANIA.

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**INDUSTRIAL SCHOOLS BILL, (No. 2.)**

**REPORT OF SELECT COMMITTEE.**

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Brought up by Mr. Henty, and ordered to be printed, 17 October, 1862.



*REPORT of the SELECT COMMITTEE of the LEGISLATIVE COUNCIL appointed on the 31st day of July, for the purpose of considering the "Bill to provide for the Establishment in Tasmania of Institutions for the Industrial Training and Benefit of Vagrant Children and Youthful Offenders."*

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M E M B E R S.

MR. HENTY, *Chairman*.  
MR. GREGSON.  
MR. BUTTON.  
MR. CARTER.

MR. WILSON.  
MR. WEDGE.  
MR. BISDEE.

DAYS OF MEETING.

September 10th, 13th, and 17th.  
October 1st.

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WITNESSES EXAMINED.

MR. ROBERT GRAY, *City Missionary*.  
MR. R. A. ATKINS, *Superintendent of the Cascade Factory*.  
W. R. FALCONER, *Esq.*

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R E P O R T.

Your Committee have met on four occasions, and taken evidence on the state of those Classes of the population to which this Bill refers, and on other matters embraced in its provisions.

They do not think it necessary to enter upon any details of the constitution or working of such Institutions in Europe.

The subject is one generally understood and appreciated, and supported by all Governments, on moral as well as financial grounds.

They confine their remarks to the necessity existing for such Institutions, with practical suggestions for their establishment.

These they have embodied in the following Resolutions, which they respectfully urge upon the earnest and favorable attention of this Honorable Council as fully justifying the introduction of the present Bill.

The Evidence taken by the Committee is appended.

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R E S O L U T I O N S.

1. That no adequate means of prison discipline at present exists for Juvenile Criminals who are under the age of 17 years.

2. That though the number of such Criminals is small, particularly of boys, yet it is believed that prosecutions are foregone, and Criminals leniently dealt with by Magistrates, on account of the want of a Reformatory, or proper place of discipline for such classes,

3. That the old Convict Buildings at Ross, which are in no great degree dilapidated, would serve well for a Reformatory for boys from both the chief towns, as well as from the Country Districts.

4. That the expenses of repairs would not exceed £500, and that as a beginning a much less sum would suffice.

5. That there is ground sufficiently convenient to occupy the inmates in spade and garden husbandry, which is the best discipline adapted to classes whose career has been chiefly in the towns; and by the proceeds of which the cost of the establishment would be reduced.

6. That the farming establishments in the neighbourhood will afford a choice of situations where boys could be put to learn many rural occupations, on the plans now successfully adopted in England; by which they will probably become attached to rural life, and thus be weaned and preserved from the contaminating influences of their early associations in the towns.

7. That the expense of the necessary staff will be probably about £650 per annum; from which a deduction may be counted on in the proceeds of the inmates' labour; viz. —

Superintendent and Purveyor, quarters, fuel, and water . . . .	£150
Gardener . . . . .	50
Cook, &c. . . . .	30
Allowance for laundress . . . . .	30
Medical attendance . . . . .	30
Rations for two . . . . .	30
Clothing, bedding, and stores . . . . .	200
Fuel, light, water . . . . .	80
Incidental expenses, forage, tools, &c. . . . .	50
	<hr/>
	650
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Besides rations for Boys.

8. That the class of Juvenile Offenders amongst the females is much greater than in the other sex, from the temptations to which they are exposed, and their facility for procuring money by a resort to prostitution, too frequently adopted at the instance of their abandoned parents.

9. That provision for such classes can be made in a part of the Building now used as the Female Gaol at Hobart Town (which has been inspected by the Committee), with greater facility than in those at Ross for boys, by apportioning the wards and yards at the northern end of those Buildings for this purpose, and severing them, by Proclamation, from the Gaol,—whereby accommodation for about 80 inmates could be found, at a cost for alterations not exceeding £100, and where the entire management could be conducted by the Superintendent and his present staff, with the small addition of one Female Attendant or Matron.

10. That this Establishment could also easily receive all cases from Launceston, the cost of transport being an item of small moment in comparison to the economy obtained by the concentration of the staff.

11. That evidence has been obtained showing that such juvenile offenders (or indeed any offenders of the female sex) do not, after their temporary imprisonment, in more than one case out of twenty, ever return to habits of industry or a correct life; and therefore the establishment of such a Reformatory by the State, with a system of subsequent apprenticeship to country Districts (under proper selection and control), offers the only means of rescuing a large portion of the rising population from evil courses, and consequent misery and crime.

12. That the establishment of Industrial Schools for the destitute or neglected or vagrant children is also urgently called for, on account of the large number of youthful persons now fast drifting into the crime classes for want of moral and industrial training and control.

13. That many such children above the age of 10 years are in little or no respect different in habits or teaching from those who have been detected in crime and sentenced to imprisonment.

14. That such cases might, therefore, in the discretion of the Bench be remitted to the respective Reformatories.

15. That for Children under that age small homes or refuges might be assisted by the State, to be associated with Ragged Schools, and under the same management; where Females could be protected from the vicious examples and practices of their parents or companions, and obtain some amount of industrial and mental training; and where boys up to the age of 10 might also be placed, and on attaining that age be either apprenticed to some housekeeper of decent conduct, or, if of unruly habits, be sent to the Reformatory for further training.

16. That, whilst the offenders of both sexes to be provided for by the Reformatories would be a charge on the State, it would be unwise and contrary to precedent for the Government to interfere further than has been alluded to in the management of Industrial Schools; or to do more towards the cost of maintenance than contribute a grant in aid to the extent of one-third, the remainder of the expense to be procured in equal portions from voluntary subscriptions by the public, and from the respective Municipalities from which the Children may be sent.

17. That powers should be vested in the Government to issue regulations, from time to time, for establishing Committees and Boards of Apprenticeship, and for the supervision of the Reformatories.

18. That, besides the express object of the present enquiry, the Committee cannot avoid recording their opinion, from the evidence before them, of the benefit likely to accrue from extending to some properly constituted authority the power to apprentice to service in the country districts, after leaving the gaol, Female offenders, if under age and unmarried, who belong to the Immigrant and Native-born classes.

Dated 17th October, 1862.

WM. HENTY, *Chairman.*  
JNO. H. WEDGE.  
W. S. BUTTON.  
WM. CARTER.  
JAMES MILNE WILSON.  
J. C. GREGSON.  
ISAAC BISDEE.  
W. LANGDON.

*PROCEEDINGS of the SELECT COMMITTEE on the Industrial Schools Bill (No. 2), appointed by the Legislative Council on the 31st July last.*

M E M B E R S.

MR. GREGSON.  
MR. BUTTON.  
MR. CARTER.  
MR. WILSON.

MR. WEDGE.  
MR. BISDEE.  
MR. HENTY (*Morer.*)

THE Committee met at eleven o'clock on Wednesday, September 10th.

*Present*—Mr. Henty, Mr. Button, Mr. Gregson, Mr. Wedge, Mr. Carter.

*Resolved*—That Mr. Henty take the Chair.

*Resolved*—That it is desirable to establish Reformatories for Juvenile Offenders, on the principle of industrial training.

MR. GRAY *examined.*

*Mr. Henty.*—1. Your name is Robert Gray? Yes.

2. You are City Missionary, Hobart Town? Yes.

3. You are acquainted with the purport of the Industrial Schools Bill? Yes; I have read it.

4. As regards vagrant children, can you say, from your experience, whether an Institution for their care and teaching is required in this Town? I consider that such an Institution is very much wanted for children of the age of 12 to 16 or 17, and some younger. Some children of the age of 16 or 17 look to be no more than the age of 11 or 12, from the consequences of neglect and destitution.

5. Does the Ragged School provide sufficiently for cases of destitution? No.

6. What, then, is wanted? An Institution that would provide food and house accommodation, with legal control over them.

7. Can you form an idea of the number in this Town and its neighbourhood? I cannot, in consequence of the erratic habits of the children and their parents. I should say, however, that, at the very least, in this Town alone, the number of vagrant and destitute boys would be about 40.

8. And for girls? They are not so numerous, for two reasons—they go to service more readily, and, when they arrive at a certain age, they resort to prostitution.

9. Then, if the prostitute class were taken in, the number would be about the same as the boys? Yes.

*Mr. Button.*—10. Have these boys any ostensible means of living? They get a living by gathering bones, bottles, &c.,—but principally by pilfering.

11. Then some of these boys earn sufficient for their maintenance? Yes; but their way of living is very miserable.

12. Have they any parents or guardians? No.

*Mr. Carter.*—13. Do you believe many of them to be connected with reputed thieves? Yes. I know an instance of one dealer, in whose house I have seen as many as eight boys lodging of a night, having been employed for him during the day—I believe in pilfering. There is another similar case, where I have seen as many as six boys.

14. Do you suppose that these boys have no home of their own? In the case mentioned there was one boy who had a father who was willing to take care of him, but who preferred that mode of life to his father's home. The others were, I believe, deserted or destitute children.

*Mr. Button.*—15. Are there many children about the Town, in addition to those you have mentioned, whose parents neglect or are unable to provide them with food and employment? Yes: a considerable number; and their children are employed in a very questionable manner,—either in begging or something worse.

16. Are these children instigated by their parents to improper courses? I have no doubt of it,—both as to boys and girls; and the parents subsist upon the proceeds of their children's pursuits.

*Mr. Carter.*—17. Do you believe that these children would voluntarily go to Schools of this character? Certainly not; they must be compelled.

*Mr. Gregson.*—18. Are there any boys of this class who are getting an honest livelihood? Yes: in some families one or two may be found so employed.

*Mr. Henty.*—19. Then many of such children, if removed from their parents' evil control, would be disposed to do well? I have no doubt of it.

20. Would the simple establishment, by Law, of an Industrial School have the effect of making such parents treat their children better? I cannot say it would.

21. If there were a power to compel the parents to pay for the maintenance of their children in an Industrial School, would that have such an effect? I believe it would.

*Mr. Button.*—22. How long have you been connected with the City Mission? Nine years.

23. Has the same state of things always existed during that time? Yes.

24. Can you trace the career of the children of this character? In most cases: although many disappear by leaving the Colony or going on board whalers. Most of those who remain grow up in confirmed evil and criminal habits.

*Mr. Henty.*—25. Are there many girls of early age on the streets as prostitutes? Many. I have known one of the age of 9 years, with whose mother I remonstrated, but in vain,—her only reply being, "What am I to do?"

26. How do you think an Institution could be provided for these Children? I think they might be employed on a farm in industrial pursuits. I will hand in in writing a proposal which I submitted to His Excellency the Governor. (Vide Appendix A.)

27. Do you think the management of that Establishment could be attached to the Ragged School, or would it require a separate building? The management could be vested in the Ragged School Committee. The Ragged School in Lower Collins-street could be enlarged so as to accommodate 8 or 10 boys, who could be there taught the trades of shoe-making, tailoring, and carpentering. Buildings adjoining could be, I believe, rented to accommodate 20 smaller Children, boys and girls.

28. What provision could be made for girls not infants? I am not prepared to say at present.

29. Would not the first thing for them be security and protection? It would.

30. The industrial and other teaching would follow? Yes.

31. Would not a plain cottage, with a steady woman as manager, answer the purpose at first? I believe it would, if she had the presence of her husband.

32. There would be no further expense? No, the woman and children could do all the house and necessary work.

33. If the house were large enough, and the husband's services were also engaged, could boys be maintained in the same building advantageously up to the age of ten? I believe so.

34. Do you see any impropriety in boys of the Vagrant Class above the age of 10 being sent to a Reformatory in company with Juvenile Criminals? There is very little difference between them, either in their habits or way of living.

The Committee adjourned.

The Committee met on Saturday, September 13th, and inspected the buildings at the Cascade Factory.

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The Committee met on Wednesday, the 17th September, at eleven o'clock.

*Present*—Mr. Henty, Mr. Button, Mr. Bisdee, Mr. Wedge, Mr. Carter, Mr. Wilson.

MR. ATKINS, *Superintendent of the Cascade Factory, examined.*

*Mr. Henty.*—35. Your name? Ringrose Austin Atkins.

36. You are Superintendent of the Female House of Correction and Gaol, Cascades? Yes.

37. You have a large amount of accommodation not at present required? I have.

38. In particular is there not a large portion at the north-eastern end? Yes.

39. Will you describe that portion? The area consists of 158 by 106 feet. It comprises a large yard with working-shed in the centre. The buildings comprise eight wards and a lavatory. The wards will accommodate 88 to 90 persons, allowing 500 cubic feet of space for each individual; but, as there is no cooking place, one of these wards might be appropriated to that purpose. The buildings are in very good repair, free from damp, and perfectly healthy. The whole establishment is very salubrious, and the drainage is good.

40. If that building were made use of, and filled with Juvenile Inmates to the number of 50, would the present staff be sufficient for the management, or would an additional number be required? With one additional warder the present staff would be sufficient.

41. What alterations would be required for adapting this part for the Juveniles, and what would be the expense? The fitting of a stove into one of the wards, for cooking purposes, at a cost of £12; and putting six day wards in front of their present night cells, for those convict women who would be displaced by the new arrangement, at a cost of £60. In this calculation I assume that the timber would be provided by the Port Arthur Establishment.

42. What pursuits would you have the means of finding there for the inmates? Instruction in needlework and cutting out, housework, cooking, washing and ironing, and knitting. Educational instruction would have to be provided for. The warder, who would have the industrial teaching of them, would have sufficient time during the day to give them also educational instruction.

43. What course do you recommend should be pursued with these young persons when they leave the Reformatory? They should be hired into the country for a fixed term, the object being to separate them from their companions in town.

44. Would such persons, under ordinary circumstances, have any chance of procuring a respectable livelihood in town on leaving? I think not.

*Mr. Wilson.*—45. Would they be likely to procure employment in town after serving an apprenticeship in the country? I think they would; because it is probable they would have established a character.

*Mr. Button.*—46. Is it your opinion that suitable situations could be had for them as apprentices in the country? Yes, when the system becomes known.

*Mr. Carter.*—47. Did you ever have any juvenile offenders under your control? Yes.

48. How many at a time? Never more than three.

49. Can you say whether you believe them to cause more trouble than adults? At times they are troublesome, but not more so than adults.

*Mr. Button.*—50. Would the services of the intended occupants be available to any extent, instead of the persons at present employed? I think not; but they would be able to assist them.

*Mr. Carter.*—51. Would you be satisfied with your present emoluments for the additional duties imposed on you? Yes.

52. How many prisoners are there at present under your control? About 140.

53. Is your time, and the time of the Officers under you, fully employed? Yes.

54. Do you still adhere to your opinion that you could take an additional 50 with the further assistance of only one Warder? Yes.

55. *Mr. Henty.*—Are there many, in your opinion, of the prisoners who leave your establishment that take to an industrious or reputable course of life? There may be a few, but very few.

56. Does that apply to both the old class of Convicts and the Immigrant class? It applies to all.

57. Do you think the system of apprenticeship to which you have alluded might be applied also with advantage to the short-sentenced women of the Immigrant class? I think it might.

58. How would the apprenticing be carried out? I think by a Board appointed for the purpose.

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MR. GRAY *again examined.*

59. If a convenient place can be found for the juvenile criminal class of girls, do you think that many of the destitute class not convicted might, without impropriety, be placed in the same establishment? The great majority of those who come under the designation of destitute and vagabond children are of exactly the same habits as those convicted: they all form part of one class. The exception will not be more than one in twenty.

60. What mode do you suggest for disposing of these children after they leave the Reformatories of the Schools? A system of apprenticeship appears to me to be the only plan, both for boys and girls. This mode would be the means of taking them away from their old haunts and associates in the town, which I consider absolutely necessary for their reformation.

61. Have you been concerned in getting places up the country for boys and girls of this class? Yes.

62. What has been the result? The children either of themselves would not stay, or their parents took them away just at the time when they were beginning to be useful.

63. Do you consider all such attempts to be fruitless? Yes, under present circumstances.

64. That is, without legal power to control them? Yes.

65. Are you acquainted with the institution designated the Female Refuge? Yes; I am on the Committee.

66. Do you consider the system of apprenticeship, with the consent of those inmates, might be advantageously adopted? I have no doubt of it.

67. With respect to the female adult prisoners leaving the Cascade Gaol, from your experience do any of them take to industrious or reputable courses? The instances are very few indeed. During my nine years' experience I have not known more than six; and I may state that those instances are those whom I personally solicited and assisted in getting into the Penitents' Home,—and in these cases, the individuals, after a time, all returned to their evil courses. In very many other instances the individuals have resisted all my persuasion to go to that Institution.

*Mr. Carter.*—68. Do your remarks also refer to the Penitents' Home? Are the results the same? Yes, they generally return to their evil courses. I do not remember one who has been permanently reclaimed, although, by reference to my Journal, there may be found to have been a very few.

69. Do the results of your observation apply to the community generally? Yes, to the community generally.

70. Do you think the system of apprenticing could be advantageously adopted with the prisoner women of the Cascade who belong to the Immigrant class? I don't see why it should not, it would be a mercy to them. At present, on their leaving the walls of the gaol, they are frequently waited for by their old associates in cabs and driven away straight to their old haunts.

*Mr. Wedge.*—71. Is this done frequently by their young companions or by older people? Most commonly by brothel-keepers. The inmates from the Female Hospital are, on their leaving, enticed away in the same manner.

I lay before the Committee a Memorandum or Summary of a proposal I submitted to His Excellency the Governor for an establishment for boys. (Appendix A.)

*Mr. Henty.*—72. What ages was that establishment adapted for? For boys over twelve years of age. It is also adapted for day boys and boarders.

73. Would the day boys be volunteers or be under any system of apprenticeship to that Institution? They would be under the apprenticeship system.

74. Would such a system ensure the attendance of boys unless they were to have all the proceeds of their labour? I believe it would. I think the inducement by meals and other things would be sufficient.

75. Where such boys return to their homes every night would there not be greater regularity? Yes, I think there would be.

76. What age do you think should be fixed as the limit for children to come within the operation of this Bill? Eighteen years of age at least.

Committee adjourned to Saturday, at 11 o'clock.

WEDNESDAY, OCTOBER 1, 1862.

The Committee met at Eleven o'clock.

*Present*—Mr. Henty, Mr. Button, Mr. Carter, Mr. Wedge.

MR. ATKINS' *examination continued.*

*Mr. Henty.*—77. What time of residence by a female in the proposed Institution, with the occupation and teaching that have been mentioned, do you think would, under ordinary circumstances, qualify her as a domestic servant? I should say that an intelligent girl, who is willing to learn, might in twelve months make a very tolerable servant.

78. How many girls would sleep in the various wards? The largest would accommodate 15, the smallest 11.

79. What supervision would they be under during the night? Some of the elder girls might be selected as Monitors. One of the rooms on the upper floor might be devoted to the service of the Matron or Warder, which would give her ready access to the other rooms.

The Director of Public Works, Mr. Falconer, was then called in, and his opinion taken as to adapting buildings now in possession of the Government for the objects contemplated in the evidence given before the Committee.

## APPENDIX A.

### AGRICULTURAL INDUSTRIAL SCHOOL.

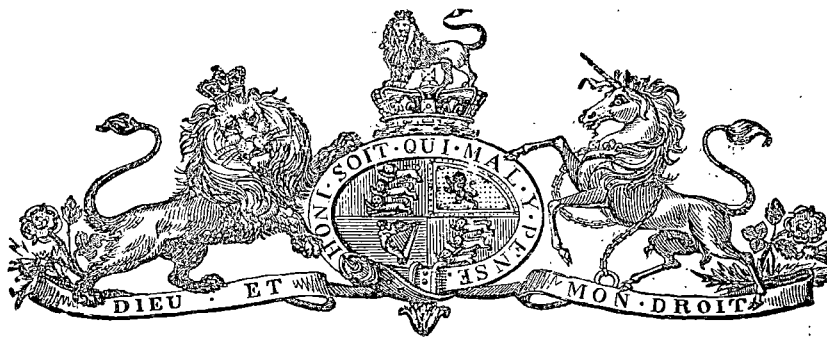
It is proposed to rent (say) five acres of ground near Town, and endeavour to instruct youths in the art of husbandry; and also to impart to them a portion of secular education, combined with moral training. A person suitable for this object to be secured (one is in view.) The hours of labour to be from 8 A.M. to noon, and from 4 to 6 P.M. The time for lessons in reading, &c., from  $\frac{1}{2}$ -past 1 till  $\frac{1}{2}$ -past 3. All of these boys to be provided with three meals each day. The homeless and destitute to sleep on the premises of the Master, and to be under his control. The number of boys thus employed will number (say) 20: of whom probably a quarter will be destitute, and have to be wholly provided for. The expense of each boy will probably amount to £20 per annum,—against which will be a set off to the amount of £10 for the first year, gradually increasing till, it is calculated, the Institution will be self-supporting at the end of 4 or 5 years.

## APPENDIX B.

*RETURN showing the Number of all Juvenile Offenders of both Sexes under the age of Sixteen Years who have been brought before the respective Police Courts of Tasmania, during the last Three Years, ending the 31st day of August, 1862, and their disposal.*

Police and Municipal Districts.	Number brought before Police Court.		Number convicted.		Number punished.		Number admonished, returned to service, dismissed, and not tried.		REMARKS.
	Male	Female	Male	Female	Male	Female	Male	Female	
Brighton .....	7	5	5	2	5	2	2	3	1 Lad twice tried; returned as 1 case.
Campbell Town.....	1	1	—	1	—	1	1	—	
Franklin.....	3	2	3	2	3	2	—	—	
Green Ponds.....	2	1	2	1	—	—	2	1	
Hamilton .....	2	—	2	—	2	—	—	—	The Girl tried twice; returned as 1 case.
Kingston .....	3	—	3	—	—	—	3	—	
Longford .....	1	1	1	1	1	1	—	—	
Launceston .....	3	—	3	—	3	—	—	—	
New Norfolk.....	2	1	2	1	2	1	—	—	1 Lad twice tried. 2 of the Boys were tried 3 times each and 2 twice each.
Oatlands .....	1	1	1	1	1	1	—	—	
Richmond .....	9	1	9	1	9	1	—	—	
Sorell.....	1	—	1	—	1	—	—	—	
Westbury .....	9	—	9	—	9	—	—	—	
Fingal .....	5	—	5	—	5	—	—	—	
Hobart .....	67	13	48	12	48	12	19*	1*	
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