

The "last thought is to escape": New Zealand's tree-planting prison camps

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ABSTRACT: 1913 marked the close of New Zealand's first prison tree-planting camp (Waiotapu). The 1910s also saw the closure of the Hanmer and Waipa Valley camps. Dumgree was the first to close in 1908 and Kaingaroa the last in 1920. Tree-planting also occurred at Point Halswell from 1904 continuing through the 1910s, resulting in the forestation of Miramar Peninsular with over 160,000 trees having been planted by 1915. Tree-planting, like other work camps, were considered to be suitable for only some prisoners, with Hume stating that: "Some men are safe only under lock and key and behind a fourteen-foot boundary-wall. The class of prisoner required for tree-planting or similar work in the country is the man who is determined to shorten his term of imprisonment by good conduct and industry, whose last thought is to escape, and who therefore needs little supervision." Additionally, tree-planting camps reflected late nineteenth-century shifts in criminology, which emphasised individual psychology (over physical punishment), in both the selection of inmates suitable for tree-planting and the potential for behavioural change. This paper will examine this period of New Zealand's tree-planting prison camps.

Introduction

New Zealand was the first country to establish tree-planting prison camps.¹ Pratt

¹ Taylor "Trees of Gold and Men Made Good?" p 546. Taylor identifies the Tuncurry Afforestation Camp, New South Wales (1913-38) as the first Australian camp, and writes that, in 1911, "William Holman, the NSW Minister for Justice and Attorney-General, visited New Zealand and while there "interested himself" in the experiments being made with prison labour in that country, "and arrived at the conclusion that the system might with advantage be tried" in New South Wales" (pp 545-547). In contrast Barnicoat writes that: "A similar experiment has already been tried in New South Wales, and failed utterly, the cost of management having been so enormous as to make its continuance out of the question." Barnicoat "The Government Prison Settlement at Waiotapu" p 436. A notice in the *Sydney Morning Herald* in 1901 appears to contradict Barnicoat. It noted that: "An experiment has been made so successfully in New Zealand of employing short service good conduct prisoners at tree-planting on Crown lands that it is now

states that their invention responded to the problem of overcrowding,² but they also resolved the difficulties of a public increasingly uncomfortable with seeing chain-gang labour on public works, the location of prisons in cities, and the conflict between providing productive work for prisoners and taking jobs from the civilian workforce.³

suggested to employ prisoners in prospecting on unoccupied auriferous areas." "The Sydney Morning Herald Monday, June 3, 1901" p 6.

² Pratt *Punishment in a Perfect Society* pp 156, 205.

³ Pratt *Punishment in a Perfect Society* pp 155, 156. Pratt attributes cultural discomfort with the sight of prisoners to "public sensitivities," including the cruelty of wearing irons, and the offensive behaviour of prisoners, with respect to public decorum (Pratt *Punishment in a Perfect Society* pp 113-114). He also notes that New Zealand society tolerated the sight of prisoners and public works substantially longer than other countries such as England. The pragmatic need of labour for public works

Work camps in remote locations, which would be less attractive locations for mainstream workers, resolved these issues. The first New Zealand attempt to negotiate these issues was our "first single-sex prison,"⁴ Humeville, an all-male camp established in Milford Sound in December 1890 "for the purpose of opening up a road to Central Otago, and establishing the means of through communication to Dunedin."⁵ As Pratt writes: "[t]he vast emptiness of Milford Sound could be their prison ... a barrier brought about by geographical distance was placed between

in a colonial context appears to have been the prime reason for this (Pratt *Punishment in a Perfect Society* pp 78-79).

⁴ Newbold *The Problem of Prisons* p 199.

⁵ Hume "The Inspector of Prisons to the Hon, the Minister of Justice" (1 May 1891) p 3.

public and prisoners."⁶ Arthur Hume, the Inspector of Prisons (1880-1909), reported in 1891 that the precedent for the Humeville project was an English system:

for placing the better-conducted long-sentenced prisoners on some Government works in an isolated place, to minimise the risk of contamination, and at the same time to enable the prisoners to fit themselves for ordinary labour on completing their sentences⁷

But the Humeville project was not a success. It ended in June 1892⁸ due to "various organisational and climate reasons."⁹ Newbold refers to "rain, mud, sandflies, rotten food, inadequate equipment, sickness and rebellion," and the still incomplete road after 18 months of work.¹⁰ Despite Humeville's failure, the rationale for its establishment remained important, and in the late 1890s Hume resurrected the concept, re-imagined as tree-planting camps, justified by

the additional security that the camps offered ... [which was] used [to argue] ... against those who still favoured using prison labour on urban public works such as road

⁶ Pratt *Punishment in a Perfect Society* p 156.

⁷ Hume "The Inspector of Prisons to the Hon, the Minister of Justice" (1 May 1891) p 3.

⁸ Newbold *The Problem of Prisons* pp 29-30.

⁹ Pratt *Punishment in a Perfect Society* p 156.

¹⁰ Newbold *The Problem of Prisons* pp 29-30.

building in Wellington.¹¹

There would be five tree-planting camps established, spanning two decades (1901-1920). The first was Waiotapu (1901-1913), followed by others at Hanmer (1903-1913), Dumgree (1904-1908), Waipa Valley (1904-1916) and Kaingaroa (1913-1920), as well as penal tree-planting in Wellington (on Somes Island and at Point Halswell on the Miramar Pennisular¹²). Newbold describes the camps as

early attempts at open incarceration [which] prefaced an expansion in prison camps that occurred after Hume's retirement and eventually became a mainstay of New Zealand's correctional system.¹³

The camps were quantitatively significant. By 1908 12.5% of New Zealand prisoners were in tree-planting camps,¹⁴ "by 1919, 53 per cent of all inmates were engaged in farming or land development,"¹⁵ and in 1923 70% "of prisoners

¹¹ Pratt *Punishment in a Perfect Society* p 156

¹² McCarthy "Siting penal heritage" pp 59-60.

¹³ Newbold *The Problem of Prisons* pp 29-30; Hay & Matthews refer to the camps as "employing prison labour "in the open"" Hay & Matthews "The Inspector of Prisons to the Deputy Inspector to the Under-Secretary for Justice" (29 July 1913) p 4.

¹⁴ Pratt *Punishment in a Perfect Society* p 157.

¹⁵ Newbold *The Problem of Prisons* p 36.

[were] employed in outside work schemes."¹⁶ This large percentage contrasted the UK and the US, which had percentages in 1938 of 5.1% and 11.3% respectively."¹⁷

Newbold states that the prison work camps "effectively created a third class of prison" for the "employment of low-risk prisoners who could be trusted with extra freedoms."¹⁸ The reference to class, of course, denotes the penal classification system,¹⁹ and

the desired effect of keeping these better class of prisoners away from the habitual criminals, and thereby

¹⁶ Newbold *The Problem of Prisons* p 36.

¹⁷ Pratt *Punishment in a Perfect Society* p 25.

¹⁸ Newbold *The Problem of Prisons* p 169. Hume initially stated that selection of prisoners for the tree-planting camps was restricted to those "serving their first sentences, ... [with] none hav[ing] been convicted of immoral or indecent offences" (Hume "The Inspector of Prisons to the Hon, the Minister of Justice" (1 May 1901) p 3, para 26; also Pratt *Punishment in a Perfect Society* p 157. and Newbold *The Problem of Prisons* p 169). This was selection policy was echoed later in Australia when the Minister for Justice, William Holman (1913-1919), with respect to the 1913 Tuncurry Afforestation Camp stated that: "No one who has been imprisoned for crimes of violence or for sexual offences will be considered". (Taylor "Trees of Gold and Men Made Good?" p 547).

¹⁹ Hay "The Inspector of Prisons to the under-Secretary for Justice" (29 June 1912) p 7.

endeavouring to give them a chance of reforming.²⁰

The architecturalising of geographic distance was hence a fundamental concept underpinning New Zealand's first open-prisons. The camps' role in effecting prisoner classification however was acknowledged as less than ideal - but good enough. As the Hon. James McGowan (Minister of Mines) stated in 1908:

Where we have a large number of prisoners through the dominion and we cannot get the complete classification that exists at the Borstall [sic] Prison, or the Elmira Reformatory in America, I think it can be safely said we have done the next best thing.²¹

The reports at the time identified a class of prisoners "who, though convicted of crimes, cannot be classed as criminals in disposition,"²² as being the appropriate prisoners for tree-planting. Journalist Constance Alice Barnicoat (1872-1922) - and daughter of New Zealand Company surveyor John Wallis Barnicoat,²³ who visited Waiotapu

²⁰ Hume "The Inspector of Prisons to the Hon, the Minister of Justice" (1 May 1901) p 3, para 26.

²¹ Hon. Mr. McGowan (Minister of Mines) New Zealand Parliamentary Debates (17 July 1908) v 143, p 612.

²² Barnicoat "The Government Prison Settlement at Waiotapu" p 444.

²³ Barnicoat was also an interpreter, mountaineer and

on 31 January 1903,²⁴ aligned them with white-collar criminals:

almost all ... [are] convicted of felonies, mostly on charges of forgery, embezzlement, and similar crimes, and many of them are professional men, gentlemen by birth and education, with no appearance of the criminal about them.²⁵

Barnicoat's identification of the Waiotapu inmates as not being "criminals in disposition," distinguished the men's crimes from their apparent absence of criminality, anticipating the later policy change, when due to the pragmatics of tree-planting labour shortages, selection for tree-planting became based on an assessment of an inmate's character,²⁶ rather than their offending,

secretary to a number of politicians. McCallum "Barnicoat, Constance Alice" np.

²⁴ Barnicoat "The Government Prison Settlement at Waiotapu" p 437.

²⁵ Barnicoat "The Government Prison Settlement at Waiotapu" p 440.

²⁶ Barnicoat "The Government Prison Settlement at Waiotapu" p 443. For example, by 1905 when the size of Waiotapu expanded with the arrival of 38 extra prisoners, this extended "to other categories of low-risk prisoner." (Scanlon "Waiotapu Prison" (26 January 1905) p 9; Newbold *The Problem of Prisons* p 169). James McGowan (Minister of Mines) reinforced this in the debating chamber when he stated that: "'it was not my idea that [the camps] should only be used for first

though this was never straightforward. In c1904 ex-convict Australians were mistaken for first offenders,²⁷ and in 1905 Hume stressed the interdependence of prisoner behaviour and prison context:

some of the quietest and best workers in a town prison are idle and rowdy when sent tree-planting; while, on the other hand, some of the idle and rowdy in a town prison prove quiet and good workers when sent tree-planting.²⁸

From early on it seems that architectural context and inmate behaviour became entwined. The policy shift detached the criminal act from a judgment of criminality, while strengthening ideas of the personal appropriateness of penal environment as an important aspect of reform.²⁹ Tree-planting camps were also strongly understood as reformative environments due to prisoners:

offenders ... we have allowed some men who have been convicted of the more serious offences to go to the prison camps ... We thought that as the long sentence men had done exceedingly well they should get the benefit of the special remission marks allowed at the camps" (Hon. Mr. McGowan (Minister of Mines) New Zealand Parliamentary Debates (17 July 1908) v 143, p 612.).

²⁷ Scanlon "Waiotapu Prison" (16 January 1904) p 8.

²⁸ Hume "The Inspector of Prisons to the Hon, the Minister of Justice" (1 June 1905) p 1, para 6.

²⁹ Pratt *Punishment in a Perfect Society* p 156.

"[w]orking in healthy and invigorating surroundings ... and ... the nature of their imprisonment."³⁰ At times though it is difficult to ascertain whether references to the tree-planting camps having "an excellent climate" denote a meteorological or moral context; the camp at Waipa, for example, being described, with respect to the ability of a prisoner to "adjust himself to a more moral environment,"³¹ as "a place removed from public haunts and in an excellent climate."³² Classification had always been premised on reducing "the evils of criminal contamination"³³ between different types of prisoners - but it appears that the camps themselves were perceived to have "a distinct reformatory agency,"³⁴ with Robert Stout, as Chair of the Prison Board, stating that: "we

³⁰ Hay & Kayll "The Inspector and the Visiting Adviser to the under-Secretary for Justice" (31 March 1911) pp 2-3. Later, in 1912, Hay wrote that: "these prisons could serve a valuable purpose in rehabilitating a certain class of offenders" (Hay "The Inspector of Prisons to the under-Secretary for Justice" (29 June 1912) p 7).

³¹ Hay "The Inspector of Prisons to the under-Secretary for Justice" (29 June 1912) p 5.

³² Hay "The Inspector of Prisons to the under-Secretary for Justice" (29 June 1912) p 5.

³³ Hay "The Inspector of Prisons to the under-Secretary for Justice" (29 June 1912) p 7.

³⁴ Hay "The Inspector of Prisons to the under-Secretary for Justice" (29 June 1912) p 7.

believe that attempts at reformation are more likely to be successful in these country districts than in city prisons."³⁵ In contrast to the primacy of the architectural plan to organise, classify and separate prisoners, and of building construction materials and techniques to effect security and disable communication, the tree-planting camps appear to be an early instance in New Zealand of a very pleasant environmental quality being identified as a positive contributor to prisoner reform and behaviour.

The wider context for this change was an ideological shift towards ideas of individual psychology as relevant to prisoner reform. The institution which most comprehensively represented this thinking was the Elmira Institute (1876-) in the U.S., which - like the tree-planting camps - was designed as a system for low-risk, first offenders. Specifically, those

of sixteen to thirty years of age, who have fallen for the first time under the penal code, that is to say, exclusively to individuals with whom successful reform is anticipated.³⁶

³⁵ Stout, Robert, Chairman "[Prisons Board] Report" (20 May 1912) p 3.

³⁶ Winter *The New York State Reformatory in Elmira* p 3.

Elmira's location was also seen to be important. It commanded

a most charming view ... bounded by a range of hills ... [its] locality and style of architecture ... [gave] any impression rather than that of a prison, or an asylum for criminals.³⁷

Inmates were involved in farming the prison site,³⁸ and the institution included "workshops, schoolrooms, machines, tools etc."³⁹

The philosophy of Elmira built on Alexander Maconochie's marks system, which he developed at Norfolk Island in the 1840s. It advocated prisoner reform through "task sentences rather than time sentences" to reward desired behaviour.⁴⁰ Gaining (or losing) marks enabled progression (or demotion) through the punitive, punishment stages to the reformatory stages.⁴¹ Walter Crofton in Ireland further developed Maconochie's system prior to its implementation at Elmira.

³⁷ Winter *The New York State Reformatory in Elmira* p 2.

³⁸ Winter *The New York State Reformatory in Elmira* p 2.

³⁹ Winter *The New York State Reformatory in Elmira* p 3.

⁴⁰ Moore "Reformatory rhetoric" p 512.

⁴¹ Moore "Reformatory rhetoric" p 512.

Crofton, concerned about the difficulty for ex-inmates to re-absorb back into the community - due to employment difficulties,⁴² proposed a parole-like reformatory stage that aimed to equip prisoners for a future life in the community. Crofton's Irish system emphasised the principle of "individualisation"⁴³ of reform, which Elmira - with its customised treatments - would take to another level. At Elmira:

the greatest pains were taken not to suppress any trace of individuality in the prisoners but ... to study it ... [and] find out the unique circumstances of each individual's background ... [in order to] begin to understand why he/she was different from supposedly normal, law-abiding people.⁴⁴

It was within a context of concern with the individual, and their individual circumstances, that Elmira introduced the concept of indefinite detention, enabling prisoners to only be incarcerated for as long as necessary for their reform. Hence Maconochie's advocacy for a task-based system became in the institution of Elmira indeterminate detention

where the length of detention was not decided by the trial judge, but by the prison officials, who were, they claimed, the only ones in a position to determine when an individual might be "cured" of his deviant tendencies.⁴⁵

The introduction and development of tree-planting camps in New Zealand co-incided with a New Zealand political fascination with Elmira, and a staged marks system was in place in the camps, with Barnicoat noting that: "[t]he prisoners are mostly men only too anxious to earn all the good marks possible in order to shorten to the uttermost their term of imprisonment."⁴⁶ The tree-planting camps also became a structural part of the staged progression, where good behaviour was rewarded by better prison conditions, which leveraged across the prison system. While generally the tree-planting camps "served as an inducement for good behaviour,"⁴⁷ it was proposed in c1910 that the camps be graded such that:

"provision [would be] made for the transference of disorderly men to a camp where life and work are less congenial and where privileges are fewer. If insubordinate, they are transferred to a penitentiary

from which they cannot be transferred to a camp until they have secured a good conduct record for twelve months, and their transfer be approved of by the authorities." Here then, the prison camps were given a formal role in the penal system - they would no longer be simply *ad hoc* responses to overcrowding. And because of the qualitatively different nature of the camp from the penitentiary, the new system would be able to offer rewards for good progress, while having built-in disciplinary procedures for disruption: the flow of bodies from penitentiary to camp could thus be a two-way process.⁴⁸

These apparent signs of penological progressiveness were tempered by the Victorian principle of "less eligibility" - which determined that prison conditions must be provided at a lower level than what the poorest law-abiding citizens experienced. For example, the principal of "less eligibility" limited the capacity to provide formal qualifications which would mean that ex-prisoners might be competitive with law-abiding citizens. Consequently, the emphasis of training was on its "very basic nature"⁴⁹ - and this had geo-spatial consequences, evident in the Attorney-General's assertions that:

⁴² Crofton quoted, Hinde "Sir Walter Crofton" p 296.

⁴³ Hinde "Sir Walter Crofton" p 301.

⁴⁴ Pratt *Punishment in a Perfect Society* p 179.

⁴⁵ Taylor "Trees of Gold and Men Made Good?" p 546.

⁴⁶ Barnicoat "The Government Prison Settlement at Waiotapu" pp 440-441.

⁴⁷ Pratt *Punishment in a Perfect Society* p 157.

⁴⁸ Department of Justice (1910) quoted, Pratt *Punishment in a Perfect Society* p 205.

⁴⁹ Pratt *Punishment in a Perfect Society* p 208.

the safety of the man who has left gaol demands keeping him away from the cities and towns. Keep him in the country and there is hope. If he drifts back to town there is danger. If you train him for trades which have their chief market in the cities, then he is apt to be thrown for his occupation into the centres where the criminal is made.⁵⁰

This appears to have been commonly believed, with the Inspector of Prisons reporting that:

Apart from the economic value of the work, the camps are recognized by the Prison authorities as being of very great value from a reformatory standpoint, and as affording an opportunity of removing well behaved prisoners from town prisons.⁵¹

As Pratt concludes:

[t]he result was that training would also maintain former convicts in a state of dependency and subservience, and, in the case of some males, even restrict their ability to move to different parts of the country.⁵²

The use of vocational training hence becomes perverse. Unlike Crofton's Irish system in

⁵⁰ The Hon Dr. Findlay, Attorney-General (26 August 1910) p 36.

⁵¹ Hay & Matthews "The Inspector of Prisons to the Deputy Inspector to the Under-Secretary for Justice (29 July) p 3.

⁵² Pratt *Punishment in a Perfect Society* p 209.

which the prisoner "is sent out to mix with his fellow-men in the stirring business of laborious life,"⁵³ the New Zealand system tree-planting was a defensive and paternalistic strategy aimed to protect prisoners from urbanity indefinitely. The industrial revolution and increasing residential densification - identified as slums, had well-established an idea of cities as potentially unhealthy and morally compromised. Coincident with the penal genius of New Zealand public servants, ideas of urban compromise were simultaneously being explored in the phenomenon of the City Beautiful movement - through notions of civic improvement, beautification and amenity societies.

There is a moralistic and behavioural underpinning to the City Beautiful. Design and the environment were deployed to support a certain idea about citizenship. Peterson reports a Dayton Ohio newspaper writing that:

The town which has well kept streets, beautiful parks, attractive home grounds, plenty of fresh air and generally favorable sanitary conditions is the town the

⁵³ Dublin Daily Express quoted, Hinde "Sir Walter Crofton" p 304.

moral development and industrial progress of which will always commend it.⁵⁴

Tree-planting was, of course, one of the activities promoted by the City Beautiful movement⁵⁵ to facilitate its moral nevada. It is then perhaps no accident that the tree-planting camps (and their related aim to exclude ex-prisoners from cities) chronologically co-incided with the City Beautiful Movement,⁵⁶ and those with morally-fragile tendencies were encouraged to become detached from urban life.

Conclusion

Taylor points to "early twentieth century Australian and New Zealand penal systems ... [seeking] to transform "wastelands" into ordered, productive landscapes,"⁵⁷ and, extending his analogy to the prisoners themselves, suggests these penal ventures hoped "that fallen men could redeem wasted landscapes, and redeem themselves in the

⁵⁴ Peterson "The City Beautiful Movement" p 424.

⁵⁵ e.g. Peterson "The City Beautiful Movement" pp 424, 426, 427.

⁵⁶ Peterson locates the formative years of the City Beautiful as 1897-1902. Peterson "The City Beautiful Movement" p 416.

⁵⁷ Taylor "Trees of Gold and Men Made Good?" p 545.

process."⁵⁸ At this conceptual level, which conflates people with their environment, the City Beautiful agenda to ameliorate the city finds some correlation with desires to remove those least willing or able to conform to the dominant legal system from urban concentrations. It appears that in these early years of the twentieth-century a broader cultural ideology of an environmentalism which also permeated ideas about demography and geographic distribution may have been at play.

But the phenomenon of the tree-planting prison camps was relatively short-lived. The Reform Party, whose members were dominated by North Island dairy farmers, prioritised the prison farm and land reclamation over the more City Beautiful-appropriate tree-planting,⁵⁹ and prisoners honed their skills in road making, sawmilling, agriculture and land development.⁶⁰

⁵⁸ Taylor "Trees of Gold and Men Made Good?" p 546.

⁵⁹ Taylor "Trees of Gold and Men Made Good?" p 546.

⁶⁰ Newbold *The Problem of Prisons* p 199.

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