

"A gaol is not like a new post office or railway station": Invercargill reformatory prison 1910

Christine McCarthy, Interior Architecture, Victoria University

ABSTRACT: The years of the first decade of the twentieth-century in New Zealand saw the building and development of New Zealand's first reformatory prison in Invercargill. This paper explores the historical and legislative context of this building.

Introduction

When the Minister of Justice proposed in early 1900 to replace the 37-year-old Invercargill gaol the reason was reported to be due to insufficient space, the inability to provide classification, and the Sprey Street gaol site impinging on the railway yard.¹ The problem of the prison site location was reiterated at the end of 1901 to be "unsuitable,"² being as it was "in the centre of town, and greatly cramped for want of room."³ However building a new gaol was not considered urgent government business, and, after the new site was purchased (c1902), the Prisons Branch annual report stated that:

no doubt, in due course a new building will be started; but there is not the same urgency in that locality, as the present building accommodates the prisoners of the district.⁴

¹ "Invercargill, Last night" p 2.

² "Southland News Notes" (13 November 1901) p 44.

³ "Southland News Notes" (13 November 1901) p 44.

⁴ Hume "The Inspector of Prisons to the Hon. the Minister of Justice" 1902 p 3, para 24.

The physical state of the gaol was also raised, though this narrative was contradictory, the condition of the building being reported as being "in good order" in 1901,⁵ and 1902,⁶ but dilapidated in 1904.⁷ Following reports of painting and repairs,⁸ and "a thorough overhaul" during 1907, the gaoler reported the old gaol to be in "first-class order."⁹

At least two other accounts on the contemporary condition of the old gaol, were published during this period. In a January 1908 article, prisoner No. 391 recalled his month in "the red-brick castellated building

⁵ Bratby "Extracts from Gaolers' Reports for 1900: Invercargill Prison" p 9.

⁶ Bratby "Gaolers' Reports for 1901: Invercargill Prison" p 10, para 7.

⁷ Armstrong "Gaolers' Reports for 1903: Invercargill Prison" pp 5-6.

⁸ Pointon "Gaolers' Reports for 1906: Invercargill Prison" p 7.

⁹ Hawkins "Gaoler and Probation Officer "Gaolers' Reports for 1907: Invercargill Prison" p 7.

on the hill,"¹⁰ describing a "beautifully clean,"¹¹ but space-limited¹² and spartan, cell; "[s]tern and severe simplicity reigned sovereign."¹³ In contrast Rev John A Luxford's earlier December 1900 letter to the *Southland Times* editor evoked a dreary architecture:

The gaol building and yard are nothing better than a stone coffin. If anyone wants to see dreariness and monotony materialised let him get permission ... to look inside that vault. There is not the faintest sign of vegetable life. Bolts, brick walls and hard pavement of

¹⁰ No. 391 ""My Christmas Holiday in Invercargill Gaol"" p 4.

¹¹ No. 391 ""My Christmas Holiday in Invercargill Gaol"" p 4.

¹² No. 391 ""My Christmas Holiday in Invercargill Gaol"" p 4.

¹³ No. 391 ""My Christmas Holiday in Invercargill Gaol"" p 4. A March 1909 also commended the old gaol's lighting and bathing facilities, stating that each cell had a light, that for three quarters of the year, gas burnt from 4.30-7.45pm, and that hot water for bathing was almost unlimited. It also reported that the prison library was claimed to be "the best in the colony," due to "the generosity and sympathy of the public" generated by Mr Crawford who "conducted the services at the gaol." "[untitled]" (9 March 1909) p 4.

course are the necessary adjuncts of a gaol. It would be absurd to supply the comfort of a home or the surroundings of a paradise, but there is no law written or implied that our unfortunate convicts should be denied the sight of a tree or flower within their gloomy abode.¹⁴

The new gaol

By November 1901, the government purchase of 10 acres behind the hospital from the Thomson Trust to accommodate the new gaol building had been signalled.¹⁵ The following year £2,000 was allocated in the Public Works Estimates for "Invercargill gaol and land,"¹⁶ but it was another four years until progress on the building commenced.¹⁷ In January 1907, tenders were called for ironwork, specifying two contracts "for making and delivering cell doors and cell window frames" and "for making and delivering hammock-bolts, fittings etc."¹⁸ Later that year, in August 1907, a comprehensive description of the new Invercargill gaol was published in the *Southland Times*.¹⁹ After outlining the role of prisoners on various public works around

Invercargill, and explaining their and the gaol superintendent's role in the construction of the new gaol, the report stated that the gaol building's foundations had been completed and the walls in the southern wing up to window height. The structure of the one-storey building was designed to take a second storey if needed, and detail regarding the depth and cost of the concrete foundations and building was outlined. It would accommodate 79 male and 6 female prisoners. The 339ft x 226 ft (103m x 69m) Latin cross building, had 40 ft (12m) wide wings. Substantial detail was given regarding the iron work grilles and steel cell doors, their surveillance from the central octagonal hall, and the 9ft x 7 ft 6in (2.7m x 2.3m) cells.²⁰

A further article on the new gaol appeared in December 1908. The administrative entrance block on Liffey St was to be two storeys high, the octagonal hall was the centre of the cruciform plan, and located so that when in the hall "an officer's eye will be able to take every corner in every corridor."²¹ This language and its architecture follows the lineage of William Blackburn's eighteenth-

century prison architecture innovations, Jeremy Bentham's refinement of this work into his "inspection principle" teased out in the design of the panopticon, and John de Haviland's work at Cherry Hill on the Eastern State Penitentiary (1822-29), culminating in Joshua Jebb's Pentonville Model Prison in London (1840-42). Iron grilles separated the hall from the radial wings.²²

The December 1908 article also gave a further update on the building progress: the south wing was rooved, the north wing about to be rooved, and the administrative block was half-finished, with all of the building expected to be rooved by the end of April, with the exception of the west wing, which was to be built after the occupation of the other parts.²³ This report also noted the decision to use electricity rather than gas-lighting, with each cell having an electric bulb with switches located in the corridor outside each cell.²⁴ This decision was radical; the use of electricity in the prison would pre-date its use in Invercargill city and required a power plant to

¹⁴ Luxford "Prison Reform" p 3.

¹⁵ "Southland News Notes" (13 November 1901) p 44.

¹⁶ "Public Works Estimates" (17 September 1902) p 45.

¹⁷ "The New Gaol: Its Official Opening" p 7.

¹⁸ Ussher "[Tender] Ironwork New Gaol" p 1.

¹⁹ "The New Gaol" (15 August 1907) p 4.

²⁰ "The New Gaol" (15 August 1907) p 4.

²¹ "The Invercargill Gaol: Progress of new building: Truth about the old" p 2.

²² "The Invercargill Gaol: Progress of new building: Truth about the old" p 2.

²² "The Invercargill Gaol: Progress of new building: Truth about the old" p 2.

²³ "The Invercargill Gaol: Progress of new building: Truth about the old" p 2.

²⁴ "Invercargill, Last night" p 2.

be installed in the basement of the building.²⁵ The article also described cell doors containing an inspection trap of 1/4in plate glass,²⁶ the exercise yards of asphalt paths, and "[a]ttractive grass plots and flower beds" to be "laid out in a terrace on the western side of the gaol in the vacant portion of the section between the building and the gaol gardens."²⁷ It noted that prisoners interested in cultivating part of the flower beds would be supplied seeds, and the gaol vegetable garden was "some five and a-half acres" and would within four years' time enable the gaol to be self-supporting.²⁸ It drew an image counter to Rev Luxford's dreary and monotonous stone coffin. Early the following year (1909) the five and a half-acre gaol vegetable garden was heralded as "an unprecedented success,"²⁹ resulting in the gaol being the fourth cheapest New Zealand prison to run because of "the amount of revenue which the gaol succeeds in earning."³⁰ It was anticipated that Invercargill gaol would become financially "self-

²⁵ Lister "A Prison of Rare Distinction" p 43.

²⁶ "Invercargill, Last night" p 2.

²⁷ "Invercargill, Last night" p 2.

²⁸ "Invercargill, Last night" p 2.

²⁹ "The Ensign: Wednesday, April 21, 1909" p 2.

³⁰ "[untitled]" (9 March 1909) p 4.

supporting."³¹

The opening of the Invercargill Gaol

On Wednesday 16 February 1910, at 3pm, the Prime Minister, Sir Joseph Ward, opened the new Invercargill gaol in Liffey street.³² About 100 people attended the opening held in "the domed reception hall, from which the cell corridors branch north and south."³³ The *Southland Times* described the building at the opening as follows:

The building is particularly well lit, and the warm sunlight streamed through the open doorways, showing up the white concrete work and glistening paint, shining down a long corridor set out in palms, ferns, and small dining tables laid for afternoon tea, and crowded with fashionably attired citizens. The scene much more resembled that of some well-appointed cafe than of a prison. The outstanding feature of the interior of the place is the sense of wholesome cleanliness that it induces. Everything has a feeling of white sweetness, and the appointments are simply, yet ingeniously arranged, to ensure that this atmosphere will be lasting. Everything appears designed to be opening to the scrubbing brush and the daylight so that it would appear that there is no place left for dirt or dinginess to find a lodgement. This physical feeling of sanitarianess

³¹ "Omnium Gatherum" (6 January 1909) p 4.

³² "The Prime Minister: Arrival in Invercargill" p 5.

³³ "The New Gaol: Its Official Opening" p 7.

was the characteristic that was inevitably remarked on by visitors."³⁴

The emphasis on light and hygiene recalls eighteenth-century analogies of immorality with diseases as physical and moral health, that drew on the similar vocabulary, and conceptualised crime as contagious. The description's use of words such as "warm," "glistening," "shining," "wholesome cleanliness," "white sweetness," "sanitariness," and the apparent absence of any place for "dirt or dinginess," create a surface palette of moral exemplar not conventionally associated with the harsh reality of prison buildings.³⁵ The recurring image of unprison-likeness is also consistent with the new gaol having an official opening ceremony with the Prime Minister and the Invercargill mayor officiating in what appears to have been the first time that a New Zealand prison was officially opened.³⁶ However, official openings had

³⁴ "The New Gaol: Its Official Opening" p 7.

³⁵ The persistent referencing to the clean condition of surfaces as a possible way to access morality contrasts Evans' argument of the moral role of the plan in prison architecture, and is more consistent with associations developed with modernism. Evans *Fabrication of Virtue; Wigley White Walls*.

³⁶ The basis for this statement is threefold. Firstly, it is the first instance found when searching the Paperspast

occurred in the early years of the twentieth-century for institutions associated with prison work, including: the Salvation Army Prison Gate Home in 1903 and the Boy's farming establishment in Levin in 1906.³⁷ Lister also observes that John Findlay, then Minister of Justice, "had recently presented to Parliament a bill which included the new sentence of reformatory detention and the Prime Minister was keen to gain some kudos from that and from the opening of the new institution."³⁸ The public statement of the official opening was reinforced by the new prison being open for public inspection in the hours and days following the official ceremony.³⁹

The newness of the idea of opening a New Zealand prison cannot be denied, and this fact reportedly "has caused some comment in the north."⁴⁰ The *Christchurch Press* noted the

database, secondly, the opening speeches explicitly justified the event as appropriate, and finally the opening prompted debate in the press regarding the appropriateness of such an event for a prison.

³⁷ "[untitled]" (5 September 1903) p 4; "Omnium Gatherum" (6 March 1906) p 8.

³⁸ Lister "A Prison of Rare Distinction" p 41.

³⁹ "The New Gaol: Its Official Opening" p 7.

⁴⁰ "The Southland Times: Tuesday, February 22, 1910" p 4.

"incongruity"⁴¹ of the opening and referred to the Prime Minister's admission that "to open with ceremony a prison that was to be solely a place of punishment and misery would not be very fitting."⁴² In response, the *Southland Times* observed that:

it is perhaps not unnatural that the extension of the practice to a gaol should excite a little surprise. That a large and costly institution should be necessary for the detention of those who have transgressed the law is not by any means a matter for congratulation. A gaol is not like a new post office or railway station, each of which represents the increasing activity of the people, the extension of trade, and the development of the country, and is therefore a subject for publicity and for the speeches of public men. The great buildings of the public service, the post offices, the Customs houses, the education offices, represent the successes of the age; but the gaols represent its failures. There is no cause for satisfaction in the increasing size of the gaols; on the contrary the closing of their doors would give cause at once for public festival and thanksgiving. For this reason, we suppose, the opening of the Invercargill gaol by an official ceremony has occasioned some comment, both locally and in other parts of the dominion. Still, we make bold to say that the new Invercargill gaol and the purposes for which it is intended differ so widely from the old conception of the character and use of a gaol that the ceremony was not out of place. The new prison at Invercargill marks clearly the departure of the criminal system in New Zealand from the obsolete and

⁴¹ "Opening a new prison" p 8.

⁴² "Opening a new prison" p 8.

ineffective penal and retributive system and the adoption of the modern and benevolent reformatory or redemptive principle. It marks, in fact, a distinct advance in public knowledge with regard not only to the punishment but to the prevention of crime, and Sir Joseph Ward was fully justified in arguing that an official opening ceremony was not inappropriate to the new humanitarian character of the institution.⁴³

The official opening was hence part of the embrace of prisons into a category of public service buildings which represented "the increasing activity of the people, the extension of trade, and the development of the country,"⁴⁴ and it intended to mark a new definition of what a prison would be in New Zealand. The politicians' speeches during the opening consequently anticipated any negative reactions to this departure from convention, and promoted the difference between Invercargill and other gaols. Charles Stephen Longuet, the Invercargill Mayor, for instance, distinguished the nature of Invercargill gaol from the tradition of prisons as "places once of misery and hopelessness."⁴⁵ He stated that:

⁴³ "The Southland Times: Tuesday, February 22, 1910" p 4.

⁴⁴ "The Southland Times: Tuesday, February 22, 1910" p 4.

⁴⁵ "The New Gaol: Its Official Opening" p 7.

The endeavour now was to make it possible for the prisoner to have a chance, to give him an opportunity of at least taking the same position again in life after he had served his sentence, and [that] the prison they were opening was specially fitted for that purpose. ... The opening of a prison intended simply as a place for punishment and misery would not be a fitting occasion for ceremony. The Dominion had a Minister in charge of the prisons who understood and was deeply interested in humanitarian schemes and who was desirous of extending such schemes to the prisons here wherever opportunity offered, and they trusted that the result would be a great benefit to the community.⁴⁶

Likewise, the Prime Minister, Joseph Ward, stressed the importance of formally opening the prison and related this to: "the object of having carried out here great reform work in connection with the prisoners."⁴⁷ The promotion of the prison as a site to reform offenders was thus equally an exercise in the reformation of the idea of a prison. Invercargill gaol was "unique;"⁴⁸ the prisoner "could do something giving a return to the State and enable a portion also of the proceeds of his work to be expended for his wife and children."⁴⁹ Ward then contrasted the poor lighting in the associate cells of the old gaol

⁴⁶ "The New Gaol: Its Official Opening" p 7.

⁴⁷ "The New Gaol: Its Official Opening" p 7.

⁴⁸ "The New Gaol: Its Official Opening" p 7.

⁴⁹ "The New Gaol: Its Official Opening" p 7.

with the "one cell one prisoner" policy of the new prison, which provided cells that were "large, airy and well lit," and he made note of the library, the use of evening class tuition, and classification. He also referred to a marks system, where "good conduct would be attained by the use of reward [rather] than of punishment," and the separation of youth from adult prisoners to prevent "harmful results of association with ... hardened offenders."⁵⁰

The Reformatory

Informing this "humanitarian" narrative of reform was the Australasian uptake of a new penal philosophy, which had its origins in New York in the 1870s, and began to filter into the New Zealand press in the 1900s. The originary event seems to have been the 1870 National Congress on Penitentiary and Reformatory Discipline held in Ohio (12-18 October 1870). A "Declaration of Principles," underpinned by a scientific approach to crime and punishment, was a material outcome of the congress and endorsed prisoner reformation achieved through education, religious instruction and the discipline of

⁵⁰ "The New Gaol: Its Official Opening" p 7.

prison labour.⁵¹ The idea of indeterminate sentences, where prisoners were released once they had been reformed, rather than for a fixed length of time, was central to this.⁵² The Elmira Reformatory, which opened in New York State in 1876 was the first American reformatory for young male adults,⁵³ which, while using the congregate plan architecture of the Auburn Silent System, implemented a prison regime based on the new ideas of reform. A version of Alexander Machonochie's and Walter Crofton's mark systems, where marks were awarded or deducted to promote good behaviour, would become a critical factor in determining whether or not an inmate had achieved sufficient reformation for release.⁵⁴ This "Elmira System" assumed that offending behaviour was a result of "the complex interaction of biological, psychological and sociological forces" which looked to a graduated idea of training the body and mind as the mechanism to achieve character

⁵¹ Tillotson "National Congress on Penitentiary and Reformatory Discipline" pp 1186-1188.

⁵² Tillotson "National Congress on Penitentiary and Reformatory Discipline" pp 1186-1188.

⁵³ Pisciotta "Scientific Reform" p 613.

⁵⁴ Pisciotta "Scientific Reform" pp 614-616.

reformation,⁵⁵ and it paralleled the development of the discipline of criminology.

The Habitual Criminals and Offenders Act 1906

The New Zealand response to this thinking initially materialised in the Habitual Criminals and Offenders Bill 1906, which legislated an indeterminant reformatory sentence for those defined as habitual criminals after, or instead of, serving a punitive sentence. The Hansard debate disclosed that a recent influx of Sydney criminals to New Zealand was a secondary reason for the Bill,⁵⁶ and identified unemployment as a driver of crime, and employment as its remedy.⁵⁷ Reference to Elmira was frequent, as much as for the Bill's proposed departures from that system as its consistency with it because the Elmira indeterminate sentence aimed to release prisoners early (if reformed), and prior to a

⁵⁵ Pisciotta "Scientific Reform" p 615.

⁵⁶ McGowan, James (Minister of Justice, Thames) 28 August 1906 New Zealand Parliament *Parliamentary Debates* v 137, p 163

⁵⁷ e.g. Hogg, Alexander Wilson (Masterton) 28 August 1906 New Zealand Parliament *Parliamentary Debates* v 137, p 170; Beehan, William (Legislative Councillor, Auckland) 21 September 1906 New Zealand Parliament *Parliamentary Debates* v 137, p 742.

maximum duration - rather than incarcerate prisoners indefinitely until proof of their reformation, as the New Zealand Bill would implement.

The debate regarding architecture was select but evident. George Laurenson raised the inhumanity of the poor lighting of New Zealand prisons, stating that:

I can only impress on the Minister the absolute necessity from every standpoint of giving prisoners more light in their cells ... I do hope that the Minister, with that humanity he possesses, will see the necessity for giving more light in the cells and more literature to the prisoners, so that the gaols may be made more and more places of reformation rather than penal institutions.⁵⁸

The reformatory sentence was spatialised in a medical analogy, which proposed that "the Judge commits a convict to a reformatory just as a doctor commits a sick, injured, or insane person to a suitable hospital or institution until cured."⁵⁹ Reference to New South Wales' gaol-classification system was another mode of spatialisation where different classes of

⁵⁸ Laurenson, George (Lyttelton) 28 August 1906 New Zealand Parliament *Parliamentary Debates* v 137, pp 166-167.

⁵⁹ Hanan, Josiah Alfred (Invercargill) 28 August 1906 New Zealand Parliament *Parliamentary Debates* v 137, p 170.

prisoners were sent to different prisons.⁶⁰ Such a system was however discouraged by the Minister of Justice because

it would prevent the poorer classes from seeing their friends or relatives on account of the length of the journeys which they would often have to make and the consequent expense entailed.⁶¹

Albert Pitt, the then Attorney-General, with reference to the Elmira Reformatory, contrasted the "large and capacious buildings ... erected in a plot of some two hundred acres" in America as beyond the resources available to this colony,⁶² and distinguished the Elmira system from the Sobraon industrial school system of New South Wales, which he compared with New Zealand's industrial school system.⁶³ This, and the New Zealand use of probation for first offenders, was

⁶⁰ Poole, Charles Henry (Auckland West) 28 August 1906 New Zealand Parliament *Parliamentary Debates* v 137, p 172.

⁶¹ McGowan, James (Minister of Justice, Thames) 28 August 1906 New Zealand Parliament *Parliamentary Debates* v 137, p 174.

⁶² Pitt, Albert (Legislative Council, Nelson) 21 September 1906 New Zealand Parliament *Parliamentary Debates* v 137, p 737.

⁶³ Pitt, Albert (Legislative Council, Nelson) 21 September 1906 New Zealand Parliament *Parliamentary Debates* v 137, p 743.

argued to support indeterminate sentences being used in a different form, and for a different purpose, than that envisaged at Elmira. Ultimately however, the architectural ramifications of the Habitual Criminals and Offenders Act 1906 were sparse, with the Act enabling a gaol or suitable building to be designated a reformatory (cl. 5(1)), and requiring that inmates be employed (cl. 11(1)), and women and men be housed separately (cl. 5(2)).

The Crimes Amendment Act 1910

The Crimes Amendment Bill 1910 extended the premise of the Habitual Criminal and Offenders Act 1906, specifically applying indeterminate sentences to first offenders.⁶⁴ Again frequent reference to the Elmira Reformatory as an exemplar was made in the parliamentary debates.⁶⁵ Inadequate light,

⁶⁴ Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 357.

⁶⁵ Reference was also made to Borstal, Dartmoor and Pentridge. Fowlds, George (Minister of Education, Grey Lynn) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 503; Hanan, Josiah Alfred (Invercargill) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 516; Arnold, James Frederick (Dunedin Central) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p

along with poor ventilation, in prison cells was again raised as problematic. Attorney-General John Findlay linked the threshold for lighting levels with the ability to read.⁶⁶ He also stressed the importance of evening classes for those in need of elementary education,⁶⁷ and each prisoner having a cell of their own.⁶⁸ The ability of prisoners to earn money from their labour - to support their families and/or to save for their post-release life - was also framed as reformatory, supporting their self-respect and "salvation."⁶⁹

520.

⁶⁶ Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 355; also Laurenson, George (Lyttelton) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 529.

⁶⁷ Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 354.

⁶⁸ Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 355.

⁶⁹ Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 360; Findlay, John George (Attorney-General, Legislative Council, Wellington) 26 August 1910 *Parliamentary Debates* v 151, p 40.

Findlay contextualised the Bill with reference to

[t]he new method ... to attempt to restore a measure of self respect in the criminal, to find out his physical and mental state, the temperamental conditions, the environment, the circumstances which led to the crime; and, having got that information and that data, then to prescribe special treatment which will not only protect society, but effect or tend to effect the reformation of the offender.⁷⁰

Classification was introduced as a prime need - but this was not simply the eighteenth-century idea of classification, the aim of which focussed on the prevention of contagion between criminal classes. Instead, the focus expanded to include facilitating reformation with specific "treatment" for six specific classes of offenders,⁷¹ namely:

- (a) the incorrigible professional offender
- (b) the corrigible offender
- (c) the sex offender and psychiatric patient
- (d) the incipient or pseudo-criminal
- (e) the habitual alcoholic, and
- (f) the corrigible alcoholic

⁷⁰ Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 349.

⁷¹ Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 350.

Different institutions were intended to accommodate these classes: the penitentiary (for "hardened" criminals), medical institutions (for sex offenders and psychiatric patients), and reformatories (for those who might be reformed). Reformatory prisons would also accommodate alcoholics, and include reformatory farms and camps. The rationalisation and modernisation of existing prisons was anticipated, including hoped-for closures of Napier, Dunedin, and Lyttleton Gaols, and the extension of Invercargill, which was considered the shining reformatory light among a series of significant architectural challenges.⁷² The required labour to be undertaken by convicts would be useful in contrast to the "dead monotony ... of the class of work which has been done chiefly in the past," such as the shot-drill, oakum-picking and the treadmill.⁷³ However finding

⁷² Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 353; Allen, James (Bruce) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 510; Hanan, Josiah Alfred (Invercargill) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 516; Herries, William Herbert (Tauranga) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 546.

⁷³ Findlay, John George (Attorney-General, Legislative

appropriate forms of labour was not straightforward. There was a desire to ensure prisoners left prison with a qualification, but there was opposition to trade-training advantaging prisoners over non-prisoners,⁷⁴ and to prison labour which was in competition with free labour.⁷⁵ However concern regarding trade competition appears to have been selective and was perhaps racially-influenced. The Invercargill gaol garden, for example, directly competed "with the Chinese market-gardener,"⁷⁶ a point acknowledged in the same debate that George Russell stated:

I think it is a very great pity that the supplies of vegetables for so many of our large and small towns are almost entirely in the hands of the Chinese. As far as I am concerned, I would be glad to see the back of the last

Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, pp 350-353; Findlay, John George (Attorney-General, Legislative Council, Wellington) 26 August 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 35.

⁷⁴ Findlay, John George (Attorney-General, Legislative Council, Wellington) 26 August 1910 New Zealand Parliament *Parliamentary Debates* v 151, pp 35-37.

⁷⁵ e.g. Allen, James (Bruce) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 512.

⁷⁶ Arnold, James Frederick (Dunedin Central) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 520.

Chinaman in New Zealand to-morrow if it were possible.⁷⁷

Among these issues was the identification of the city as criminogenic⁷⁸ and the need for job training to ensure that:

the man who has left gaol [... was kept] away from the cities and towns. Keep him in the country and there is hope. If he drifts back to the towns 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.⁷⁹

The idea of the reformatory, and the new prison system it would form a part of, was hence not singularly about prescribing the architecture of a building, but a series of interrelationships and functions across a larger penal landscape.

Invercargill gaol as reformatory

It is no surprise, given the anxiety about the city, and the lack of generosity of some

⁷⁷ Russell, George Warren (Avon) 13 September 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 538.

⁷⁸ Findlay, John George (Attorney-General, Legislative Council, Wellington) 9 August 1910 New Zealand Parliament *Parliamentary Debates* v 150, p 349.

⁷⁹ Findlay, John George (Attorney-General, Legislative Council, Wellington) 26 August 1910 New Zealand Parliament *Parliamentary Debates* v 151, p 36.

politicians towards Chinese people, that the Invercargill gaol market garden was a cause for celebration. Prison labour had been of value to Invercargill for approximately 30 years through work by prisoners on planting and draining reserves, building the concrete bridges and embarkment of Puni Creek, working in the Gardens, erecting concrete fences and iron post and rails and asphaltting in the hospital grounds as well as laying out Queen's Park and planting and asphaltting Post Office Square and erecting the new gaol and market gardens,⁸⁰ and work at the Police Station.⁸¹ However by the 1900s public perceptions of labour prisoners were increasingly negative. Rev Luxton's December 1900 letter described using prison labour on public works as "inhumane" and a "relic of barbarism"⁸² - because it subjected the men to "the gaze of morbid curiosity,"⁸³ counter to public sentiment in England, and practices in Victoria and NSW where prison labour was only used "in secluded spots."⁸⁴ The prison garden enabled labour with a public value to be undertaken away from public view and

⁸⁰ Southland News "The Prisoner" p 7.

⁸¹ "Invercargill Prison: Annual Report" p 2.

⁸² Luxford "Prison Reform" p 3.

⁸³ Luxford "Prison Reform" p 3.

⁸⁴ Luxford "Prison Reform" p 3.

within the gaol's walls. "Useful" rural labour, competing "only" with Chinese market gardeners, assured its political acceptance as a reformatory activity. In 1909 a proposal for prison labour to reclaim 2,000 acres of marsh land amplified this purpose, 650 acres of which would be returned to the government for a reformatory prison farm proximate to the gaol.⁸⁵

But working the soil was not the only reformatory activity. The building of the prison, "erected almost wholly by prison labour,"⁸⁶ was also consistent with these aims, and Michael Hawkins, the Invercargill Gaoler, astutely employed "some tradesmen as warders,"⁸⁷ in order to assist the building project. Its success led to the gaol purchasing a concrete block machine, seemingly in the later stages, if not after the completion of the building of the gaol. At the official opening, the demand for concrete blocks, and the benefit of "keeping the prisoners on work [such as block-making]"⁸⁸ emphasised the

⁸⁵ "The Local Year" p 4; also "The Minister of Justice Interviewed" p 3.

⁸⁶ "Earning their keep: Telegrams: The useful side of prison life" p 6.

⁸⁷ Lister "A Prison of Rare Distinction" p 42.

⁸⁸ "The New Gaol: Its Official Opening" p 7.

reformatory project, as site, emblem and work to be achieved. This work had been building, and would continue to be gardening, but also required prisoners to commit to the act of reading and educative study at the end of a hard day of work.

The provision of electric light, coupled with "a library provided, with a wide range of books,"⁸⁹ supported this evening work of the education. The persistent interest in artificial lighting to extent day-light hours and facilitate education was not, however, a concern confined only to prison interiors. The nineteenth-century establishment of mechanics' institutes and mercantile libraries, for example, were frequently sponsored by wealthy industrialists in benevolent gestures that aimed to promote orderly and virtuous habits, and produce literate, effective and productive workers. As Keane observes of the phenomenon:

Popularized as stressing the application of the fast developing sciences to the workplace, it also promoted such values as sobriety, frugality, self help, and hard work.⁹⁰

⁸⁹ "The New Gaol: Its Official Opening" p 7.

⁹⁰ Keane "Useful Knowledge and Morality" p 26.

Education as behaviour control was a wider social phenomenon. The concept of the worker was interwoven with specific ideas of reform and remediation to support increased profit for industrialists and to facilitate effective and efficient labour, which had wider economic benefits, and sociocultural obligations. This, of course, was also the decade when Workers Dwellings Act also became politically-supported.

Conclusion

History has demonstrated that, despite well-meaning people and good intentions, the hope for prisoner reform in prisons, pronounced at the official opening of Invercargill gaol, has proven to be mislaid. While criminology - which owes its origins to the era of the Elmira Reformatory - has provided significant research indicating the difficulties of using of prisons to reform people, the reformative narrative persists to justify the continued existence of prisons as a valid form of criminal justice.

Perhaps the lesson resides in words as old as the Invercargill gaol itself: "A gaol is not like a new post office or railway station ... The great buildings of the public service, the post offices, the Customs houses, the education

offices, represent the successes of the age; but the gaols represent its failures."⁹¹ Many of these architectural successes have passed their prime. Both post offices and railway stations are architectures of a previous era. Why is it then that the architecture of the prison - the architecture of failure - is so resilient? Foucault also noted its dogged survival in his observation of 50 years ago that: "for the past 150 years the proclamation of the failure of the prison has always been accompanied by its maintenance."⁹² He asked:

what is served by the failure of the prison; what is the use of these different phenomena that are continually being criticized ... what is hidden beneath the apparent cynicism of the penal institution ... Can we not see here a consequence rather than a contradiction? ... the prison ... is not intended to eliminate offences, but rather to distinguish them ... So successful has the prison been that, after a century and a half of "failures," the prison still exists, producing the same results, and there is the greatest reluctance to dispense with it.⁹³

⁹¹ "The Southland Times: Tuesday, February 22, 1910" p 4.

⁹² Foucault *Discipline and Punish* p 272.

⁹³ Foucault *Discipline and Punish* pp 272-277.

REFERENCES

- Armstrong, Alex, Gaoler and Probation Officer "Gaolers' Reports for 1903: Invercargill Prison" 28 January 1904, "H-20. Department of Justice, Prisons Branch (Report on), for the Year ending 31st December 1903" *Appendices to the Journal of the House of Representatives* Wellington: Government Printer, 1904 pp. 5-6.
- Bratby, J. H., Gaoler and Probation Officer "Extracts from Gaolers' Reports for 1900: Invercargill Prison." "H-20. Department of Justice, Prisons Branch (Report on), for the Year ending 31st December 1900" *Appendices to the Journal of the House of Representatives* Wellington: Government Printer, 1901 p. 9.
- Bratby, J. H., Gaoler and Probation Officer "Gaolers' Reports for 1901: Invercargill Prison" 3 January 1902, "H-20. Department of Justice, Prisons Branch (Report on), for the Year ending 31st December 1901" *Appendices to the Journal of the House of Representatives* Wellington: Government Printer, 1902 pp. 9-10. [p. 10, para 7]
- "Earning their keep: Telegrams: The useful side of prison life: Facts from the prisons report" *Greymouth Evening Star* (20 August 1910): 6.
- "The Ensign: Wednesday, April 21, 1909" *Mataura Ensign* (21 April 1909): 2.
- Evans, Robin *Fabrication of Virtue: English prison architecture* Cambridge: Cambridge University Press, 2010.
- Foucault, Michel *Discipline and Punish: The Birth of the Prison* trans Alan Sheridan. New York: Vintage Books, 1995.
- Hawkins, M. "Gaoler and Probation Officer "Gaolers' Reports for 1907: Invercargill Prison" 10 January 1908, "H-20. Department of Justice, Prisons Branch (Report on), for the Year ending 31st December 1907" *Appendices to the Journal of the House of Representatives* Wellington: Government Printer, 1908 pp. 7-8.
- Hume, A., Inspector of Prisons "The Inspector of Prisons to the Hon. the Minister of Justice" 1 May 1902, "H-20. Department of Justice, Prisons Branch (Report on), for the Year ending 31st December 1901" *Appendices to the Journal of the House of Representatives* Wellington: Government Printer, 1902 pp. 1-4.
- "The Invercargill Gaol: Progress of new building: Truth about the old." *Southland Times* (14 December 1908): 2.
- "Invercargill, Last night" *Daily Telegraph* (25 April 1900): 2.
- "Invercargill Prison: Annual Report" *Southland Times* (16 October 1909): 2.
- Keane, Patrick "Useful Knowledge and Morality: the San Francisco Mechanics' Institute, 1854-1906" *Adult Education Quarterly* (Fall 1984) 35(1):26-50.
- Lister, Philip "A Prison of Rare Distinction" *New Zealand Historic Places* (February 2001) 80:41-44.
- "The Local Year" *Southland Times* (31 December 1909): 4.
- Luxford, John A. "Prison Reform" 19 December 1900. *Southland Times* (19 December 1900): 3.
- "The New Gaol: Its Official Opening: By the Prime Minister" *Southland Times* (17 February 1910): 7.
- "The New Gaol: Showing what has been done.: and just how strong it will be" *Southland Times* (15 August 1907): 4.
- New Zealand Parliament *Parliamentary Debates: Second Session, Sixteenth Parliament* Wellington: John Mackay, Government Printer 1906, vol. 137.
- New Zealand Parliament *Parliamentary Debates: Third Session, Seventeenth Parliament* Wellington: John Mackay, Government Printer 1910, vol. 150.

- New Zealand Parliament *Parliamentary Debates: Third Session, Seventeenth Parliament* Wellington: John Mackay, Government Printer 1910, vol. 151.
- No. 391 ""My Christmas Holiday in Invercargill Gaol" How I was treated - The work I did - The food I ate: Christmas Cheer: Comparisons with other systems." *Southland Times* (25 January 1908): 4.
- "Omnium Gatherum" *Otago Daily Times* (6 March 1906): 8.
- "Omnium Gatherum" *Otago Witness* (6 January 1909): 4.
- "Opening a new prison" *Press* (19 February 1910): 8.
- Pisciotta, Alexander W. "Scientific Reform: The "New Penology" At Elmira, 1876-1900" *Crime & Delinquency* (October 1983) 29(4):613-630.
- Pointon, T.R., Gaoler and Probation Officer "Gaolers' Reports for 1906: Invercargill Prison" 13 January 1907, "H-20. Department of Justice, Prisons Branch (Report on), for the Year ending 31st December 1906" *Appendices to the Journal of the House of Representatives* Wellington: Government Printer, 1907: 7-8.
- "The Prime Minister: Arrival in Invercargill: Lord Kitchener's Reception" *Southland Times* (16 February 1910): 5.
- "Public Works Estimates" (17 September 1902): 45.
- Southland News "The Prisoner: Treatment at Discharge: His Commercial Value" *Marlborough Express* (20 May 1909): 7.
- "Southland News Notes" *Otago Witness* (9 January 1901): 35.
- "Southland News Notes" *Otago Witness* (13 November 1901): 44.
- "The Southland Times: Tuesday, February 22, 1910" *Southland Times* (22 February 1910): 4.
- Tillotson, Stephen "National Congress on Penitentiary and Reformatory Discipline" *The Social history of Crime and Punishment in America: An Encyclopedia* ed Wilbur R. Miller. Thousand Oaks, Sage Publications, 2012: 1186-1188.
- "[untitled]" *Auckland Star* (5 September 1903): 4.
- "[untitled]" *Southland Times* (9 March 1909): 4.
- Ussher, E.R. (District Engineer) "[Tender] Ironwork New Gaol" *Southland Times* (11 January 1907): 1.
- Wigley, Mark *White Walls, Designer Dresses: the fashioning of modern architecture* Cambridge, Massachusetts: MIT Press, c1995.