

Royal Commission on Penal and Prison Discipline, Victoria

1870 – 1872

Details

The Royal Commission on Penal and Prison Discipline was appointed on 8 August 1870 to inquire into and report upon the condition of the penal and prison establishments and penal discipline within the Colony of Victoria. It was also tasked with inquiring into the working of the *Neglected and Criminal Children's Act 1864* and Victoria's system of industrial and reformatory schools for children and what steps could be taken to improve its efficiency.

The Royal Commission's report no 3 on Industrial and Reformatory Schools (1872) condemned the industrial school system for the 'care' of 'neglected' children, on the grounds that:

- the deprivation of all the natural domestic associations injuriously affected the health and spirits of the children
- bringing together large numbers of children exposed them to dangers of 'contagion, both physical and moral'
- the number of children in the schools made any individual attention impossible, this being 'the only effectual means of bringing moral and religious influences to bear'
- the trades taught in the schools encouraged children to settle in town and cities 'with their inevitable snares and temptations'
- that children in industrial schools were not able to form any kind of family or domestic ties

The Report stated that "The system in this country is hurtful to the health, the morals, and the intellectual and industrial training of the children, and tends to sink them in after-life into permanent pauperism or crime". It referred to the health effects of the institutions' overcrowding, confinement, poor diet, insufficient sleeping accommodation and liability to contagion. The time spent by children in these institutions had no effect on their morals, which were said to be already poor, as the children were "the offspring of profligate or criminal parents, who, from their earliest infancy, have been familiarised with vice and crime, often in their worst forms". The report recommended that "the existing industrial school system shall be discontinued, and the plan of boarding out destitute children in their own localities substituted for it; and that local provision, supplemented by State bounty, shall be made for their maintenance".

The Commissioners claimed that children in industrial schools failed to acquire "those habits of steady industry and self-reliance indispensable to their subsequent success in life". Massing children together in large numbers was "the exact opposite to the natural family training". The report also referred to the great expense of the system, not helped by the difficulty of obtaining contributions from parents towards the support of their children. They concluded: "These objections appear to us to be decisive against the continuance of the existing system".

Instead of the industrial and reformatory schools existing in the early 1870s in Victoria, the report recommended a new system "based on the principle of compelling each district to make provision for the maintenance of its own destitution, instead of throwing the entire burden on the State". The privately-run [Sandhurst Industrial School](#) was pointed to as a successful example of this, as a local institution under local control.

The Commissioners' report detailed the many advantages of the boarding out system. It was more economical, "free from the grave moral defects inseparable from schools where large numbers are collected together", and

provided better industrial training for children. They claimed that no real education was possible without “individualisation”. They recommended that all children in industrial schools be placed with respectable families, and that all children hereafter brought before courts be similarly boarded out, under the supervision of locally-appointed committees. The existing industrial schools should only be used as “receiving schools” prior to children being placed, or when those children returned from placements.

Above all, they wrote, boarding out “is the nearest approach to the natural home-life for the homeless that can possibly be devised. Children placed with respectable families in their own rank in life, where they are cared for as if they were members of the household, lose that feeling of homelessness, isolation, and pauperism which is inseparable from the routine and constraint of a pauper school. Their intelligence is stimulated by the fresh objects and interests of their new life; the natural affections are called into healthy play; the sentiment of individual responsibility is quickened; and thus the foundations are laid of sound mental education and moral character”.

On reformatories, the Commissioners stated that the system’s chief defect was “the want of adequate means for classification and segregation”. They called for stricter supervision and individual separation of juvenile offenders: “it is sounder policy to expend money on the reclamation of the youthful offender, and on training him up to become a good citizen, than, by neglect or parsimony, to allow him to become a heavy and permanent charge on the State as an adult confirmed criminal”.

The Report concluded that the *Neglected and Criminal Children’s Act* had been misapplied in Victoria, and had been used as a “juvenile poor law”. This meant that children who were in destitute circumstances, but not neglected or criminal, were being admitted to industrial schools, and “... thus has arisen the serious evil of the State being compelled to make *permanent* provision for merely *casual* destitution”. The Commissioners wrote that destitution should be recognised as largely being only “accidental or temporary”, and that putting children into the industrial school system made it likely they would “sink into pauperism”. Instead, they recommended the administering of “a little temporary relief in a judicious manner until their friends should again be in a position to take charge of and maintain them”.

In the 1873 annual report, the Inspector Industrial and Reformatory Schools stated that a new boarding-out system had commenced in April 1873. Before the end of the year, 600 children had been successfully placed with foster parents. The Department facilitated the formation of 54 new Ladies’ Committees, whose role was to find suitable homes in various parts of the colony. Despite the early success, the Inspector stated that “700 or 800 boys, and as many girls, will require to be maintained within the schools for a long time yet”.

More info

Related Entries

Related Organisations

- [Department of Industrial and Reformatory Schools, Colony of Victoria \(1864 - 1887\)](#)

Related Legislation

- [The Neglected and Criminal Children's Act 1864, Victoria \(1864 - 1888\)](#)

Resources

- Swain, Shurlee, [History of Australian inquiries reviewing institutions providing care for children](#), October 2014
- [Reformatory Schools](#), The Argus, 19 August 1872

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