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'Drifting Towards Moral Chaos': The 1954 Mazengarb Report
-a Moral Panic over 'Juvenile Immorality'.

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the degree of Master of Philosophy in Education at
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ABBREVIATIONS

AJHR	Appendices to the Journals of the House of Representatives
Dom	The Dominion
HVYS	Hutt Valley Youth Survey
'Listener'	The New Zealand Listener
NZH	The New Zealand Herald
NZCER	New Zealand Council for Educational Research
NZEI	The New Zealand Educational Institute
NZPD	The New Zealand Parliamentary Journals
MS 2384	Alexander Turnbull Library Papers 2384
Post	Evening Post
Star	The Auckland Star
'Truth'	The New Zealand Truth

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ABSTRACT

This study investigates the concern over 'juvenile immorality' which began in early July 1954 and lasted until October the same year, when the recommendations made by the Mazengarb Report were passed by the House of Representatives. The 1954 Mazengarb Report and the events which surrounded it are analysed using sociological models of 'moral panic'. Such an approach provides the opportunity to examine a societal reaction to juvenile immorality and delinquency. It also allows an evaluation of the contributing groups and the processes which escalate public concern and facilitate the perception of a particular group of adolescents as a threat to society.

The evaluation of the Mazengarb Report and the public reaction which preceded it presupposes a particular theoretical perspective. The development of the concept of moral panic is outlined, and the application of this theoretical model to historical research is critiqued. The study explores the local context which gave rise to the deviant behaviour, the role of the media in escalating public concern, the role of the 'campaigners' and 'defendants', and the legislative outcomes. It is concluded that the public concern over juvenile immorality in mid 1954 reflects the general structure of a moral panic as outlined in sociological models.

1: Introduction

The Report of the Special Committee on Moral Delinquency in Children and Adolescents, which has become known as the 'Mazengarb Report', has attracted the condemnation of legal commentators, researchers and other writers over the three decades since a copy of the Report was sent to every household in October 1954. It has been called an 'incredible document' (Tait, 1979), which resulted in 'panic measures' and 'hasty' 'deplorable' legislation that made people 'unwittingly guilty of breaches of the law' (Campbell 1954, Perry 1965, Burns 1968). Openshaw and Shuker (1987) have noted that this legislation was part of a general 'moral panic' over 'indecent literature', while Glazenbrook's (1978) study claimed that the Mazengarb Report and the incidents which surrounded its conception represented a 'moral panic'. However, as yet, no attempt has been made to validate these assertions through a detailed account of the societal reaction to the 'problem' of juvenile 'immorality' which resulted from media reports of the activities of a 'sex gang' in the Hutt Valley.

Hooliganism, larrikinism and other forms of juvenile delinquency

had been linked to general fears of permissiveness and moral decline before the Mazengarb Report of 1954 (Pearson 1983, Shuker 1987); while in the future there will doubtless continue to be periods when society will perceive an alarming increase in juvenile crime, which will once again spark the cry for 'law and order'. This study sets out to examine why a particular national preoccupation developed over the 'threat' of 'moral delinquency' in late 1954. The Mazengarb Report is the focus of this investigation, as this Report legitimised the concern of those groups who were predicting 'a state of moral chaos' through the promotion of 'moral delinquency' as a 'serious problem'. Official recognition of the campaigners' concerns and fears allowed the rapid passage of their solutions into what was to be later seen as 'hasty' and 'deplorable' legislation.

The concern over 'juvenile immorality' which began early in July 1954 and lasted until October that same year, provides an opportunity to examine a societal reaction to the 'problem' of juvenile 'delinquency' and 'immorality'. Such an analysis allows an evaluation of both the role of these groups in the continuous debate, and the ideological confrontations which take place in the public forum during a moral crusade, where societal structures are validated through the definition of moral boundaries (Ben-Yehuda 1986:497) so that 'societies and individuals make sense of themselves' (Watney 1987:40).

Conflicting opinions between the various groups who contributed to the 'societal reaction' imply that the 'concern' and

perceived 'threat of 'juvenile immorality' were not related to the actual incidents of adolescent sexual behaviour. The 'panic' reaction and 'decisive' legislation arose out of the public's perception of the problem rather than the actual reality of a phenomenon of 'widespread juvenile delinquency'. Like Cohen and Hall in their studies of 'moral panics' (1972, 1981), it is argued that there is a need for a shift of emphasis, from the investigation of the possible causes of the actual incidents to the reaction to these incidents, if we are to understand why such phenomena occur.

An evaluation of a 'moral crusade' must, as Becker (1963) suggests, take into account societal reaction to a particular episode, the participating groups and the 'repercussions', since a 'moral panic' represents a successful effort by certain campaigning groups to mobilise concern over a particular issue through the portrayal of this issue as a potential threat to the 'moral fabric of society'. This amplification and elevation of a particular issue allows the campaigners to overcome any resistance they encounter so that their suggestions become the 'acceptable' solution to the issue or problem. The Mazengarb Report, therefore, offers the opportunity for an historical reconstruction and investigation of the way particular social groups create deviance by 'making the rules whose infraction constitutes deviance' (Becker 1963:8-9).

A 'moral panic' is also worthy of study for the insight it gives us into the organisation and functions of those groups who act as

'social control agents' and for an understanding of the processes which lead to the installation of particular definitions of deviancy. The public concern over 'moral delinquency' in late 1954 allows an examination of a particular historical instance of this process of 'deviancy amplification', where particular groups were able to manipulate the public's attitudes toward 'juvenile immorality' by amplifying the incidence of 'moral delinquency' so that this 'deviant behaviour' came to be seen as a potential threat to society. Such an amplification and orchestration of public concern, which creates a misguided 'moral panic', can lead to wasted resources, impractical unwieldy legislation which is difficult to administer, and an over-emphasis and legitimisation of the views of particular interest groups and individuals. Concern generated over the morality of a particular group or groups of individuals can also lead to the obscuring of the environmental and social context which might have precipitated the original behaviour. The outcome of a moral panic will, therefore, result in the definition of the boundaries of 'cultural matrices' (Ben-Yehuda 1985) and the affirmation of societal adherence to particular value systems (Becker 1963), rather than an attempt to recognise and alter the social conditions which triggered the original deviant behaviour.

The public reaction to the events in the Hutt Valley will be examined through the study of various primary sources including local and official reports, media coverage, submissions made to the Mazengarb Committee, and records of the parliamentary debate. This will enable an examination of whether or not the Mazengarb

Report and the resulting 'decisive legislation' can be seen fit to Cohen's description of a moral panic: where a 'condition, episode, person, or groups of persons come to be defined as a threat to societal values and interests', through the treatment of the incident in the mass media and the campaigning by certain vested interest groups and 'agents of control'. Such a 'moral panic' results in the eventual 'dying away' of concern, or in the moral agenda of the campaigners being incorporated into legal and social policy (Cohen 1972:9).

Obviously an historical study of a moral panic has limitations in terms of the primary sources available and the time restraints placed upon the researcher. Recent studies (Ben-Yehuda 1985, Watney 1987, Weeks 1985) indicate that earlier studies of moral panics are moving towards extensive investigations of the timing and context of moral panics as well as providing an investigation of the content of panics, which had been the focus of the studies conducted by Becker (1963), Cohen (1972), and Hall *et al.* (1978).

However such a consideration of the wider context of moral panics, their serial nature and the ongoing ideological confrontations that they signify, must be closely linked to detailed investigations into the relatively limited frame of reference of particular 'moral crusades' and 'outrages'. Since such extensive investigations of 'moral panics' within the context of New Zealand society are scarce, this study will concentrate on evaluating the content and the 'issue of interests' ascribed to by the various parties involved in this particular panic. It is beyond the scope of this study to

provide other than a generalised consideration of ongoing societal processes, such as the conflicts over ideological domination and hegemony that exist between the institutions of civil society (such as the church and social services), which could have precipitated the extensive public concern over the issue of juvenile immorality from July to early October 1954.

Research for this thesis involved a detailed examination of the public records pertaining to the Mazengarb Report. This use of 'official' records limits the account of the concern over the problem of 'juvenile immorality' to that of those groups whose views were either published or recorded and have subsequently become available for public scrutiny. However as these records were extensive, and as the submissions were transcriptions of the opinions of the various groups who participated in the definition and orchestration of concern, they adequately reflect the struggles between the different parties and the consequences which arise when such struggles become cloaked by a 'moral theme'.

This study does not provide a detailed account of the activities of the Hutt Valley 'delinquents' or attempt to establish their views of the incidents and events, as the study of a moral panic demands a rigorous investigation of the reaction rather than a focus on the precipitating events. While the Police Report was available for unrestricted inspection, the testimony made by police witnesses at the hearings repeated the details contained in this report, and it was felt that explicit details of

individual 'sexual exploits' might encroach on the privacy of the adolescents who were involved. Oral interviews with those teenagers who were involved were also not seen as an appropriate means to establish the nature of the incidents of delinquency in the Hutt Valley, given the methodological difficulties associated with interviewing adults concerning events which occurred during their adolescence some thirty years before.

The evaluation of the Mazengarb Report and the public reaction which preceded it as a 'moral panic' presupposes a particular theoretical perspective which has arisen from what Watney (1987) has termed the 'school of new criminology' which arose in the 1960s in an attempt to explain the social context of crime and 'deviance'. The development of this perspective and the concept of 'moral panic' will be outlined and critiqued in the second chapter of this study, as it is acknowledged that the task of studying a moral panic from a historical perspective raises pertinent theoretical issues.

The third chapter will concentrate on the 'Hutt Valley Delinquents', turning to local reports to provide an alternative view of the 'nature of the problem', in order to evaluate the Mazengarb Committee's claim that the 'sex gang' which was 'unearthed' in the Hutt Valley represented a 'new' and 'threatening' form of 'juvenile immorality'. Having assessed the claims of the Mazengarb Report and established whether there was an unwarranted definition of an 'episode' and 'group of persons' as a threat to 'societal values and interests', the study will

consider the differing reactions and contributions of the various groups who responded to the definition of these incidents as a 'problem', which enabled the Mazengarb Committee to state that the concern over 'juvenile immorality' had reached 'large proportions in the public mind' (AJHR, 1954 H-47:11)

The fourth, fifth and sixth chapters will examine the contributions made by the various groups to the dominant perception of 'juvenile immorality' as a threat to societal interests and values. Chapter Four will examine the role of the media and the development of a theme of 'widespread juvenile delinquency' in what moral panic theorists (Becker, Cohen, Hall, and others) have described as a 'stylised' and 'stereotypical fashion'. Chapters Five and Six will use the submissions made to the Mazengarb Committee to evaluate the perceptions, diagnoses, and solutions presented by each participating group, dividing the participants into two groups; those that supported the media's portrayal of a nation facing a 'threat' of 'widespread juvenile immorality' and advocated stringent legislative action, and those that opposed this view and argued that the Hutt Valley incidents represented 'normal' adolescent sexual experimentation.

Chapter Seven examines the Mazengarb Report and its recommendations in order to determine the outcome of this conflict over the nature of the 'moral delinquency problem'. It will be argued that the Report conveyed the opinions of the moral campaigners rather than those of their opponents. Chapter Eight turns to the parliamentary debate in order to examine the impact

of the moral campaigners' views and investigate the outcomes of the moral panic in terms of the legitimization of 'tougher controls' and 'increased state control'.

The ninth and final chapter will evaluate the adequacy of moral panic theory to explain the reaction and outcomes which resulted from the discovery of the 'inclandestine sexual activities' of a 'Milk Bar Gang' in the Hutt Valley. This evaluation will summarise the previous findings by breaking the 'panic' into stages, thus allowing a comparison with previous studies and further evaluation of the adequacy and value of moral panic theory. A discussion of the potential for further research will conclude this discussion and the findings of this thesis.

2: Theoretical Perspectives: The concept of moral panic

New Zealand educational historians (Shuker 1979, 1987, McKenzie 1984, Olssen 1987) have recently argued that historical research involves the researcher working within a framework which demands the employment of particular 'theoretical tools' and concepts. The writing of history, it is argued, can no longer be seen as an unproblematical interpretation of a sequence of meaningful events, an approach which characterised the work of previous educational historians such as Cumming and Cumming (1978). Shuker states that historians such as Cumming and Cumming have followed a 'liberal progressive' approach which incorporates an assumption that the structures of society operate according to a consensus of agreement and shared interests. Hence the processes of social control and societal definitions of deviant youthful behaviour have tended to be ignored.

The concept of 'deviancy' and theories relating to the causes and effects of delinquent behaviour have undergone considerable change in the previous two decades. The influence of the new deviancy theories and conflict theories have resulted in moves

away from a focus on the delinquent and the motivational factors which lead to an infringement of the laws of a predominantly stable order. It is now acknowledged that it is not, as the Chicago School (Shaw and McKay 1927) had thought, a process of 'social disorganisation' which leads to delinquent behaviour, but rather a process of ongoing conflicts over resources in the local economy. Limited resources such as housing, education, health and employment can lead to structural contradictions within a certain neighbourhood (Barker 1985:38). Present sociological theory therefore sees delinquency as a product of ongoing conflict at a local level. The political and ideological control of influential elites extends downwards in a diffuse and mediated way to reinstate social control through the actions of the local police and judiciary. Thus while criminal law is perceived as neutral it functions to enforce the interests of specific groups. Moral panic theory, with its focus on the mass media and societal reaction to delinquency, provides an analysis which explains the link between particular episodes of delinquency (the product of local level conflict) and the formation and function of state policy as an instrument of ideological control. The analysis of a moral panic with its emphasis on the social relations and the legitimisation of social order at both a local and state level is, therefore, relevant in undertaking a historical investigation into public concern over 'moral delinquency'. The concept of moral panic can be used as a 'theoretical tool' which allows the historian to investigate social relations and the processes which can lead to the enactment of state policy aimed at securing social control.

In acknowledging the processes and social relations that occur during a moral panic this study seeks to avoid what Shuker (1979) and Olssen (1987) have termed the 'liberal progressive' approach and an 'unproblematical' narrative of the events which surrounded the tabling of the Mazengarb Report in 1954. Glazenbrook's (1978) study of the Mazengarb Report purported to employ the theoretical perspective suggested by the concept of moral panic yet pursued the 'liberal', 'empiricist' procedure of listing the 'facts'. In adopting the perspective afforded by moral panic theory this thesis seeks to provide an understanding of the pattern of events, perceptions and outcomes that arise when society becomes aware of deviant youthful behaviour and claims that such a 'problem' poses a threat to 'the fabric of society'. The pattern which denotes the occurrence of a moral panic arises from interactions and conflicts between groups over beliefs, attitudes and opinions, and the reaffirmation of certain ideologies as the 'central values' of society. Such a perspective demands the contextualisation of groups and individual identities rather than a narrative of events.

The first section of this chapter will outline the development of the concept of moral panic. The second section will provide a critique of the moral panic theory and an evaluation of the implications of this theory for the historical researcher. Such an examination and critique of moral panic theory will allow an evaluation of its usefulness as a 'theoretical tool' for

understanding the processes and social contexts which give rise to perceptions of certain juvenile behaviour as threatening, and necessitating 'harsh' legislative policy.

The Development of a Concept of Moral Panic

The expression 'moral panic' was first adopted by Stanley Cohen in his book Folk Devils and Moral Panics (1972). This concept was further developed by Stuart Hall *et al.* in the study Policing the Crisis (1978). In both these works the term is defined and used as a theoretical explanation of the processes which produce a particular sequence of events within a particular historical context of ideological conflict. Glazenbrook's study used the concept of moral panic as a descriptive expression which might apply to any situation that where there has been any visible reaction over youthful misbehaviour. In order to avoid such a misuse of the term 'moral panic' and provide a coherent analysis of the events which surrounded the release of the Mazengarb Report, it is necessary to explore the sociological background which gave rise to the concept.

The perspectives of what Cohen (in Rock 1979:17) has termed the 'radical/new/critical/ Marxist criminologies' of the 1960s and 1970s are far removed from the orthodox perspectives of the criminologies of the 1930s, 1940s and 1950s which had been based on the structuralist perspective of mainstream sociology.

In the period from the early 1920s to the beginning of the 1960s juvenile delinquency theory had developed two main branches. The first was developed by the Chicago School and relied on Shaw and McKay's (1927) cultural transmission theory which suggested that deviant behaviour occurred in deprived areas and became an institutionalised substitute for the unobtainable legal goals put in place by powerful middle classes. The second drew upon strain (Merton 1957) and subcultural theory (Cohen 1955, Cloward and Ohlin 1960), and came to see delinquent behaviour as the result of frustration in the lower classes. Like the cultural transmission theory this frustration was seen to be caused by the lack of access to legal methods of achievement and success. However this lack of access was seen to lead to an inversion of society's norms and the formation of a totally separate subculture, rather than an institutionalised group of individuals within the lower class who still aspire to middle class norms through illegal means. Juvenile delinquency in the period prior to 1960 was seen to have arisen from individuals inability to accept his social status so that individuals could, therefore, be held responsible for their actions as they actively sought delinquency (albeit in response to a particular social context).

The themes and influences of criminology theories developed in the 1960s and 1970s marked a new direction in delinquency theory. The cause of delinquency was seen to be rooted in the way in which dominant classes controlled society, so that theorists came to focus their attention on the reaction to delinquency by groups who maintained social control such as the police, media

and legislature.

(i) New Deviancy Theory

The concept of a moral panic was coined by Stanley Cohen in 1972 to describe the public reaction to a small amount of damage on British seaside beaches during a national holiday and the subsequent development of a distinctive cultural phenomenon, the 'mods and rockers'. Cohen's work drew heavily on 'new deviancy theory' produced by the influential school of 'New Criminology' which had developed in Britain during the 1960s. The approach of this new 'school' stood in marked contrast to the individual motivational and reaction explanations offered by the social structure theorists in earlier decades.

New deviancy theory marked a moving away from causal questions such as 'why did they do it?', to definitional and consequential questions such as: 'Why is that law there and how is it enforced?' Thus Cohen and other British sociological theorists working in the 1970s attempted to locate crime in its specific context and to analyse the significance of social and media reaction to crime. Cohen's theory of moral panics drew heavily on Becker's (1963) development of labelling theory, which was one particular approach within this school of 'new criminology'.

The foundations of labelling theory were first established by E. Lemert in 1957 and were subsequently developed by H.S. Becker in

1963. Lemert formulated many of the basic assumptions of labelling theory in his book Social Pathology where he set out a primary-secondary deviance model (Lemert 1951:73). The model outlined a cycle of social reactions resulting from a primary deviant act. It was argued that social reactions to deviancy produce a deviant identity that leads the individual to participate in further, secondary, deviant acts. Lemert argues that primary acts are not serious offences, but secondary acts are significant as by this stage social labelling has developed from negative social interactions. This results in the assimilation of a deviant role and identity.

Becker also focused on social interaction and its relationship to deviant careers. He stated that:

Deviance is not a quality of the act a person commits, but rather a consequence of the applications by others of rules and sanctions to the "offender". The deviant is one to whom that label has been successfully applied; deviant behaviour is behaviour that people so label.
(Becker 1963:9)

While Becker followed the same basic theoretical pattern as Lemert, he differed slightly in several ways. He believed that 'moral entrepreneurs' created the legal and social rules, then applied them to those who violated their social standards. He also indicated that social interaction is not the only requirement for labelling. Deviant status may be acquired by becoming a secret deviant or being falsely accused. Becker

argued that secret deviants, while not officially labelled, label themselves by analogy and so suffer the same labelling effects they would suffer if they were apprehended (Becker 1963:20).

Falsely accused delinquents suffer the same exclusion, sanctions and stigma as those that participate in delinquent behaviour; they therefore exhibit behaviour that is normally associated with deviancy, though they themselves are innocent of deviant crimes.

While the labelling approach provided the main theoretical basis for moral panic theory, Cohen also attempted to combine other contemporary approaches such as Symbolic-Interactionism, (Rock 1979) which sought to describe the functions of society as emerging from the infinite transactions of social actors so that importance became attached to the role of these 'social actors', and the processes of communication and action. Deviant stereotypes were seen to be a product of interactions arising out of social actors assuming the relevant roles. However these combined approaches and their emphasis upon the localised context of juvenile delinquency were to be challenged in the late 1960s and early 1970s by theoretical perspectives which sought to provide a broader analysis of the ideological processes and conflicts that occur at a macro-level of social organisation.

(ii). Conflict and Neo-Marxist Theories

While new deviancy theory denoted a change from earlier theories of the 1930s and 1940s which had attributed delinquency to

individual motivation factors, there were definite weaknesses in the new criminology approach which the later Marxist influenced theorists (such as Hall *et al.* 1978) were to condemn. Conflict theorists agreed that new deviancy theory identified the centres of power and the importance of social control. However, they felt it did not locate these historically. The theory did not, therefore, adequately describe the types of power and control between different states and political regimes. Furthermore, in failing to develop an historically specific concept of social formulation and legal order the theory did not account for particular stages of capitalistic development, or examine the repressive, consensus functions of the state and how they change with historical development.

The development of conflict theory promoted a major shift in the theoretical perspectives of criminology and marked a rediscovery of Marxism. There were several major influences that lead to the emergence of conflict theory as an explanation of juvenile delinquency (Siegal and Senna 1981:159, Rock and Down 1982:203). The first influence was the widespread social and political upheavals of the 1960s. Previous deviancy theories had failed to explain such phenomena as student riots, illicit drug usage amongst middle class students and civil rights demonstrations. Criticism of academically based criminologists, who viewed traditional criminologists as agents of the status quo was another influence which helped bring critical theory to the forefront. The conflict theorists called for a radical

reappraisal of the entire field of law and criminology leading to the development of the a school of Radical neo-Marxist based criminology. The Marxist intellectual roots of radical criminology were to lead Hall *et al.* to criticise certain aspects arising from the labelling and symbolic interactionism of Cohen's moral panic theory.

The revival of a conflict theory had begun in the 1950s with L. Coser (1956), who developed the Simmelian perspective to show that conflict served a functional purpose in complex societies. Karl Marx (1818-1883) had developed a dichotomous model of social conflict where society was divided into two classes, one representing the interests of capital and the other the interests of labour. He believed conflict between these classes could ultimately transform society from a capitalist society to a socialist state where the workers themselves would control the means of production. Georg Simmel (1858-1918), like Marx emphasised the role of conflict in society, but unlike Marx who saw conflict destroying existing social organisation, he argued that conflict performed a positive function in maintaining social stability and preserving small groups.

Coser developed this positive view of conflict further, arguing that conflict rarely divides society into two dichotomous halves. The existence of various conflicts within society can result in the ally of one dispute becoming an opponent in another dispute. In a complex society a variety of interests and conflicts creates a balancing mechanism that prevents

instability.

Unlike the earlier functionalist views, where explanations of delinquency were based on a consensus between society and its subcultures, Marxist influenced theories see class conflict as the basis of delinquency, deviance and all other social problems. This class conflict can be positive if it is used to bring about revolutionary change by developing class consciousness amongst the working class and the exploited. The main assumption of radical criminology is that criminal laws reflect the interests of a monolithic ruling class, who use the legislature as an instrument to maintain and perpetuate the existing social and economic order. Criminal law oppresses the mass of powerless citizens and maintains their disadvantaged economic position. Delinquency is a normal response to the social conditions created by a capitalist society. Some modern writers have emphasised this link with capitalism by tracing the roots of juvenile delinquency to the rise of a capitalist system (Muncie 1984:29) This has lead to a number of versions of conflict theory being developed over the past two or three decades.

In North America one group of theorists have linked crime and criminalisation to the means of production. Greenberg (1977) argues that it is the disadvantaged structural position of adolescents in advanced capitalist economies that causes delinquency. At a time when peer group culture places pressure on adolescents to engage in increased spending, these adolescents

find it difficult to finance the life style they aspire to because of a decline in teenage employment and opportunities in capitalist society. Greenberg believes that previous subcultural and labelling theories did not account for the peak in serious law breaking activities at fifteen and sixteen years of age. If the subcultural argument was accurate then delinquency should continue and possibly increase beyond sixteen.

Richard Quinney (1977) argues with the specifically Marxist orientation that capitalism generates crimes; firstly as a result of exploitation and oppression by the ruling classes (such as corporate and property crimes), and secondly a result of the resistance or attempts to survive by the proletariat (such as employee theft and street crime).

Steven Spritzer (1975, 1977) argues that deviant populations result when populations call into question the social order, or the preconditions of capitalist society. Other theorists such as Young (1971) have combined labelling theory with conflict theory to suggest that, although crime is committed by a conscious human actor, the capitalist system encourages crime through material injustices and inequality (Muncie 1984:36).

While differences exist between new deviancy theory and the later Marxist inspired theories, both perspectives have given priority to the influence of class interests. Delinquency is no longer seen as being confined to forces operating within the the lower social classes, but as a product of the structure of society,

and the interaction between classes. The theories of the last two decades have led theorists to attend to the subjective interpretations of ascribing meaning, and to 'decode' deviant phenomena as responses to the 'normalised repression' of the capitalist system. An understanding of this emphasis which has developed within the sociology of criminology is an essential consideration in any attempt to investigate and interpret historical episodes where 'widespread juvenile delinquency' is claimed to have 'plagued' society. It signals a need to investigate the social system in terms of both action and structure when undertaking a historical study of societal reactions to juvenile deviancy. The application of a sociologically derived concept such as moral panic must, therefore, acknowledge that human beings are both the creators of their social world and a product of the social structures which have arisen to support social organisation.

(iii) The Concept of Moral Panic

The concept of 'moral panic' as developed by Cohen and expanded upon by Hall *et al.* (1978, 1981) is derived from the two major perspectives which developed within the sociology of deviance and criminology during the 1960s and 1970s. These new perspectives were to lead sociologists such as Becker (1963, 1964) and Matza (1969) to argue for a suspension of moral judgements. This emphasis on the suspension of moral judgement had a major influence on the teaching and work of Stanley Cohen, so that his

attention became focused on deviants and their interaction with the agents of social control.

Cohen outlined his definition of a moral panic in the opening chapter of his study. He states that a period of moral panic occurs when:

A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible. Sometimes the object of the panic is quite novel and at other times it is something which has been in existence long enough, but suddenly appears in the limelight. Sometimes the panic passes over and is forgotten, except in folk lore and collective memory; at other times it has more serious and long-lasting repercussions and might produce such changes as those in legal and social policy or even in the way the society conceives itself

(Cohen 1972:9)

This concept of a moral panic is primarily derived from the labelling approach which as indicated earlier in this chapter stipulated that deviance results when rules and sanctions are applied to the offender by other members of society. Thus emphasis is given to society's reaction to the perceived acts of deviance, and to the role of social control agents and agencies such as the police in manufacturing and amplifying deviancy. As Ben-Yehuda (1986) points out the term moral panic is directly related to Becker's concept of a moral crusade. A moral crusade

is started by 'moral entrepreneurs' who are:

...actors that persuade others to adhere to particular value systems, they attempt to transform the public's attitudes toward specific issues, change legislation and or attempt to "deviantize" others. Thus moral crusaders often create what Cohen's (1972) outstanding work called *moral panics*.

(Ben-Yehuda 1986:496)

The ability of moral entrepreneurs to create a moral panic over a particular issue depends on several major factors: firstly the extent to which those in power support such an issue; secondly the degree to which the issue is perceived by the public to be a threat; thirdly the balance between the amount of public awareness and support for the issue and the amount of public opposition to the moral entrepreneur's point of view; and finally the potential for entrepreneurs to advance clear, concise, possible solutions to the problems, which are seen to be directly connected with such an issue (Ben-Yehuda 1986:496).

Cohen's study of the creation of the 'Mods' and 'Rockers' sought to explore and develop the explanations of collective subgroup deviancy through the use of Becker's (1963) analysis of moral entrepreneurship. Cohen, like Becker and the labelling theorists, stressed the reaction to perceived acts of deviance. In his study of the Mods and Rockers (1972) he concentrated on the reaction to the incidents, or as he phrased it the 'audience' rather than the 'actors' (Cohen 1972:27). For the purposes of his study he divided the time span of the public reaction into

definitive phases: the 'Inventory'; the 'Opinion and Attitude Themes' and the 'Rescue and Remedy' phases (Cohen 1972:25). In the examination of all three of these phases he stresses the role of the media in promoting 'deviancy amplification'. The function of the police, the law courts, and informal local 'action groups' as 'agents of social control' is apparent in the later 'Rescue and Remedy' phases of the reaction (Cohen 1972:77).

The 'Inventory' phase is centred around the initial events of the moral panic; during this period Cohen is concerned with the way in which the initial events are interpreted by the media. Cohen postulates that it is this initial media representation of events that determines the form a moral panic will take in its latter stages. Media reaction during this phase is classified under three distinct headings; 'Exaggeration and Distortion', 'Prediction', and 'Symbolisation' (Cohen 1972:31). The first heading describes the exaggeration of the seriousness of the initial events and the distortion of the numbers taking part. 'Prediction' refers to 'the implicit assumption, present in virtually every report that what had happened was inevitably going to happen again' (Cohen 1972:38). The term 'Symbolisation' refers to the symbolic power acquired by certain words and phrases used by the media during this period of the moral panic (Cohen 1972:40).

The second phase of the reaction; the phase of 'Opinion and Attitude Themes', is the phase where the symbols and images created in the first phase are consolidated into 'collective

themes' which:

...emerge with sufficient regularity to justify thinking that they were fairly widespread and would have some effect on public opinion as a whole.

(Cohen 1972:51)

The final phases are the 'Rescue and Remedy Phases'. By this stage of a moral panic the press have magnified the deviance and have 'sensitised' the public so that any type of rule breaking that could be remotely associated with the initial incidents that gave rise to the perceived moral threat is seen as part of that initial event. The attention during this phase is focused on the response of the police, the courts and local action groups. These groups are the major elements of the 'control culture' and their response seeks to form "an exclusive control culture" (Cohen 1972:85).

Cohen's (1972) study of the creation of the Mods and Rockers identifies four major contributing factors that can be seen to create a moral panic. The first two factors are the initial public reaction to the actions of a person or group of people and the presence of an audience to encourage deviance and possible violence. Societal reaction in the first phase of a moral panic will magnify the expectation of trouble, and provide the context for subsequent rumours so that the potential for actual deviance is enhanced. Identifiable symbols are created for the deviants so that a structured situation emerges that creates the need for legitimised action. The other two factors; the mass media and the

'agents of control' act upon this initial reaction to spread the moral panic further afield. The mass media transmits a stereotype of the delinquents, giving the deviant group the appearance of a greater uniformity and magnitude than they actually process. The 'agents of control' aid this creation of deviance by 'applying situational logic to law enforcement' (Cohen 1972:176), along with control which is 'unfair, indiscriminate, ineffectual. based on spurious attribution and over dramatized -or perceived in these terms' (Cohen 1972:176).

While Cohen's study provides a model that helps explain the processes apparent in the magnification of specific incidents into a moral panic, it does not provide an understanding of the reasons for a moral panic to occur in the first place. The influence of conflict and neo-Marxist theory during the early 1970s brought a need to answer the question of why a moral panic occurs at a specific time within a particular culture. Such questions which address the need to explore the specific historical, social, and cultural contexts of a moral panic are not explored in any depth by Cohen's (1972).

Hall *et al.* in a later study (1978) explore the social and historical context of a moral panic in greater depth. They link the phenomenon of a moral panic to the dominance of conservative ideologies of crime over liberal ideologies, in a class structured society (Hall *et al.* 1978:176). Liberal views are seen as fragile and compensatory and do not stand up under conditions of stress, so that once the traditional categories of

thought have been mobilised by the 'moral entrepreneurs' and public anxiety is aroused, liberal views become submerged by a dominant traditional social base:

...moral panics come into play when this deep structure of anxiety and traditionalism connects with the public definition of crime by the media, and is mobilised (Hall *et al.* 1978:165).

They argue that this 'deep structure of anxiety and traditionalism' is able to be mobilised by the media as there are clear historical and structural forces at work in the period prior to a moral panic. A moral panic therefore takes place within what Gramsci defines as a developing 'crisis of hegemony', where, within a particular historical context the dominant class is endeavoring to win domination and consent through ideological means.

Cohen's emphasis on the importance of labelling is still adhered to, by Hall, as labels place and identify the initial events so that these events are assigned to a context, to enable a mobilisation of the all meanings and connotations associated with that label (Hall *et al.* 1978:19). In Hall's theory the motivation for labelling a particular phenomenon is explained by the 'crisis of hegemony' which is operating within the society where a moral panic becomes apparent.

The role of the media, judiciary and police in the creation of a moral panic is also studied in greater detail than in Cohen's

study. The police are given a similar role to the media in escalating a moral panic, except the police play an earlier role in the development of the campaign. They are seen as both the structurers and amplifiers of moral panics through the selectivity of their reaction to crime (Hall *et al.*:38). In the 'pre-history' of the moral panic the police are seen as having an innovatory role and along with the media and judiciary as they are:

.. active in defining situations, in selecting targets, in initiating campaigns, in structuring these campaigns, in selectively signifying their actions to the public at large, in legitimating their actions through the accounts of situations which they produce'. They do not simply respond to 'moral panics'. They form part of the circle out of which 'moral panics' develop. It is part of the paradox that they also, advertently and inadvertently, amplify the deviancy they seem so absolutely committed to controlling. This tends to suggest that, though they are crucial actors in the drama of the "moral panic" they, too, are acting out a script they did not write.

(Hall *et al.* 1978: 52)

In the subsequent stages of a moral panic it is the media that takes the dominant ideologies from the 'institutional world' of the control culture to the 'forum of society as a whole' (Hall *et al.* 1978:30). The media achieves this reproduction of the ideology of the ruling elite through various processes whereby they interpret the news and orientate the attitudes of the public towards the events which are taking place and towards the groups taking part.

Furthermore there is a link between the media and the other

agents of control, the judiciary and the police, as the media is heavily dependent on these institutions for their news stories. In particular the police have a near monopoly on the definitions and perspectives of crime stories as they produce the reports, issue the statements and reconstruct the events of a crime. They can also claim both professional and personal experience which gives credence and authority to their press releases and statements (Hall *et al.* 1978:68).

The judiciary also contribute in a way which reinforces the dominant ideology. In the initial phase they share the public anxiety about permissiveness, but they also help generate concern by statements and taking a stringent line in implementing legislation. Hall *et al.* argue that this reaction of the judiciary and other 'officials' such as the police can designate the events that cause a moral panic as news worthy so that at the "peak" of a moral panic the reaction of officials to the events is as newsworthy as the real events. Later these comments 'decline' in importance as there is a shift back to the events themselves. (Hall *et al.* 1978:32)

Hall *et al.*'s analysis of the stages of a moral panic differs from Cohen's model as it is based on a 'crisis of hegemony' and therefore provides a model for this period of hegemony. Unlike Cohen, whose analysis is focused on one particular moral panic, Hall *et al.* view this period of hegemony as a sequence of moral panics which increase in intensity so that the whole sequence accelerates to a peak. (Hall *et al.* 1978:222)

This sequence follows three stages. The first stage is the 'signification spiral' where the initial event is escalated so that it appears to be more threatening than is warranted. During the second, 'convergence', phase two or more activities are linked into the signification spiral so that explicit or implicit parallels can be drawn between them. In the final, 'threshold', stage societal tolerance reaches its limits so that public support and societal disapproval is mobilised to halt the shifting boundaries of permissiveness. (Hall *et al.* 1978: 225)

A Critique of Moral Panic Theory

A recent writer (Ben-Yehuda 1986) has divided the study of moral panics into two perspectives. The first perspective is seen as focusing on the issue of morality and the way in which moral panics reflect a societal and moral struggle. Becker (1963, 1964) and Cohen (1972) are cited as adherents to this perspective. The second perspective is cited as 'using moral themes to cloak struggles between different actors or parties whose interests clash' (Ben-Yehuda 1986:496). Dickson (1968), Galliher and Cross (1983) are seen as following the latter perspective. Ben-Yehuda argues that there have been no theoretical or empirical attempts to combine the two. This critique of the perspectives of moral panics does not give credit to the work of Marxist orientated theorists such as Hall, Critcher, Jefferson, Clarke, and Roberts who in their study Policing the Crisis (1978) have succeeded in

integrating these two approaches. Hall *et al.* incorporate Cohen's focus on the initial episode and the media reaction with a wider theoretical analysis which centres on the concept of a 'general crisis of hegemony'.

The Hall *et al.* study, therefore, provides a theoretical framework to analyse a moral panic within both a localised and general social context. The question of 'content' or the reason why a moral panic focuses on certain events can be answered by the concepts of labelling and media amplification, while the question of 'timing' or why a moral panic occurs at a certain historical conjuncture can be answered by using Hall's concept of a 'general crisis of hegemony', to investigate societal struggles between dominant and submissive groups within society. The concept of moral panic can now be seen as one of the principle processes which lend legitimacy to the measures which enforce state control and the allow the dominant ideology to be constantly maintained throughout society.

This analysis allows the highly visible incidents of moral panics to be tied to broader ideological conflicts, so that the themes which emerge during a particular panic can be seen to be related to ongoing ideological concerns and conflicts. Moral panic theory, therefore, has the ability to contribute to an explanation of the relationship between the state and the set of social relations which exist to maintain the social order. Such a depth of analysis is not apparent in Pearson's (1983) thesis

that concern over juvenile delinquency is an intergenerational phenomena or Gilbert's (1986) 'episodic notion' which acknowledges that 'an idea might ride on top of a submerged meaning that requires sounding before it can be understood'. (Gilbert 1986:4)

Yet while the theory of moral panics holds much potential and value as a 'theoretical tool' for an analysis of such processes, the educational historian faces several problems which hinder its application to a particular historical episode. The conflict over the impact of 'moral delinquency' which resulted in the Mazengarb Report and the subsequent 'deplorable' legislation, historically took place within a particular ideological context. Thus the existence of a moral panic cannot be established without recourse to prevailing views of the nature of juvenile 'immorality' and 'deviancy'. It is argued in this study that the 'professionals' and experts of the 1950s' were influenced by contemporary theories which focused on conflicts and imbalances within individuals. This allowed the 'moral campaigners' to promote their arguments stressing the responsibility of the individual virtually unhindered and without redress to the social context which had produced the episodes of delinquent behaviour in the Hutt Valley and Central Auckland.

Such an argument supports the contention made in the introduction to this chapter, that it is not possible for an historical researcher to adopt a neutral vantage point from which to portray

an independent reality. Theoretical perspectives touted by 'experts' and 'officials', which are deemed to be the outcome of empiricist research, can themselves become incorporated into ideological battles. Becker (1963, 1964) and Cohen's (1972) argument for a 'suspension of moral judgement' failed to take into account the historical context which can alter judgements of what is 'moral'. Concepts such as morality are not independent but bound to an over riding theoretical structure. They form part of an historical and ideological context which gives them meaning.

Moral panic theory, therefore, provides a dilemma for the historian, as the historical researcher is called upon to contrast the reality of the situation with the 'representation' of the situation in order to judge whether or not there was a public 'over reaction' to the original events. Moral panic theory demands an investigation into an 'over reaction' to a particular event. Watney (1987) argues that that this necessity for a comparison of the 'representation' and the 'arbitration of the real', results in an inability for moral panic theory to develop a 'full theory concerning the operations of ideology within representational systems' (Watney 1987:41). Any historical judgement of whether or not a particular public reaction constitutes a moral panic must account for these implicit demands made by moral panic theory and the limitations of historical research. The historical reconstruction of a moral panic which relies upon available resources must acknowledge that surviving documents provide a limited access to

the views and attitudes of the participants. There must also be a recognition of the historian's inability to adopt an ideologically neutral stance, for as previously argued the historian can not stand aside to report the facts, ideology and values that penetrate all research and the dissemination of that research.

Previous studies of moral panics have failed to acknowledge these limitations of historical research. They have also failed to differentiate between the different levels and degrees of moral panic or determine their frame of reference, time scale and the full significance of their outcomes. Shuker's (1987) study of juvenile delinquency in the late nineteenth century covered two decades of an 'increased perception of larrikinism as a problem' while Openshaw's (1987) study of the Queen Street riots focused on an specific episode. Unless these parameters of a moral panic are clarified, the concept of moral panic might well be applied to all conflicts which become publicly recognised or gain media coverage.

Cohen's definition of a moral panic (1972:9) stated that moral panics might or might not produce 'serious and long lasting repercussions' in 'legal' and 'social policy'. This lack of clarity as to the outcomes of a moral panic also detracts from the analysis offered by moral panic theory, as it hinders the ability of moral panic theory to explain why certain types of events which become the focus of media amplification are

incorporated into social policy. If moral panic is to provide a useful explanatory link between the analysis of delinquency as a result of structural contradictions at a local level, and the use of legislative policy by which the state exercises social control, then studies of moral panics must evaluate which type of moral panic results in 'serious and long lasting repercussions'. Such a clarification of outcomes would enable an evaluation of the different orders and degrees of moral panics and their significance for the process of social policy development and implementation.

Barker's (1984) study of the campaign over horror comics implies that the role of the various groups who participate in a moral panic also needs to be clarified. There has been a tendency to concentrate on the role of the media and neglect the participation of the various groups who interact with the media to promote the targeted behaviour as a public threat. Moreover when the role of the media and the process of media amplification are examined, there needs to be a systematic survey of news reports and headings so that the frequency and timing are apparent. Such a systematic examination of media coverage would prevent Cohen's reliance on a clipping service and unsystematic surveys from being repeated.

Glazenbrook's study (1978) provided an historical account of the Mazengarb Report, but failed to address the critical questions of why and how the events of 1954 were amplified to such a high level of public concern. There was no attempt to identify the

principal participants in this moral panic. The role of the police, the media and parliament in creating the moral panic was also ignored. For if there was a moral panic, and Glazenbrook indicates that the events surrounding the Mazengarb Report can be interpreted as such, then moral panic theory suggests the cause must be seated in the processes which operate to maintain social control. The concept of 'impotent Victorianism' is inadequate as it fails to identify the process which sparked a national reaction and fears of 'moral decline'. A study of the Mazengarb Report as a moral panic must address the nature and extent of public reaction and identify the various agents of social control that were involved. It is necessary to investigate how society reacted to a perceived threat of 'moral delinquency' and why the perception of this 'threat' became translated into a belief that the nation could slide into chaos and decline unless legislative action was taken to control delinquents and protect juveniles from the acts of 'familiarity' which can occur between 'youths and girls'.

Watney (1987) and Hall *et al.* (1978) have recognised the need to develop a comprehensive moral panic theory in order to explain the 'serial nature of moral panics' and their relationship to ideological struggle':

.....moral panics seem to appear and disappear, as if representation were not the site of permanent ideological struggle A particular moral panic merely marks the current front-line in such struggles.
(Watney 1987:42)

In determining whether or not the public concern over juvenile immorality during the months from July to October in 1954 constitutes a moral panic, consideration will be given to the difficulties which can be seen to be associated with an historical investigation of a particular moral panic. However it is beyond the scope of this thesis to provide a detailed examination of other instances of concern over juvenile delinquency in the 1950s. Thus it will not be possible to ascertain whether or not the public concern over juvenile 'immorality' constitutes 'a crisis of hegemony'. Given the time and resources allocated and the limited amount of work undertaken from this perspective within the context of New Zealand society, this study focuses on the limited frame of reference of a 'single moral panic'. Considerations of the ongoing ideological conflict which this panic represents and the 'timing' are discussed in the final chapter, but a detailed analysis of the series of moral panics which have accompanied the policing of juvenile sexual behaviour throughout New Zealand history as a 'crisis of hegemony' must be left to others to evaluate.

Summary

While the implementation of moral panic theory remains problematic, it does provide a framework that enables an investigation and interpretation of the public reaction and the legislative outcomes which were initiated by the police

investigation and subsequent media coverage of a group of Hutt Valley adolescents in July 1954. The implementation of this perspective demands a systematic examination of the historical data in order to provide a comparison with the models developed by Cohen (1972) and Hall *et al.* (1978). The following chapters will, therefore, provide a systematic examination of the relevant primary sources, enabling an evaluation of the models of moral panic proposed by Cohen and Hall *et al.* in the final chapter.

Any study of a moral panic must place an emphasis upon the public reaction to a particular event or a series of events, in order to establish the contention that the rules and sanctions are being applied to the offender by other members of society. A moral panic is not an investigation into the causes of the crime *per se.*, but rather an investigation into the public perception of the crime (Hall *et al.* 1978:vii). However, as has been noted in the earlier discussion, the shift of emphasis from the behaviour of juvenile delinquents to the public perceptions of their crime necessitates an explanation of the relationship between the public perception of a phenomenon and the 'actual reality' of that phenomenon. If a moral panic is an 'over-reaction' to a particular person or group of persons then it needs to be established (bearing in mind the difficulties associated with such a judgement) whether or not the actions of a particular group warranted the subsequent public reaction. Thus this study begins with an examination of the nature of the incidents of 'moral delinquency' and the social context which prompted a group of Hutt Valley high school pupils in mid 1954 to become involved

in 'a shocking degree of immoral conduct'. If it can be shown that the events connected with this group of teenagers were not significant enough in their own right to warrant the subsequent public reaction, then there is a need for a subsequent explanation of how a police investigation into youthful sexual misconduct in the Hutt Valley led to the the 'hasty' passage of what has come to be seen as 'deplorable legislation'.

3: The Hutt Valley delinquents: 'a pattern of immorality not previously manifest in New Zealand

From July to November 1954 the issue of 'juvenile immorality' received considerable attention from the press, politicians and other pressure groups. This widespread concern led to the government appointing a Committee to investigate the nature and extent of 'moral delinquency'. The recommendations contained in the Committee's 'Report on Moral Delinquency in Children and Adolescents'¹ resulted in the hasty passage of legislation designed to 'deal with the problem'.

The Mazengarb Committee stated that the Hutt Valley cases uncovered in the 1954 police investigation into the 'sexual misconduct' of 'Elbes Milk Bar Gang' were the 'factual happenings which caused this problem (of juvenile immorality) to reach such large proportions in the public mind'² (AJHR, 1954 H-

¹ Hereafter referred to as the Mazengarb Report.

² See Chapter Four for an account of the press coverage of the police investigation and subsequent trials and the section titled 'The Police' in Chapter Five for the police account of the incidents.

47:11). The Mazengarb Report acknowledged the occurrence of similar cases in the Hutt Valley during October and November 1952 but argued that the 1954 situation was 'more serious' and of 'a kind not previously manifest in New Zealand'.³ This was the cornerstone of the Report's argument for 'special' legislative and administrative action. It is necessary therefore to look at the earlier incidents of 'immorality' in the Hutt Valley and at evidence other than that cited in the Mazengarb Report in order to evaluate the validity of the Mazengarb Report's contention that the extensive publicity and suggested legislative measures were warranted. If the Mazengarb Report's statement that 'immorality' existed in 'a pattern of the kind not previously manifest in New Zealand' cannot be supported with substantial evidence, then it can be argued that the publicity which surrounded the investigations into the activities of the 'Milk Bar Gang' in the Hutt Valley, the Mazengarb Report's recommendations, and the subsequent legislation represented an incorrect definition and perception of the 'problem'. This would indicate that the 'hasty' and what has often been termed 'panic legislation' (Campbell 1954, Burns 1968, Tait 1979),⁴ enacted in October 1954 was the result of an 'over reaction' and to the the phenomena of adolescent sexual experimentation, which had

³ See Chapter Seven.

⁴ The three Amendment Bills which were based on the Mazengarb Reports recommendations were passed within six days of being presented to Parliament, and a mere one hundred days after the girl who initiated the Hutt Valley inquiry had confessed to the police that she was a member of a Hutt Valley 'Milk Bar Gang' (see Chapter Eight)

manifested itself in a similar form in previous years in the Hutt Valley without attracting the 'great wave of public indignation' which was to erupt in July 1954.

In this chapter the conclusions of the 1953 Hutt Valley Youth Survey which sought to investigate the 'magnitude', 'nature' of juvenile delinquency and 'immorality in the Hutt Valley in 1952 and 1953 will be analysed in order to evaluate the validity of the Mazengarb Report's claim that:

The subject cannot be dismissed in the light, airy way of those people who, without any adequate knowledge of the facts, have been saying there is nothing new about the sexual misbehaviour of young people and that nothing can be done to improve matters. The situation is a serious one, and something must be done.

(AJHR, 1954 H-47:20)

The Hutt Valley Youth Survey

The Report of the Hutt Valley Youth Survey (HVYS)⁵ provides a alternative view to that expressed in the Mazengarb Report of the magnitude, nature and possible causes of juvenile delinquency in the Hutt Valley. It was compiled by a subcommittee who were elected during a meeting of forty state, local body and voluntary organisations on July the 14th, 1953, a year earlier than the Report of the Special Committee on Moral Delinquency in Children and Adolescents was presented to Parliament. Like the 1954

⁵ Hereafter cited as the HVYS Report.

Mazengarb Report, the 1953 Report of the Hutt Valley Youth Survey (HVYS) resulted from concern that there was an adolescent 'immorality' problem in the Hutt Valley.⁶ However, unlike the 1954 police investigation in the Hutt Valley, the events in 1952 which initiated the HVYS Report were not reported or commented upon in the national press.⁷

There was also a significant difference in the interests of the members of the two committees who produced the Mazengarb Report and the HVYS Report.⁸ Like the Mazengarb Committee the HVYS Committee included members with strong religious affiliations and Social Welfare and educational 'professionals'. However many of the 'professionals' representatives on the HVYS Committee were actively involved with large numbers of delinquent and 'problem'

⁶ The HVYS Report does not provide any further details of those who attended the meeting, nor are there any details on the preceding meetings or events which led to the production of the HVYS Report.

⁷ The Report was presented to the Mazengarb Committee, but there were no references to the HVYS Report in the four dailies surveyed (see the section titled 'The Theme Develops' in Chapter Four). Nor were there any references to the specific events in the Hutt Valley which initiated the HVYS Report.

⁸ The members of the Subcommittee who produced the 1953 HVYS Report were stated as being: Mr. D. McGhie (Chairman) from the male section of the Child Welfare Division, Miss D. Gillies from the Physical Welfare Division, Miss R. Reilly a visiting teacher, Mrs. K. Donald a representative from the Hutt Valley City Council, Mr L. Joblin the representative from the Hutt Valley Headmasters' Association, Miss N. Collins from the Female Division of the Child Welfare Division, Mrs. E. Jessup from the Probation Section of the Justice Department and the Reverend G. Dallard who represented the Ministers' Fraternal Association.

adolescents, whereas the 'professionals' on the Mazengarb Committee⁹ were senior administrators or others who had experience which was only tenuously linked to social welfare concerns. While those with religious affiliations dominated the Mazengarb Committee, the practising 'professionals' on the HVYS Report Committee outnumbered those members who were stated to have strong religious affiliations.

The 1954 HVYS Report was divided into five major sections. The first section sought to examine the 'scope and nature of the problem'. The second section outlined 'an authoritative opinion on the main causes of anti-social behaviour and delinquency', while the third section dealt with 'some possible causes of the problem in the Hutt Valley'. A brief outline of the facilities and organisations that could be utilised by the Hutt Valley community in order to reduce juvenile delinquency in the area was provided in the fourth section, and the fifth section dealt with the recommendations which were made by the subcommittee who compiled the HVYS Report.¹⁰ The Report also included a short introduction and a final section titled 'References' which listed fourteen relevant sources of information. These sections of the HVYS will be elaborated upon in the following discussion.

⁹ See Chapter Four.

¹⁰ See Appendix 1 for a list of references given in the HVYS Report. This 'reference' section did not provide publication details of the references listed, even though the Report quoted several of these in detail.

(i) Scope and Nature of the Problem

In the section titled 'Scope and Nature of the Problem' it was concluded that:

The problem appears to be fairly extensive and reaches disturbing proportions in the newer State housing areas. It is essentially a problem of emotional maladjustment, for it is generally agreed today that this is the source of nearly all juvenile anti-social behaviour.

(Report HVYS:5)

It was pointed out that there was a high proportion of juveniles in the Hutt Valley and that this created 'not only a severe educational problem but also a social one'. The HVYS Report provided the latest census figures from April the 17th, 1951 (see Table 3.1).¹¹

The Report acknowledged that the number of sex offences that had been committed in the Hutt Valley during 1951-1952 were three times the number of those that had been committed in Wellington

¹¹ The tables, figures and graphs given to indicate the disproportionate number of adolescents were statistically misleading. These were presented in table form in the HVYS Report, p.2, and in a hand drawn graph titled 'Numbers of Children in each age group in Wellington and the Hutt Valley' which was inserted between pages one and two. The X axis of the graph, which was labelled 'Age', was calibrated in single years. The table, however, listed five uneven age groupings ranging from age groups which covered a four year span to age groups which covered a span of ten years. The figures given in table 3.1 were therefore unrelated to the hand drawn graph and produced a misleading 'bulge' of population in the group labelled 15-20yrs.

during that period. It was also noted that the rate of juvenile offending in the Hutt Valley was higher than that in other urban areas in New Zealand. However this observation was qualified by the statement that 'other years did not show the same degree of localisation of sex offences'. The figures that were cited in order to compare the 'problem' in the Hutt Valley with other New Zealand urban centres are presented below in Table 3.2.

Table 3.1 Census figures at 17/4/51

	<u>0-4yrs</u>	<u>5-15yrs</u>	<u>15-20yrs</u>	<u>21-24yrs</u>	<u>25-29yrs</u>	<u>TOTAL</u>
Wgtn.Urban Area	11,949	18,447	9,055	9,727	10,819	137,000
H.V. Urban Area	10,200	14,783	4,868	4,049	5,853	80,200

Table 3.2 A Comparison of the 1952 rate of juvenile court appearances in urban areas per 10,000 juveniles (7-17 years).¹²

Hutt Valley	118.5
Dunedin Urban Area	74.8
Palmerston North	71.1
Total appearances in New Zealand	53

Table 3.3 contains the data which the Report cited to indicate that the majority of offences occurred within the twelve to

¹² Taken from a table supplied in the HVYS Report, p.2.

sixteen age group.¹³ This data indicated that the highest percentage of offending occurred amongst males aged fifteen and sixteen.¹⁴

Table 3.3 A table given in the HVYS Report to show that the majority of offences occur between the ages of 12 and 16, and that most are 15 or 16 years.

Boys and Girls 12-16 yrs.		2% of age group		
Boys	12-16 yrs.	5%	"	"
Boys	15-16 yrs.	6%	"	"

The HVYS Report stated that the solution lay in understanding adolescents and in improving social services as 'in the next ten years' there would be 'a huge increase in the number which yearly reach adolescence' so that 'existing amenities and facilities' needed to 'be expanded' not only to cope with 'the present situation', but 'planning and development should allow for expansion to meet future needs'.

To support this conclusion the Report provided evidence which indicated that juvenile offences for the year 1952-3 were concentrated in state housing areas. The five most concentrated offending areas were listed as: Naenae, Petone, Taita, Avalon (in a pocket surrounding Kilminster Grove) and the Trentham Transit

¹³ Ibid.

¹⁴ The Report did not indicate whether these percentages referred to the national adolescent population or the Hutt Valley adolescent population.

Housing Camp area. Tables 3.4 and 3.5 contain data presented by the Report which indicated that the state housing areas of Taita and Naenae had a higher number of cases of delinquency than any other area in the Hutt Valley or Wider Wellington region, and had the highest need for preventative social work in the Hutt Valley.

Table 3.4 The areas with the highest number of 'serious' juvenile offences (against persons, property and morality) in the Hutt Valley and Wellington area. ¹⁵

Taita and Naenae	102 cases
Newtown	81 cases
Petone	61 cases
Te Aro	49 cases

Table 3.5 Incipient delinquency, measured in terms of Child Welfare preventative work.¹⁶

Taita-Naenae	51 cases
Petone	10 cases
Newtown	6 cases
Central Lower Hutt	4 cases

The HVYS Committee conducted a survey of twenty one homes in Naenae and twenty homes in Petone, and the comments on this survey stressed that the problem was a social problem and that there must be an improvement in both 'general moral standards'

¹⁵ Given in HVYS Report, p.3.

¹⁶ Ibid.

and 'social standards'. This statement indicated that the HVYS Report, unlike the Mazengarb Report, acknowledged the importance of the social and material conditions as well as personal and individual 'morality' when determining what might be the major causal factors of juvenile delinquency. It was noted that there was considerable concern in the Hutt Valley over the extent of juvenile delinquency before the events of 1954 which had led to the appointment of the Mazengarb Committee. 'Discussions with senior members of the Police Force in the Hutt Valley' had indicated that members of the police were 'worried about the extent of juvenile delinquency in Petone and Lower Hutt'.

This section of the Report also stated that there had been other official acknowledgement of the problems associated with juvenile maladjustment and urbanisation:

We accept the findings of the 'Educational Institute' Committee on Emotional Maladjustment in New Zealand School Children.¹⁷ This 'authoritative committee' found-7.6% of all school children in urban areas were maladjusted.
2.3% of all school children in rural areas were maladjusted.

¹⁷ Report of a committee set up at the 1949 meeting of the N.Z.E.I. The members of the Committee were stated to have had 'considerable experience with 'maladjusted children' and 'the general nature of the problem as reported overseas was known to most of them'. The members were: Professor E. Beaglehole, Mr O.V. Berry, Mr Q.H. Brew, Mr J. Fergusson, Dr G.L. Mcleod (also member of the Mazengarb Committee see section titled 'The Theme Develops' in Chapter Four) who retired from the Committee in 1950 before the final drafting of the Report, Mr E.G. Smith who was replaced Mr M. Riske, Miss M.C. Wilson, Miss R. Wix.

Although this figure does not relate specifically to children in the Hutt Valley, it is considered to be a reliable indication of the position in this area.
(Report HVYS:4)

The HVYS survey of the 'nature' and 'scope' of the Hutt Valley 'problem' calls into question several of the major contentions of the Mazengarb Report. The Mazengarb Report argued that the 1954 incidents in the Hutt Valley represented 'a change of pattern in Sexual Misbehaviour', that 'younger groups' were now affected¹⁸, that girls had become 'more precocious', 'corrupting' the boys, and that 'immoral practices' had become 'organized in a way not evident before'. Evidence presented by the Hutt Valley Report indicates that younger groups of adolescents had been involved in juvenile delinquency in previous years, and that the majority of these adolescents had been male. Moreover the Mazengarb Report argued "that there were national changes in the 'patterns of sexual misbehaviour', quoting incidents in the Central Auckland and Hutt Valley urban areas which, as the HVYS Report indicated, were areas which were undergoing rapid urban expansion and contained a disproportionate percentage of adolescents compared to other areas. The Mazengarb Report failed to account for the evidence presented in this section of the HVYS Report which stressed that the problem was extensive and reached 'disturbing proportions in the newer state housing areas'. Social problems connected with a rapidly growing adolescent population in the Hutt were not, therefore, as argued in the Mazengarb Report

¹⁸ See Chapter Seven.

'uncertain in origin' or 'insidious in growth'. The Mazengarb Report took a problem which was essentially a problem created by a particular urban context and concluded that it represented a 'pattern of immorality not previously manifest in New Zealand'.

(ii) Authoritative Opinion on the Main Causes of Anti-Social Behaviour and Delinquency

Under the heading 'Authoritative Opinion on the Main Causes of Anti-Social Behaviour and Delinquency' the HVYS Committee stressed that environmental causes could be identified as major contributing factors to juvenile delinquency:

There is no single cause of delinquency and there is no single remedy, for it arises not simply out of a child's personality but out of a total situation and usually springs from a wide variety and multiplicity of alternate and converging forces. It is a conscious act, therefore, the predisposing cause must lie in some inner mental state which has itself developed out of the conditions and experiences of the child's earlier life. Innumerable conditions both inside and outside the home might give rise to such predisposing mental states.

(Report HVYS:5)

Four major environmental factors within the home were identified as contributing to delinquency. The first factor was listed as defective discipline and control; this was seen to include discipline which was weak and inconsistent as well as non-existent and harsh discipline. Unsatisfactory family relationships where 'severe jealousies, lack of affection, constant parental bickering, rejection or lack of cohesiveness of

he family group' etc. were seen as the second environmental actor contributing to delinquency. The Report identified an 'inwholesome moral and emotional atmosphere' where there was drunkenness, viciousness and immorality' as a family environment which could give rise to the 'predisposing mental states' which lead to delinquency. Poverty was identified as the final factor which could facilitate delinquency. It was stated that poverty could lead to: 'insufficient toys, books clothing, sports materials and spending money'. It was also noted that a family facing poverty would also face other pressures created by anxiety.

The Report identified four further general environmental conditions outside of the home environment, which could precipitate delinquent behaviour. Unsuitable work for each particular adolescent where a 'bright ambitious lad' was given 'tedious mechanical work and vice-versa' was the first general environmental condition identified. The second was a failure of schools to provide work which suited the needs and capabilities of the individual adolescent. It was stressed that there needed to be parental understanding of the problems that could arise from a dull child feeling frustrated and inferior due to a lack of success, or a bright child lacking 'motivation incentive, and interest' if the work set at school was well below his or her capacity. The influence of the peer group was the third general environmental factor noted as 'The risk of delinquency' was seen to be 'markedly increased if companions at work, school, or play

are unsympathetic in attitude or irregular in their moral code'.

The final general environmental factor which was seen to contribute to delinquency was an 'unsatisfactory provision for leisure'. Both the 'inadequate provision' and an 'excessive provision' of 'wholesome sport and recreational activities' were seen as possible contributing factors to delinquent behaviour. Penny-dreadfuls and the cinema were seen to exert a 'small influence', which was indirect and 'subtle':

The penny-dreadful and cinema exert some small influence but it is not usually direct or imitative—rather it is a more subtle and elusive influence through the portrayal of a grossly perverted view of human life and false but cheaply fascinating ideals. The sensational love interest which usually accompanies the excitement, intrigue and lawlessness in the average film and trashy literature not only sets false ideals but usually leads to precocious familiarity with sexual affairs in young adolescents. Good films, however, have a beneficial influence by withdrawing young men from the pubs and adolescents from alleys and parks, to say nothing of their educational value. Nothing can be said in favour of trashy or indecent literature.
(Report HVYS:6)

Like the subsequent Mazengarb Report the HVYS Report distinguished between predisposing causes and precipitating causes.¹⁹ The HVYS Report defined these concepts with phrases that closely resemble those used by the Mazengarb Report. Predisposing causes created emotional maladjustment and thus led

¹⁹ This analysis could have been directly imported into the Mazengarb Report from the HVYS Report as the Mazengarb Committee had access to the earlier report.

the adolescent to be more susceptible to the precipitating causes or the factors more immediately related to the offence. The causes outlined above were seen to be the predisposing causes of juvenile delinquency in the Hutt Valley.

This second section of the HVYS Report concluded by quoting the findings of Bowlby's paper 'Research into the Origins of Delinquent Behaviour'²⁰ in order to support the assertion that the home environment was a crucial factor in determining whether or not an adolescent would be susceptible to committing delinquent crimes:

Bowlby in his paper, 'Research into the Origins of Delinquent Behaviour' stated that all cases of unco-operative and anti-social behaviour wherever found were due to defective parent-child relationships, particularly in the early years and closely related to mother-love..... If one can be very certain of anything in this field it is in the importance of defective parent-child relationships, for all leading writers in the field (i.e. Stott, Burt, Sheldon and Eleanor Glueck, Aichorn, Healy, Bronner and Teeters) place extreme importance on satisfactory family relationships as the basis of sound adjustment.

(Report HVYS:6)

But the impact of the home was not emphasised to the exclusion of any consideration of the school environment. The Report stressed that the school's impact upon children and adolescents came a close second to family influences. The school was seen to exert

²⁰ The HVYS report did not provide any publication dates for any of the sources quoted (see Appendix 1).

'an impact second only to the home in the individual's childhood' and it was argued that 'here too current opinion places great importance on the beneficial influence schools should exert to prevent maladjustment'. The Mazengarb Report did not place such an emphasis on the school. While the Mazengarb Committee acknowledged that the schools in expanding urban centres faced 'problems', it was argued that 'immorality' resulted from 'medical' factors rather than 'social origins'.²¹

While the HVYS Report stressed many of the causes contained in the Mazengarb Report, the HVYS Report's analysis represented a far more balanced attempt as the contributing factors were directly linked to the social environment in the Hutt Valley. The home environment and the school were singled out for criticism rather than the 'delinquent parent'. The influence of 'penny dreadfuls' was seen to be 'small' but 'subtle' whereas the Mazengarb Report and Parliamentarians argued that their effect was 'harmful' and 'longlasting'. The HVYS Report emphasised the environmental and social factors evident in the Hutt Valley such as the inadequate provision of sports facilities, and poverty in the home; the Mazengarb Report gave these factors minor consideration.

This section of the HVYS Report placed a strong emphasis on the home and parenting in the contemporary 'authoritative opinion' of

²¹ See Chapter Seven.

Bowlby, Stott, Gluek and others which was to allow the Mazengarb Committee and other groups who stressed the appearance of a 'disturbing pattern of immorality' to de-emphasize the social conditions and to promote the moral responsibility of the individual adolescent and his or her parents. This allowed these groups to advocate a legislative solution directed at individuals.

(iii) Some Possible Causes of the 'Problem' in the Hutt Valley

Section Four of the HVYS Report, like the first section of the Report, stressed the link between juvenile delinquent behaviour and the social environment which resulted from rapid state housing development. The Report listed eleven causes which were seen to be specifically related to the Hutt Valley and six causes which were described as 'general causes'. All of these 'causes' apart from the 'subtle effects of modern film' could be linked to social factors arising from the rapid growth of state housing in the Hutt Valley. Nine of the eleven specific causes of juvenile delinquency in the Hutt Valley were related to the consequences of the rapid growth of the state housing areas of Naenae and Taita. The HVYS Report noted that there had been more than 5,000 homes built in Taita and Naenae since 1945. This rapid growth had contributed to a population imbalance so that the Hutt Valley had fewer adults, and a larger proportion of adolescents, than older and more established areas such as Wellington.

The rapid growth of the Hutt Valley state housing areas was seen to lead to a number of problems which contributed to delinquency. The Report stated that there were 'fewer adults to care for and to set an example for the children.' They cited Sir Cyril Burt's statement in support of their contention that fewer numbers of adults would have a detrimental effect:

Compared to Wellington there are approximately 5,000 less juveniles in the 0-15 and 7-17 age groups and this with 47,000 less adults. This feature assumes importance not only because it aggravates the problem mentioned in 6 below, but also when considering Sir Cyril Burts's statement that, "One of the greatest single deterrents of juvenile delinquency is respect and affection for an adult." ²²

(Report HVYS:7)

Other problems associated with a large juvenile population were seen to be: gang problems, a lack of 'healthy' well organised clubs, a lack of cultural traditions and 'community roots' to keep the younger population in check and a lack of community spirit. Evidence from McVictor Hunt's 'Migratory Groups' which had indicated that fewer associations and friendships were made in new housing areas and the fact that it was difficult to find adolescent group leaders in the state housing areas were cited to support the argument that there was a lack of community spirit and tradition. It was stated that this lack of community spirit and tradition had contributed to the incidents of juvenile

²² The HVYS Report did not provide publication dates and page references.

delinquency in the Hutt Valley.

The selection criteria for state house occupants was also seen to promote the 'predisposing' causes of delinquency. The Report argued that the occupant family of a state house had to be receiving a low income and have a number of children or they would not be eligible to rent state housing. These factors resulted in the larger than average number of children in a state housing area, so that parents and mothers in particular were under more strain with large numbers of children in a confined area. The HVYS Report therefore acknowledged that a lack of parental control might be due to social factors other than an individual parent's lack of 'morality' or concern. It was also noted that a lower income resulted in the parents being unable to 'fully' provide for all the 'material' and 'mental' needs of their children, so that 'in many cases their interests and leisure time are inadequately provided for.'

It was noted that many of those who lived in state housing areas were facing 'extreme changes' in their life style and it was argued that the feelings of insecurity and dissatisfaction that accompanied such changes could work to counter any previous parental training:

The new State housing areas have involved thousands of people in facing rather extreme changes in their way of life. Such changes are really emotional upheavals for children which often result in feelings of dissatisfaction and insecurity, and it is usual, under such circumstances, for learnt behaviour to be at least

partially rejected in favour of instinctive responses. The total behaviour pattern may be substantially altered with satisfaction of basic drives for hunger, thirst, sex and aggressiveness becoming more evident.

(Report HVYS:8)

Not all the causes were seen to result from the problems associated with the general environment of a state housing area. Some of the problems were attributable to the personality characteristics of parents in these areas. The 'dependent' parent, who the HVYS Report stated, dominated state housing areas, had failed to provide for the needs of their children. But this 'dependent' parent was not the result of a 'faulty' or 'immoral individual'. The 'dependent type of person' was created by the class he or she belonged to:

It is debatable but on the whole there appear to be more of the "dependent" type of person living in State housing areas. Persons from the lower income group who wait for someone to provide for their needs rather than to do and create things for themselves and their children. Perhaps such people are prone to neglect to some extent the emotional, physical or mental needs of their children.

(Report HVYS:7)

Two factors apart from those directly associated with state housing were cited as contributing to the delinquency problem in the Hutt Valley. It was noted that the residents of the single men's camp at Petone had either 'directly' or 'indirectly' been 'involved in precipitating a significant amount of adolescent delinquent behaviour in the lower valley area'. It was also stated that the 'instability of school staffing' in schools in

Taita and Naenae, was a contributing factor to the delinquency problem. As Table 3.6 shows, out of one hundred and one teachers only forty seven should have been relieving teachers. However between January and June 1954 there were ninety four relieving teachers at the five schools in the area, '...and over the same period there were two hundred and ninety three teaching days lost by these relieving teachers.'

Table 3.6 Staffing levels in the three Taita and two Naenae schools ²³

49 Permanent teachers
15 Probationary assistants
47 Relieving teachers (1 uncertificated; 15 from overseas)

| Total: 111 teachers for 3,800 children |

The second part of section IV listed what were seen to be general causes rather than those specific to the Hutt Valley. Two of these 'general causes' dealt with the influence of 'trashy literature' and the 'subtle effects of modern film'. The negative effects of 'indecent publications' were emphasised in this section:

The wide acceptance of trashy, near indecent

²³ Taken from a figure given in the HVYS Report, p.8.

publications, has undoubtedly played some part in lowering the moral standards of our youth.
(Report HVYS:8)

The neglect of children by working parents, the prevalence of 'materialism', the 'widening gap between church and society', the 'increasing complexity and high tempo of modern living' and the resulting 'never ending search for pleasure and excitement' were all listed as general factors which contributed to an increase in juvenile delinquency.

Section IV of the HVYS Report reaffirmed the contention that the 'problem' of 'juvenile misbehaviour' in the Hutt Valley could be directly attributed to rapid urban development and to the social problems associated with a concentration of lower socio-economic families in a newly developed state housing area. 'Indecent publications', a lack of 'Christian morality', and 'materialism' are mentioned but not stressed as they are in the Mazengarb Report. The HVYS Committee's description of the attitude of parents in these areas and the insecurity they faced does not fit the accusations in the press of 'selfish parents'²⁴ and the Mazengarb Committee's contention that 'the parents are to blame'. The Mazengarb Committee and the other groups who were to stress the 'threat of juvenile immorality' and the possibility of 'moral chaos' ignored the fact that the population in areas such as the Hutt Valley contained a disproportionately large number of adolescents who, as the fifth section of the HVYS Report

²⁴ See Chapter Three.

indicated, had access to a limited range of social facilities specifically designed for adolescents.

(iv) Recommendations

The recommendations of the HVYS Report were divided into eight sections. The first section dealt with the Subcommittee's recommendations 'pertaining to education'. The first recommendation of this section stated that school facilities should be available for use by community groups in after-school hours. The second recommendation of this section stated that the recommendations of the Committee of the Educational Institute's Report on 'Emotional Maladjustment in School Children' should be implemented immediately as it was 'realised that some steps have already been taken....but it has now become more urgent at its source'.

The recommendations made by the Committee of the Educational Institute had stressed that all teachers should have a 'knowledge of sound modern psychology' so that they might be 'sensible to the existence of minor emotional maladjustments' in their children, and therefore be able to help children establish a 'satisfactory relationship within the school'. In order to achieve this goal it was recommended that the basic training of teachers should be centred on child development, and that student teachers should have contact with psychologists, child welfare

officers and visiting teachers. It was recommended that practising teachers should attend an advanced course on child development and that refresher courses should be held on the topic of 'emotional maladjustment'.

In addition to providing training for teachers in child development and emotional maladjustment the Report recommended that Child Guidance centres should be set up in the 'main urban areas' with three psychologists, four social workers, one part time psychiatric consultant and one or two part-time medical consultants. The role of guidance and counselling in the school was also emphasised, and it was suggested that special courses for selected teachers should provide training for the 'special role of guidance'. An experimental 'Camp School' which would admit maladjusted children on a voluntary basis was also recommended. It was stressed that all these agencies and the Children's Courts should co-ordinate their efforts in order to work effectively.

The Report recommended several steps to alleviate the shortage of teachers, large classes and accommodation. It was stated that the Education Department should do everything in its power to cater for individual differences by adapting the curriculum and teaching methods. Class size, it was stressed, must be reduced to thirty children per class. The optimum size for a primary school was stated to be about four hundred and fifty pupils. It was also argued that there was a urgent need for the provision of

special class and remedial reading clinic facilities in the Hutt Valley.

The lack of teachers living in the state housing areas was commented upon, and it was stated that Naenae primary school had only one teacher out of a staff of thirty residing in Naenae. The government was urged to provide housing for teachers in these areas. In addition to providing local housing in order to involve teachers in the communities in which they worked, the Report recommended that teachers should be expected to attend and take part in parent teacher meetings in order to foster relations between the parents and the school. It was recommended that club leaders and social workers should have closer contact with homes, and should assist parents in helping children occupy their leisure time. Headmasters were to be advised to be concerned about self discipline and behaviour as well as about the 'purely academic instruction'. Unlike the Mazengarb Report, which claimed that it was not the duty of schools to teach the 'fuller' aspects of sexual relations, the HVYS Report supported sex education in schools²⁵:

It is considered that sex education is essential for healthy adolescent adjustment so that a system must be devised which is simple, attractive, inexpensive and of universal application.

(Report HVYS:12)

²⁵ See section titled 'New Education' and the section titled 'Community Influences' in Chapter Seven.

The second section of proposals dealt with religion. Two proposals were listed here compared to the eleven concerning education. It was stated that there was a need for a 'spiritual basis of life' and a 'more positive attitude towards the word of the churches' in order to combat the 'long term effects' of a 'secular attitude towards life'. However it was implied that the church was part of a network of organisations which had responsibilities in helping create family and societal unity rather than as the sole source of 'spiritual values':

Attention is also drawn to the fact that the home is the basic unit of community life not only for economic and reproductive purposes but also for character training. Any organisation activity or effort should not be merely palliative of troubles caused by lack of parental care or control, but should aim at achieving healthy family life. To further this aim it is recommended that provision be made for "Parenthood" training, not only by the churches but by all organisations concerned with the welfare of children.

(Report HVYS:12)

The third section dealt with recommendations related to clubs and activities. Five recommendations were made, which emphasised the need for an effort to increase the numbers of clubs and trained leaders. Methods of assessing the 'club' needs of parents and children were suggested and it was advised that large businesses could be approached to sponsor group activities.

The fourth section contained three recommendations which were centred around the appointment of an officer, by the local authority, to co-ordinate community efforts and to act as a

resource person who would handle inquiries and receive and provide information. This officer was to 'conduct a widespread campaign explaining the basic causes of anti-social behaviour among adolescents' and to alert the community to voluntary and statutory social services, clubs, coaching classes etc.. The state Advances Corporation was to be asked to advise this central officer of tenants in the area, so that parents and children could be made aware of facilities and activities when they moved in.

The fifth set of recommendations supported the widening of censorship to include books, magazines, comics, and radio programmes. However unlike the Mazengarb Report which was to recommend legislation to 'punish' the 'distributors', the HVYS Report did not refer to possible legislative measures. For example the recommendations stated that there should be 'a slightly different approach to film censorship'. It was recommended that the responsibility for attendance should be placed on the parents. How this was to be enforced was not outlined, the Report merely stated that a certificate for an adult film would read 'parents should not allow their children who are under 16 years to attend'.

The final two sets of recommendations were related to 'home aid' and the police. The Report recognised the problems of young mothers in state housing areas and recommended that the Home Aid Service of the Department of Labour and Employment be widened to

help young mothers with several children, and churches were advised that a system of 'sitters in' should be set up to allow young mothers to 'spend evenings out'. It was stated that police women were seen to be particularly effective in dealing with women and children. Therefore the establishment of a 'Women's Division' within the police force was recommended. It was stressed that opportunities for promotion to commissioned ranks were necessary in order to attract female recruits into the police force.

The HVYS Report concluded with the statement that there needed to be a closer analysis of the type, number, and geographic distribution of offences. It recommended a detailed analysis of the case histories of those involved in recent sex offences in order to establish the extent and patterns of offending. Finally it was stated that all the recommendations, of the Report needed to be consolidated into a 'closely knit practical scheme which could be presented to government'.

The recommendations of the HVYS Report stand in marked contrast to the Mazengarb Report's recommendations, as they represent an effort to address the problems encountered in the home and school environment, rather than recommending 'legislative action'.²⁶ With the adoption of the majority of the recommendations put forward by the Report of the New Zealand Educational Institute

²⁶ See Chapter Seven.

(N.Z.E.I.) on 'Emotional Maladjustment in New Zealand school children' the emphasis was placed upon the 'professional' and 'psychological' interpretation of the problem. The need for 'consultants' and other professional agencies was stressed, rather than the Church's ability to 'uphold moral standards'. This is in marked contrast to the Mazengarb Report's advocacy of the 'family religion as a solution' and comments that the work of the 'new psychologists' although 'good in origin' had 'begun to suffer as had religious faith in the past from poor exponents'.²⁷

Conclusion

The HVYS Report adopted an 'authoritative' psychologically based analysis of the 'problem' in the Hutt Valley which allowed a recognition of the problems inherent in an area undergoing rapid urban expansion. The Mazengarb Report's emphasis on a lack of religiousness disallowed such a recognition of the problem. The 'problem' came to be interpreted as a 'moral drift' which was sure to lead to 'moral chaos'. The Mazengarb Report therefore promoted a solution which envisaged increasing church attendance and discouraged individuals from committing 'evil' by evoking legislative measures. A large proportion of the general public²⁸

²⁷ See Chapter Seven.

²⁸ See the analysis of the press coverage of the 'problem' in Chapter Four, which provides detailed analysis of the reaction and analysis of the 'causes of juvenile immorality' made by members of the public and vested interest groups.

and the Mazengarb Committee's analysis took the individual perspective inherent in the contemporary 'authoritative' psychological orientation but divorced it from the social context, emphasising instead the 'moral' and 'religious' context.²⁹ This was to prove to be a far more highly emotive and publicly appealing analysis of adolescent behaviour, whilst the Hutt Valley Survey Report indicated was essentially a localised response to the pressures created by rapid urban expansion in the Hutt Valley.

The Mazengarb Report's contention that the 'Milk Bar Gang's' activities in the Hutt Valley represented a 'changed pattern of behaviour', 'uncertain in origin', is not supported by other contemporary studies and reports. Earlier studies conducted in the 1940s indicated a national rate of juvenile offending which was, as many social welfare officers were to argue at the height of the concern, 'no worse, and no better than it ever had been'³⁰. An N.Z.C.E.R. study conducted by Eileen Philipp (1946) concluded that the rate of delinquency had not shown any dramatic increase since the war, while the New Zealand Educational Institute (N.Z.E.I.) study on Emotional Maladjustment in New Zealand School children (1949), like the HVYS Report, argued that the 'high degree of emotional maladjustment' in urban areas could

²⁹ See the discussion in Chapter Seven.

³⁰ See Chapter Four and the sections titled 'Child Welfare Division' and 'Official and Expert Witnesses' in Chapter Six.

be related to 'instability' in the urban environment:

The difference between urban and rural figures is interesting..... it is sometimes said that there is a greater stability in rural than in urban life and that it is to be expected that one would find less maladjustment among rural than among urban children.

(N.Z.E.I. Report, 1949:4)

Evidence of the extensive urban housing development and urban accommodation problems which could be seen to have contributed to this 'instability' in urban areas was provided by the recommendations of the 1954 National Housing Conference which revealed, that despite record housing development of 206,000 houses built in the previous five years, there was still an acute shortage of urban dwellings. The conclusions of the Conference and figures provided in the 1954 Housing Report indicate that up until 1954 virtually all the houses constructed under government housing schemes had been state houses. These state houses were clustered in newly developed urban areas such as the Hutt Valley (AJHR, 1954 H-38).³¹

The 1954 Annual Report of the Child Welfare Division of the Education Department argued, like the HVYS Report, that the apparent increase in 'child delinquency' had to be measured against an increasing juvenile population', and arrived at the

³¹ Press items in the Evening Standard and the investigation into the temporary housing at Trentham Camp also confirm rapid urban growth and housing shortages in the Hutt. (See section titled 'The Theme Develops' in Chapter Four.)

conclusion that 'the number of (juvenile delinquency) cases when related to the numbers of children in the population appear to have been stable over the past three years' (AJHR, 1954 E-4:3). The Justice Report also warned against the practice of using variations in the 'actual court appearances each year' as these were 'not necessarily an accurate indication of the variation of the extent of child delinquency'. This method was to be actively employed by the Mazengarb Report and various newspaper articles to justify the conclusion that 'juvenile immorality' had become a 'problem of 'considerable proportions'³².

The Justice Department's 1954 Report stated that although there were 'disturbing features revealed by the statistics during the year' the increase in the imprisonment of individuals 'during the year' ³³ could be directly linked to a constantly increasing population. Moreover the 'overall increase in sexual offences' related to 'offences committed on children' rather than by children or adolescents as 'fewer young adults were sent to prison' (AJHR, 1954 H-20:5,6). These qualifications of the increase in sexual offences were acknowledged in the Mazengarb Report which nevertheless claimed that 'whether juvenile delinquency has increased or not - any nation is wise that from time to time surveys its moral health' (AJHR, 1954 H-47:17). Excerpts from the Report of the Justice Department, printed in

³² See Chapter Four and Chapter Seven.

³³ This Report referred to the year ended March 31st 1954.

the press, failed to acknowledge these qualifications.³⁴

An examination of the Hutt Valley Youth Survey and other contemporary reports fail to substantiate the Mazengarb Committee's claim that the behaviour of the 'Milk Bar Gang' in the Hutt Valley signalled 'a pattern of immorality not previously manifest in New Zealand'. Nor is there evidence to substantiate the claim that those 'without adequate knowledge of the facts' were incorrect in stating that 'there was nothing new about the sexual misbehaviour of young people'. The evidence produced by professional agencies and those who were directly involved with adolescents in the Hutt Valley indicates that the problem was closely linked to state housing and urban development and had existed since the mid 1940s. This raises the pertinent question of how the Mazengarb Report arrived at its definition of 'juvenile immorality' as a 'new' and 'serious' 'problem' which demanded legislative action. In order to address this question it is necessary to examine the role of the press and its interactions with other 'social agents' and vested interest groups who focused public attention on an urban social problem and helped redefine it as 'widespread juvenile immorality'.

³⁴ See Chapter Four and Chapter Seven.

4: The media theme of 'juvenile immorality'

The student of moral enterprise cannot but pay attention to the role of the mass media in defining and shaping social problems.

(Cohen *et al.*, 1981:433)

In a study such as this, press reports provide a major source of information on relevant incidents and events, as well as outlining the development of public concern and reaction to a perceived social problem. The press, however, is not a 'neutral' primary source of historical information. The use of the concept of moral panic necessitates an investigation of the mass media's role in 'orchestrating and defining' the public's 'anxious' and 'panic' reaction to a 'deviant' group (Cohen 1981). Glazebrook's (1978) study of the Mazengarb Report and the public concern over the issue of juvenile immorality in 1954, purported to adopt a 'moral panic perspective', yet neglected to investigate and evaluate the role of the press in initiating, interpreting and constructing the public's 'panic' reaction to the incidents of immorality in the Hutt Valley.

In addition to Cohen's work other recent studies (Hall *et al.* 1978, 1981, Young 1981, Fishman 1980, 1981, and others¹) have indicated that the structural and bureaucratic processes which operate within the news gathering institutions lead to a portrayal of reality which is deceptive and possibly illusionary. Cohen and Hall *et al.* (1981) derive their analysis of the media's role in a moral panic from the Consensus Paradigm Theory. The Consensus Paradigm Theory argues that the media inadvertently produces news items which confirm the 'prevailing ideology of a harmonious society based upon consensus'. This study will use an analysis derived from the Consensus Paradigm Theory, but acknowledges Young's² criticism of this perspective. Therefore, the press's preoccupation with the theme of 'juvenile immorality' from July to September 1954 is interpreted as a portrayal of a 'perceived reality' rather than a deliberate attempt to create an 'illusion' of 'widespread juvenile delinquency'.

In such a society any deviant behaviour or illegitimate behaviour

¹ See other theoretical works on the role of media in the conception of deviance in The Manufacture of News. Deviance Social Problems and the Mass Media Cohen *et al.* (1981) and other work associated with the Centre for Cultural Studies at the University of Birmingham.

² Cohen *et al.* (1981) argue that there is a large gap between the media message and reality so that the press presents an illusion of reality. Young (1981) argues that as the members of the press are part of society it is not possible to control the public by the creation of an 'illusion'. The press's coverage of delinquency or social problems is a rationalisation of a perceived reality.

which counters the 'consensus' values of society and evokes a reaction from the police and other 'control agents' must be newsworthy as there needs to be a dramatic and symbolic reaction in the press in order to reassert the values of society and redefine the limits of tolerance. It is the police working in conjunction with other 'official' agencies and 'experts' who bring the issue to the notice of the press. The debate that ensues, therefore, takes place within the terms of reference of the 'agents of control', so that there are no alternative definition or potential interpretations. This absence of alternative definitions and explanation leads to a mobilisation of public concern. Such concern is most likely to be mobilised by situations and events where the institutions which are defining the situation can argue that the behaviour exhibited is a threat to society.

It is possible to argue that the New Zealand society of the 1950s was dominated by an ethos of consensus which sought to bring about uniformity and equality (Dunstall, 1981).³ This ethos of consensus and conformity also pervaded the religious organisations (Brown, 1982:19) and thus influenced the public conception of the 'consequences' associated with juvenile immorality. In this climate of consensus and conformity the

³ Sinclair also indicates that the dominant ethos was conservative rather than radical. He argues that in the political sphere Labour and National parties can be seen to be 'alternative conservative parties' (Sinclair, 1976:288).

view espoused by the press and the controlling agents was clear-cut. Evidence of juvenile sexual experimentation and adolescent 'abnormal' behaviour was 'disturbing' and 'immoral' and worthy of further investigation.

In order to establish the press reaction to the discovery of a Hutt Valley 'sex gang' and the subsequent events, four daily papers, The Dominion, the Evening Post, The New Zealand Herald and the Auckland Star⁴ were examined. In this study daily newspapers from Wellington and Auckland were selected as the publicised incidents involving 'juvenile immorality' occurred in the Hutt Valley and in Central Auckland. The choice of both morning and evening papers from these two major centres was also appropriate, as during the 1950s the daily papers of the major centres had a larger circulation than the total circulation of the dailies in the smaller cities and local towns (Scholefield, 1958:23).

In addition to these daily papers editions of The New Zealand Truth⁵ and The New Zealand Listener⁶ were examined. Since the 1930s the weekly editions of 'Truth' had attracted a large number of readers (Lancashire, 1986). In the course of researching this topic many contemporaries who remember the concern over juvenile 'immorality' in 1954 have indicated to me that the 'Truth' was avidly read during the months of public

⁴ Hereafter referred to the Dom, Post, NZH, and Star.

⁵ Hereafter referred to as 'Truth'.

⁶ Hereafter referred to as The 'Listener'.

concern. The 'Listener' during the 1950s was essentially a programming guide for radio and was, therefore examined for relevant comments on topical radio programs and editorials concerned with broadcasting issues related to the public concern over juvenile immorality. Upon examining these sources it became increasingly evident that the media's frequent and widespread coverage of the theme of juvenile delinquency and 'immorality' began in late June, and early July 1954, with the revelation that a young teenage girl had killed her mother in what became known as the 'Brick and Stocking Murder' and the publication in the national press of the details of a police investigation into the activities of a juvenile 'sex gang' said to be operating in the Hutt Valley. The resulting intense media coverage and interest in juvenile 'immorality' had ceased by mid to late October of the same year, several weeks after copies of the Government initiated 'Report of the Special Committee on Moral Delinquency in Children and Adolescents' (otherwise known as the Mazengarb Report) had been forwarded to every household.

This chapter now turns to the actual media coverage of the events, incidents and viewpoints which resulted from the press's perusal of the two interrelated themes of juvenile delinquency and 'immorality' during this period. The events and press coverage can be seen in terms of Fishman's (1981) analysis of the development of 'themes' and 'crime waves'. The first phase of the development of a theme of 'widespread immorality' covers the prelude to press interest and the commencement of press interest

in the theme of 'juvenile immorality' and related issues. During this initial phase the impetus for the development of the theme came from the reports of the 'social agents'. Disparate incidents became connected to the theme of 'juvenile immorality', and stories which fitted this theme were more likely to be reported. As Cohen (1980, 1981) notes it is during this initial phase that the 'offenders' who may be loosely structured come to be labelled and identified by the press as a specifically titled 'gang' with 'deliberate intent'.

The second phase covers the development of the coverage of 'juvenile immorality' from a 'crime theme' into a juvenile delinquency 'crime wave', where all the daily and the weekly newspapers, fuelled by a continuous supply of incidents which could be seen to be related to juvenile immorality picked up the theme. This resulted in a collective national coverage of the theme which promoted the public perception of a 'widespread', 'deep seated' 'problem' of juvenile immorality. While Fishman describes two major stages in his analysis, for the purposes of this study it is appropriate to identify a third and final phase. During this phase the media, in conjunction with the Mazengarb Committee, actively promoted a legislative solution to the theme which was now firmly entrenched and perceived as a 'deep seated problem'. Once this legislation had entered the Statute Books the press ceased to promote the theme so that stories and headlines based around 'juvenile immorality' disappeared from front pages and forums of published public comment, leaving

stories based on other concerns and issues to take their place.

(i) The Theme Develops: Revelations of 'Sex Gangs' and 'Matricide'.

In the two years prior⁷ to the reports of a teenage murder, and the release of details to the press concerning the 'shocking degree of immoral conduct' and 'sexual orgies' engaged in by a group of sixty or so adolescents in the Hutt Valley (Truth 14/7/54:9), there was no media coverage of any incidents relating to incidents of juvenile delinquency in the Hutt Valley. Nor was there any mention of a report by the Hutt Valley Youth Survey outlining the 'scope' and 'nature' of the 'adolescent problem' in the Hutt Valley produced on the 14th of July 1953.⁸ There was however some minor coverage of a 'juvenile crime problem' in Auckland (Truth 8/10/52:17, Dom 1/4/1954:8). Minimal coverage during this period was also given to other issues such as indecent literature and the delinquency problem 'overseas'. However, the brief coverage of such issues was to expand into an extensive discourse after the 'discovery of immoral misconduct'

⁷ All of the sources listed above were examined from January 1951 to December 1955.

⁸ The Mazengarb Report acknowledged that there had been incidents of juvenile immorality in 1952, and acknowledged the Hutt Valley Youth Survey in its appendices (see Chapter Seven).

in the Hutt Valley.⁹

The major stories concerning the Hutt Valley covered by the press in the period prior to the discovery of the exploits of an adolescent 'sex gang', dealt with the housing shortage in the Hutt Valley¹⁰ and problems associated with an area coping with rapid urban growth. In May 1952 The Dominion reported that over the past seven years the population in the Hutt Valley had 'jumped from 5,500 in 1945 to 8,000' and was 'still climbing rapidly as home seekers snap up sections in an increasing number of subdivisions'. It was noted that this rapid development had lead to a 'lack of amenities', and it was claimed that there was a need for the 'development of recreation areas' and new commercial buildings to replace dilapidated over crowded shops. The item concluded with the statement that 'citizens are agreed

⁹ For instance in July 1952 the New Zealand Herald and 'Truth' covered several stories on juvenile drinking and it was claimed that there 'disturbing evidence of teenage girls drinking'(NZH 9/7/1952:16). In addition several articles called an investigation into 'indecent' and 'pulp' literature (Dom 23/5/1952, 'Truth' 4/3/1953). The Dominion printed several isolated 'interest' stories from overseas services describing delinquency problem in the United states and the United Kingdom (Dom 20/6/1952:7, 19/8/1952:6, 3/4/1954).

¹⁰ This was a nation wide problem which received considerable parliamentary and governmental attention. The problem was received considerable attention in the papers surveyed. The 'Listener' considered it serious enough to provide a 'do it yourself' guide to building a house in their 1954 February issues. (For example see The New Zealand Listener, Vol. 30. No.759:8.)

that amenities must be provided' (Dom 6/5/1952:9).¹¹

From mid 1952 to early 1954 letters from readers and articles in 'Truth' drew attention to the nation's housing problem.¹² In a full page article on the 16th of June, 1954 'Truth' condemned the 'slum conditions' of the one hundred and fifty families who were forced to live at the Hutt Valley Transit camp; a temporary housing camp that had been set up to cope with families who could not obtain state housing. The article noted that it was 'an unquestionably bad environment for children' and that delinquency was likely to flourish. From these examples it is clear that there had been considerable press coverage and public attention given to the difficulties created by rapid urban growth and a housing shortage. The Dominion articles and 'Truth's' coverage of the Trentham Housing Camp, a mere two weeks before the development of immense concern over juvenile immorality, indicate that there was general recognition that the Hutt Valley faced social problems and consequences which could be associated with

¹¹ An article a month later in June 1952 stated that since 1945 there had been 1,101 state houses built in Wellington and the Hutt Valley since 1945, with the greatest percentage having been built in the previous year (Dom 20/6/1952:6). The Evening Post stated that 48,000 state houses had been built in New Zealand from 1951 to 1953, 16,000 of these had been built in 1952 (Post 15/7/53:8).

¹² See New Zealand Truth 30/7/1952 to 16/6/1954 passim. While there were no articles or letters during the period from July to October 1954 which marked the height of concern over 'juvenile immorality' the issue was revived for a short period early in 1955 see New Zealand Truth 5/1/1955 to 16/2/1955 passim. The Evening Post and Auckland Star also carried readers letters and stories concerned with the 'housing shortage' during this period.

rapid urban growth. However in the media coverage and public comment on the revelations of juvenile 'immorality' which were 'unearthed' in the Hutt Valley in early July 1954, 'Truth' and the other magazines and newspapers surveyed neglected to connect these incidents of 'immoral' behaviour with prevailing social conditions in the Hutt Valley and other urban centres. Thus the development of a 'theme' of juvenile immorality was to incorporate many items and comments which centred on the individual and the concerns of vested interest and pressure groups that had until July 1954 received little if any press attention, but failed to relate the incidents of juvenile delinquency in the Hutt Valley to the one social issue which had generated considerable public attention in the previous two years; the rapid urban growth and the resulting inadequate housing and a lack of urban facilities.

The development of the 'theme' of 'juvenile immorality' can be seen to have initially developed in late June and early July 1954, with reports of a police investigation into adolescent 'sexual immorality' in the Hutt Valley and the extensive press coverage of the Parker-Hulme 'Brick and Stocking Murder' which involved the murder of a Christchurch women, Honora Mary Parker¹³, by her daughter Pauline Parker and Pauline's friend Juliet Hulme.

¹³ Also known as Mrs Herbert Reiper.

The first reports of 'widespread delinquency' appeared in the press from the 6th to the 14th of July. Initial reports with headings such as 'DISTURBING REPORTS' (NZH 6/7/1954:8) 'MORAL DELINQUENCY SAID TO BE WIDESPREAD' ('Truth' 14/7/1954:9) gave details of a police investigation initiated by a Senior Sergeant Lefort into 'the conduct of many adolescents in the Hutt Valley'. These reports noted that fifty to sixty adolescents were to be brought before the Lower Hutt Magistrates Court on 'moral delinquency charges'. In The New Zealand Herald Senior Sergeant Lefort was quoted verbatim:

These incidents revealed a shocking degree of immoral conduct which spread into sexual orgies perpetuated in private homes during the absence of parents, and in several second rate Hutt Valley theatres where familiarity between youths and girls was rife and common place. (NZH 6/7/1954:8)

The 'Truth' story paraphrased the comments made by 'a senior (police) officer' who had stated that 'it was disturbing in his experience' and that there was 'no end to the investigation' of immoral behaviour which had in his opinion resulted from a lack of 'parental control'. Continuing to cite the police as a source of information, the story went on to inform readers that the investigation had begun when a fifteen year old girl who was 'a member of a self styled 'gang' known in Lower Hutt as the 'Milkbar Cowboys' had asked the police for 'sanctuary from the gang'. Further inquiries had revealed that this 'disturbing' immoral behaviour of the 'gang' had involved many secondary school pupils.

Sergeant Lefort's assessment and prognosis of the situation was immediately taken up by the Government. Within a week headlines such as 'THE GOVERNMENT STEPS IN' (NZH 13/7/1954:8) and 'NOT IN THE HUTT VALLEY ONLY: GOVERNMENT INQUIRY ON JUVENILE MORALS' (Post 13/7/1954:12) were announcing that the Prime Minister was to 'institute a wider inquiry into immorality'. In these reports Mr Holland, the Prime Minister, stated that a nationwide inquiry had been initiated after he had personally 'conferred' with the Senior Sergeant LeFort and Mr Crompton, the Commissioner of Police. The 'question' had been 'fully discussed' in 'a sitting of the cabinet, where the police reports were made available' (NZH 13/7/1954:8). The meeting with these two police officers led Mr Holland to publicly state that juvenile immorality was a 'grave' nation-wide social problem which 'beyond doubt' needed 'exhaustive investigation' (NZH 13/7/1954:8, Dom 13/7/1954:10).

The following day press reports from the House of Representatives provided further official confirmation that New Zealand was facing a serious problem. Mrs Ross, Minister for the Welfare of Women and Children,¹⁴ was reported as stating that the problem of juvenile delinquency was now a 'grave menace in our midst today' which 'threatened to destroy the basis of our

¹⁴ See Chapter Eight for an account of her role in the Parliamentary Debate and subsequent legislative outcomes.

civilisation'. Her speech secured a firm link between the theme of juvenile delinquency and indecent literature, while Mr May's speech 'blamed parental control' (Post 14/7/1954:10, Dom 14/7/1954:10).

The Prime Minister's announcement that there was to be an 'official' government backed investigation, led the press to accept the existence of a 'problem' of 'widespread juvenile immorality'. A New Zealand Herald editorial, written the day of Mr Holland's announcement merely noted that 'circumstantial evidence must be strong for the Government to proceed with an inquiry' as 'normally the law could be expected to deal firmly but justly with isolated instances of sexual offences amongst adolescents' (NZH 13/7/1954:8).¹⁵ As well as providing added credibility with representatives of the press, 'official' recognition of the 'problem' of 'juvenile immorality' and the activities of teenage 'gangs', resulted in the press publishing responses from the general public and vested interest groups.

The now officially endorsed media portrayal of a nation suffering from a 'serious', 'widespread' and potentially destructive problem was further vindicated by the trial of two 'brutal' teenage 'murderesses' who showed no 'sign of remorse' or 'emotion'. The trial of Pauline Parker and Juliet Hulme began to

¹⁵ The Dominion editorial also applauded the Governments decision to take the police investigation further (Dom 13/7/1954:8).

receive major headlines in the national press the very week the exploits of the 'Hutt Valley Milkbar Gang' had been 'unearthed'. Throughout July headlines such as 'DAUGHTER CHARGED WITH MURDER OF MOTHER' ('Truth' 30/6/1954:21) and 'GIRLS ON MURDER CHARGE' (Dom 17/7/1954) were to be interspersed with headlines such as 'HUTT VALLEY CHARGES HEARD' (Post 13/7/1954:12), 'THIRTEEN CHILDREN IN COURT' (NZH 24/7/1954:14), and 'SECONDARY GIRL ADMITS DRINKING AND SMOKING' ('Truth' 21/7/1954:13) as the trials of the various groups of youngsters involved in the Hutt Valley investigations proceeded.

The trial of Hulme and Parker fitted with the 'theme' of 'widespread juvenile immorality' in several ways. Firstly here was an example of 'matricide' involving two 'unashamed' teenage girls who had battered Parker's mother to death in a Christchurch park with a brick concealed in a stocking. Moreover this had occurred at the very time various groups were claiming that the Hutt Valley incidents were evidence of 'the grave menace in our midst'. In addition to this 'worrying' aspect of the Parker-Hulme murder there were statements made by witnesses at the trial which hinted that Parker at fifteen years of age had previously had a sexual liaison with a young male boarder. Even more 'shocking' was the fact that diary entries made by the girls led 'expert' witnesses to conclude that the relationship between the two girls was of a 'homosexual nature' (Dom 17/7/1954:12, Post

17/7/1954:18, NZH 17/7/1954:12, 'Truth' 21/7/1954:21).¹⁶

The church and church affiliated groups were the main group to join the 'moral enterprise' and expand on the theme which had by mid to late July captured the general public's attention. During this period the views of church officials and clergy from all over the country were reported extensively, while a response from 'spiritually minded' clerics and public repeatedly appeared in 'Letters to the Editor' columns and other sections of the media which printed individual responses from the public. Most, such as Reverend Belmer, of the Auckland Presbytery saw a decline in spiritual values and advocated Christianity as 'the only philosophy able to counteract present day corruptive influences' (Dom 14/7/1954:8). The extreme version of this view espoused by clerics, saw the incidents in the Hutt Valley as a rampant 'moral sickness' to be 'rooted out by the church':

The church has one answer: get the people back to God. Let the country become a nation of church goers. We are not going to root out moral disease by a few hobbies. It is not a matter of giving people games on Saturdays, but giving them God on Sundays. (Rev. A Marshall, NZH 19/7/1954)¹⁷

¹⁶ The trial received full coverage in all the papers surveyed. Full page coverage of the trial included transcripts of witnesses' statements and excerpts from the girls' diary.

¹⁷ Taken from a sermon. The Dominion and New Zealand Herald followed the practice of directly quoting lengthy sermons from the pulpit during the period of concern over juvenile immorality (July- October 1954).

In addition to verifying the necessity for concern over what was portrayed as national moral decline and a 'disintegration of society', these clerics stated that the blame was obviously attributable to the parents of the present generation of 'immoral delinquents'. The nation was warned that a generation of 'selfish' parents in a 'godless state' had strayed from the faith and used the Bible as 'a dust catcher' and thus were responsible the 'conduct of their children' (Reverend G.R. Thompson quoted in The Dominion 27/7/1954:11).¹⁸ Reverend Carr specifically blamed mothers. An item reporting his sermon in an Auckland Methodist Church was headed 'WORKING MOTHERS SPEND SELFISHLY'. 'Neglected families and 'a nations loose morals' were stated by Carr to be the 'price we pay for women's selfishness' (Dom 20/7/1954:20). The emphasis by church spokesmen on the return to Christian values as the only solution to a situation which was serious enough to be 'an open invitation to the disintegration of society' (Presbyterian Synod, NZH 17/7/1954:10), was fuelled by concern over 'empty churches' and a

¹⁸ For other statements of clerics quoted in The Dominion see during July see: statement made by Rev. M.A. McDowell (Dom 16/7/1954:11), comments made by the Catholic newspaper Zealandia (20/7/1954:8), Rev. F.J. Hardy, Karori Methodist Church (24/7/1954:8). For similar statements made by clerics in The New Zealand Herald see statements made by : Rev. L.N. Rowlings (16/7/1954:11), Auckland Synod and Head of Dillworth school (16/7/1954:11), Presbyterian Synod: (17/7/1954:10), Rev A. Marshall (19/7/1954:10) Rev. A Car (29/7/1954:13) Rev. Wesley Parker (31/7/1954:9). Comments by clergy on the 'christian solution' to a juvenile immorality during July 1954 are also to be found in the Auckland Star and Evening Post.

subsequent decline in church authority and control.¹⁹ The churches therefore had a vested interest in gaining access to media coverage and promoting the development of the 'theme' of 'widespread juvenile immorality'.

Official police, governmental and church recognition of the problem generated further comment and interest which in turn led to the inclusion of further news items relating to juvenile delinquency. For example 'Truth' turned to international press stories, which focused on teenage 'gangs' and juvenile immorality. On the 14th of July 'Truth' ran a major story on teenage 'clubs' in New York titled 'TEENAGE TERROR HAS NEW YORK IN MURDEROUS GRIP' which announced in large letters that 'A club can switch to a gang in a matter of moments killing and maiming in a sudden blaze of anger'. The article also emphasised the gang's tendency to 'establish liaisons with the opposite sex' (14/7/1954:9). On the 28th of July 'Truth' ran another story from a 'special' overseas representative titled (in headlines which stretched across an entire page) 'CHILD DELINQUENCY IN AUSTRALIA'. This article stated that some Sydney milkbars were the 'rallying points for delinquents':

¹⁹ From the 30th of July to the 27th of September, 1954 various issues of The New Zealand Listener included a section in the regular column 'Letters from Listeners' titled 'Why are Churches Empty' ('Listener': Vol.31, No.783 to Vol.31, No.792, passim). Church Spokesmen (see previous footnote) alluded to the problem of declining church attendance and the related problems of declining influence and authority.

A tour of city and suburban milkbars between 7 and 10pm revealed teenage gangs at some of them especially in three near city areas. (Truth 28/7/1954:40)²⁰

As can be seen from the above examples Truth stressed the link between 'widespread delinquency' and teenage gangs. The term 'Milkbar Cowboys' was used to describe the Hutt 'delinquents' and it was argued that there was no need to wait for an inquiry 'to take action' as there were inadequate numbers of police to supervise this 'gang' (21/7/1954:13).²¹

'Trashy' and 'indecent' literature was another issue which began to be linked to the theme of juvenile immorality during July. Mrs Ross's speech which attributed the major cause of juvenile immorality to the 'veritable flood of obscene literature' (Post 14/7/1954:10) sparked a response from general readers, clerics, booksellers and other politicians which were duly reported in the press. Letters to the Editor condemned 'unclean literature' radio serials and comics and began to call for a 'Banning of this type of "thought conditioner" in New Zealand before the moral fibre of the younger generation is completely destroyed' (Dom 22/7/1954:8), and appealed to churches and women's organisations to raise the alarm 'against allowing vile

²⁰ However unlike the majority of comments on the problems of local delinquent behaviour this article acknowledged that the problem could have been exacerbated by 'poor and overcrowded housing'.

²¹ The Dominion also printed a story on the 'teddy boys' and increasing hooliganism in London (Dom 6/7/1954 :9).

and indecent literature into the country' (NZH (21/7/1954:8).

Both The Dominion and New Zealand Herald printed articles which condemned the Marlon Brando movie the 'Wild One' as it was seen to be 'a film about milkbar cowboys' (Dom 31/7/1954:8, NZH 30/7/1954:8)

While the press concentrated on themes which could be related to the juvenile immorality, and statements made by police, church and government which supported and helped promote the perception of 'widespread juvenile immorality' in New Zealand and abroad, there was only minor coverage of reports by individuals and 'experts' who opposed the prevalent view of 'widespread moral delinquency'. Early in July, while Sergeant Lefort and the Prime Minister were publicising the fact that the country was facing 'a grave social ill', The Dominion reported an 'Educationalist' as stating that 'unfortunately too many easily and freely become alarmists' and that it was 'regrettable' that 'a cabinet minister should have referred to recent localised disclosures as a national emergency' (6/7/1964:11), while The Evening Post carried a statement made by the Headmaster of Lower Hutt High School which argued that Sergeant Lefort had made 'a most unwarranted attack on one particular school' (9/7/1954:10). The New Zealand Herald also printed statements by Auckland principals, social workers and a 'Senior Auckland Police

Officer'²² which stated that 'today's youth' were 'no worse' than their parents, as court figures indicated that in 1953 only one percent of the population (three hundred individuals) had appeared on 'relatively serious charges before the courts' (14/7/1954:8-14). Later in July an Auckland social worker and ex-Headmaster went a step further and warned the public that 'a tidal wave of puritanism would be more harmful than the disease itself'. They also argued that the incidence of delinquency could be directly related to the housing problem (NZH 26/7/1954:10).

July 1954, therefore, marked the first stage of a significant increase in the coverage of the theme of 'juvenile immorality'. The escalation of the theme of juvenile delinquency can be seen to have begun with the publication of Sergeant Lefort's Police Report of his Hutt Valley investigation which focused on a group of teenagers said to be engaged in 'immoral acts'.²³ The conclusion that Sergeant LeFort's investigation had revealed a

²² The Dominion (13/7/1954:10) also reported that the police saw no need to make a 'big inquiry into Auckland schools', and quoted an Auckland magistrate who had stated that sexual crime amongst children was not 'above normal in a population as large as Auckland'.

²³ Later in the submissions to the Mazengarb Committee Mr Ransom the headmaster of Hutt Valley High school was to argue that Sergeant Lefort sought publication of his report in the press (see section titled 'Secular Education Professionals' in Chapter Six).

'juvenile immorality problem'²⁴ was apparently backed by the Commissioner of Police, and gained the support of the Prime Minister, the Cabinet and various members of the House of Representatives. Press coverage of the theme was sustained by a steady supply of information from court reports of the trials of the 'Hutt Valley Milk-Bar Gang' and the trial of a 'brutal teenage matricide' which could be seen to fit the theme of 'juvenile immorality'. The acceptance of the theme by the national press generated further coverage of the national and international stories of juvenile immorality and a widespread campaign by clerics for 'a return to christian values' in order to avoid the 'perils of moral sickness'. Sergeant Lefort's view of a 'disturbing phenomena in our midst' became the dominant view, with the main opposition to it coming from Headmasters, individual police, social workers and other professionals or 'experts' directly involved with adolescents. These individuals warned with little effect that the nation was uncritically accepting an 'alarmist' view of the situation.

(ii) From a 'Theme' to an Officially Recognised 'Crime Wave'

By the time the Mazengarb Committee had begun to hear witnesses

²⁴ In his submission to the Mazengarb Committee Sergeant Lefort argued that there was a serious problem of 'depravity' in the Hutt Valley and argued for more stringent legislation to allow the police to cope with the 'problem'. Mr E. H. Crompton the Commissioner of police agreed with Senior Sergeant Lefort's prognosis of the problem (see section titled 'The Police' in Chapter Five).

in early August a continuous supply of information from 'officials', 'experts' and the concerned public had ensured a collective national media coverage of the 'juvenile immorality' theme. Coverage of this theme was to escalate until interest peaked with the release of the Mazengarb Report on the 21st of September. This Report was to embody the now actively promoted belief that the Nation was facing a 'pattern of immorality...of a kind not not previously manifest in New Zealand'.

The first information on the Committee which was to compile the Mazengarb Report appeared in the papers towards the end of July. On the 20th of July items in the press announced that the government initiated 'delinquency inquiry' was to be headed by Dr Mazengarb and the public were invited to make submissions (Dom 21/7/1954:14)²⁵. Later that week the other five members of the Committee were announced. Headlines in The New Zealand Herald made much of the fact that two of these members were to be women (24/7/1954:8). Mrs Rhoda Bloodworth was described as an Aucklanders who had 'lay experience in child welfare' and had served in the Auckland Children's Court and in welfare branches of the Auckland Education Department. Mrs O'Brian was stated to be the Vice President of the Roman Catholic League and Vice President of the Interchurch Council on Public Affairs and

²⁵ While some information was given on the other members of the committee there was very little written about Dr Mazengarb's qualifications for acting as chairman of the Mazengarb Committee.

moderator of the Wellington Presbytery. The male members of the Committee were to be: Mr James Leggate who was principal of Christchurch Boys High and former principal of Gisborne High School, Dr G.L. McLeod was the Wellington Director of the Division of Child Hygiene at the Department of Health and Mr F.N. Stace the Wellington President of the Association of Junior Chambers of Commerce. Once again there was a call for 'people who want to make a contribution to send in submissions'. The Dominion reported the Minister of Customs confirmation of the suitability of this committee. The members were said to have a 'record' in the 'field of public affairs particularly as these affected young people' (24/7/1954:12).

The 'affected young people', however, were not to be given a chance to put forward their own view of the situation. Reports in the press originating from the Minister of Education, Mr Algie, indicated that the children involved in the Hutt Valley investigation would not be interviewed by the Mazengarb Committee. In an item headed 'BEST TO KEEP CHILDREN OUT OF INQUIRY, MINISTER AGREES' Mr Algie and Mr J.H. Salmon supported statements against questioning the adolescents.²⁶ Mr Algie stated that a 'probing process' would not 'gain' very much and 'questioning' into specific cases would lead to a 'grave risk of

²⁶ Mr J.H. Salmon was 'a private citizen' who had headed an inquiry (initiated by Mr Algie) into 'immoral conduct in the Hutt Valley in 1951. His unpublished report recommended that it was not necessary to establish a committee to investigate immorality in the Hutt Valley (Post 17/7/1954:10, Dom 17/7:13).

upsetting a large number of teachers' (Dom 19/7/1954:9), while Mr Salmon argued that 'questioning will do a lot of harm to children whose minds are innocent.'(Post 17/7/1954:18)

The Order of Reference for the Mazengarb Committee, which was directly quoted in the press, gave readers further assurance that an inquiry into the extent of juvenile 'sexual immorality' had been necessitated by the events in the Hutt Valley. The Mazengarb Committee was ordered to:

Inquire into and report on the conditions and influences that tend to undermine standards of sexual morality in children and adolescents in New Zealand and the extent to which such conditions and influences were operative. (NZH 28/7/1954:8)

This statement clearly indicates that the process of a 'social definition of the problem' (Cohen, 1981) had begun. The Committee was 'to make recommendations to the Government for positive action by both private and public agencies' (NZH 28/7/1954:8) which provides evidence to support Cohen's second outcome; the generation of 'concern', 'anxiety', or 'panic' which ensure that the 'preconditions for new rule creation' can be met. The first and most influential 'official' witnesses who were to provide this 'social definition' of the problem were to be the Superintendent of Police, and Senior Sergeant LeFort, followed by other Heads of Government Departments (NZH 28/7/1954:8, Dom 4/8/1954:11).

Throughout August and most of September interest in the issue of juvenile immorality was sustained by the media reports of the Committee's hearings in Wellington, Auckland and Christchurch, and by a continual flow of reports on related issues and themes which had begun to receive press coverage in July. Throughout early August reports on the trial of the adolescents who had been involved in the 'Hutt Valley investigations' continued to appear in the press. Headings such as 'SECOND YOUTH CLEARED IN MORALS CASE' (Dom 4/5/1954:15) and 'CHARGES OF IMMORALITY DENIED' (Dom 5/7/1954:7) clearly linked the court cases to the 'juvenile immorality' theme. Headings and stories in the 'Truth' taken from evidence given in the trials began to stress the misdemeanours of the female offenders. A story was titled 'GIRLS ESCAPADES' (11/8/1954:5) even though the escapades involved one fourteen year old girl and five older adolescent boys. A story titled 'DRANK GIN' concentrated on the fact that one of the girls questioned had admitted that she 'smoked occasionally and wore lipstick, rouge and powder' and 'drank gin' at a party attended by one of the boys at whose trial she was testifying (11/8/1954:5). The majority of press reports stressed that the girls wore makeup, drank and smoked and thereby concealed their true age from the boys. This emphasis on the girl's behaviour and concealment of age resulted in the boys being acquitted from the charge of committing 'carnal knowledge'.²⁷

²⁷ See also New Zealand Herald 4/8/1954:15, 5/8/1954:19, Dominion 3/8/1954:11, 5/8/1954:7.

From mid August to early September reports of the Parker-Hulme trial continued to be printed in the press. Interest peaked with the second and final trial held in the Christchurch Supreme Court on the 23rd of August.²⁸ It was reported that trial had created 'world wide interest' with 'representatives of overseas newspapers present' ('Truth' 1/9/1954:20), 'constables posted at the door had to turn away dozens of persons at each sitting' (Dom 26/8/1954:11), while the public galleries were 'packed with fashionably dressed women' who 'scrambled and jostled one another for seats the moment the doors were open' ('Truth' 1/9/1954:20). The Dominion described the last day of the trial in a story headed 'STAMPEDE FOR SEATS' which described eager 'middle class' women climbing over the back of the front seats in order to get a better view (28/8/1954:11). The Supreme Court Trial saw an renewed emphasis on the aspects of the case which fitted the 'juvenile immorality' theme. The papers stressed the 'shocking' and 'immoral' aspects of the crime. An Editorial commenting on the trial in The Dominion stated:

...the accused, two thoroughly bad minded girls stand convicted of one of the grave crimes in the calendar, and one which shocked the conscience of the nation...(Dom 31/8/1954:8)

In a second editorial the following day The Dominion sought to

²⁸ The papers actively sought to publicise the trial. For instance on the 14th of August The New Zealand Herald ran a heading coverage of the trial (14/8/1954:10).

justify the publicity the press had given the case by stating that the publicising of 'sordid' cases such as the Parker-Hulme case was warranted as it should serve to 'focus the community's attention more closely on the problems of adolescence' (1/9/1954:8). The press were not the only ones to directly condemn the 'morals' of these two girls. The Crown Prosecutor adopted 'juvenile immorality' as the main argument for convicting the girls. He alleged that it was a 'coldly planned crime' which had arisen out of an "'intense" friendship begun at school', and promised the court that his evidence would show that this was a murder 'coldly and callously planned, and perpetrated by two highly intelligent perfectly sane, but precocious and dirty minded little girls' (NZH 24/8/1954:10).

After the August trial, events in the Hulme family allowed 'Truth' to link the Parker-Hulme murder to another facet of the 'juvenile immorality theme' when successive stories implied that Mrs Hulme was a selfish parent and mother. The image of the 'selfish mother' had the added impact of being tied to a mother who was married to 'a distinguished academic figure'. The girls had noted in their diary that they had discovered that Juliet's mother was having an affair with a colleague of Dr Hulme. This was denied by Mrs Hulme and the colleague who himself had been a boarder in the Hulme household and a witness at the July Trial.²⁹ However 'Truth' in a several stories printed immediately after

²⁹ See references to the trial in the preceding section.

the trial reported that Mrs Hulme had left the family residence at Canterbury College to live with the witness in a beach bach (8/9/1954:21), and finally in a story headed 'MOTHER OF MURDERESS LEAVES COUNTRY' (8/9/1954:15, 22/9/1954:5,15) 'Truth' stated Mrs Hulme, now Mrs Perry by deed poll, had left the country with the witness leaving a 'deserted', 'murderess daughter' alone in a prison without any other relations in the country.³⁰

The August press reports on the 'Hutt Valley Police Investigation' and the 'Parker-Hulme' murder were to be joined by reports of yet another juvenile murder. On the 5th of August headlines titled 'BOY OF FOURTEEN ON CHARGE OF MURDER' announced that a fourteen year old Auckland school boy had been arrested for murdering a younger boy, Josephus Verbiesen (Dom 5/8/1954:9, NZH 5/8/1954:13). These initial reports were brief and only provided sketchy details of the crime, but the age of the accused and victim were enough to link this murder with what had become a firmly established theme of juvenile immorality. The Mazengarb Committee, who had just began their hearings on the 5th of August, were to refer to the Verbiesen murder in their Report (AJHR, H-47:13) thereby signalling a recognition of the link between this murder and the other incidents of 'juvenile immorality'.

In mid August the theme of juvenile immorality was to be fuelled

³⁰ Dr Hulme had already left the country to take up another academic appointment in England.

by reports from yet another 'official source'. Under the heading 'SERIOUS CRIME RATE IN NEW ZEALAND, MORE SERIOUS THAN IN ENGLAND' (NZH 10/8/1954:10) and ALARMING INCREASE IN SEX OFFENDERS' ('TRUTH' 18/8/1954:15)³¹ came a report that statistics taken from a booklet released by the Justice Department indicated that the incidence of sex crimes in New Zealand was fifty percent higher than in England and further, that many more people were convicted of all offences in New Zealand than in England and Wales combined. The press stories focused on the booklet's conclusion which stated that the situation in New Zealand was 'extremely serious' and showed New Zealand in a very 'depressing light' and thus added further impetus for concern. The impact of the press coverage of excerpts from an 'official document' is indicated by the fact that the press extracts of the Justice Department's report gained a special mention in the Mazengarb Report (AJHR, H-47:8).³²

Throughout August and early September a continuous supply of incidents and reports from official sources, which could be linked to the theme of juvenile immorality and delinquency, ensured a continued reaction by groups and individuals to the

³¹ In the same week the press also printed excerpts from the Annual Reports of the police force which indicated that indecent assault had increased since 1953(Dom 19/8/1954:16, NZH 19/8/1954:8).

³² The content of this section of the Report is discussed in the section titled 'Has Juvenile Delinquency Increased' in Chapter Seven.

issues connected to the theme. During this period public reaction to the issue of 'selfish parents' which had been initially promoted by the church, crystalised into a a more specific debate over the 'selfishness of working mothers'. Most of the debate was carried on in the Letters to the Editor and in other sections designated by the press to serve as public forums.

Many of the letters published in The New Zealand Herald and The Dominion were written by 'working mothers' who supported the right of women to work. The debate had been initiated by Reverend Carr's remarks and other comments by other members of the public and 'officials' which had 'blamed' parents, and working mothers in particular, for 'not providing that environment of childhood which is all important'. Letters from working mothers and 'retired grandmothers' pointed out that many mothers on low incomes or with large families needed to work and that 'holier than thou' comments such as those made by Reverend Carr did not take this into account. To a lesser extent fathers also came under attack and it was asked 'how many of them shoulder their responsibility as a father and head of the house' (NZH 20/8/1954:8)³³. The debate over the parent's role in creating 'immoral' juveniles and the suggestion that legislative action should be taken against the parents of delinquents gained an added impetus with press reports of a Magistrates conference

³³ See Letters to Editor sections of The Dominion 23/7/1954 to 13/8/1954, passim. The New Zealand Herald 13/8/1954 to 27/8/1954, passim.

where the delegates had considered how to create laws which would 'bind over the parents of delinquent offspring and make them answerable for their offspring's good behaviour' (NZH 24/8/1954:10).

However press coverage of the possible 'causes' of the 'problem' also 'pointed the finger of blame' at indecent literature. During the period which directly followed the debate over the 'Milkbar Cowboy' tendencies of the film 'The Wild One', increased press attention and published public concern came to be directed towards censorship and the need for a 'tightening up of censorship laws'. This debate over indecent literature was closely linked to the ongoing debate in Parliament which had revived in mid August resulting in detailed press coverage of the debate and comments by various politicians who favoured a 'tightening up of censorship laws' (NZH 21/8/1954:12, DOM 21/8/1954:12). This increasing emphasis on the need for a legislative solution gained further momentum from the recent 'indecent literature debate' and passage of 'new and tighter' legislation by the Victorian and New South Wales Governments.³⁴

As the exploitation of the 'juvenile immorality' theme progressed through August and into September, the views of the small group

³⁴ 'Truth' ran a front page story on the New South Wales Legislation ('Truth' 4/8/1954:1), while an editorial in the New Zealand Herald stated that New Zealand would in 'due course fall in line' (NZH 17/9/1954:8).

of professionals, who had previously expressed doubts about the need for an 'alarmist' view of the situation almost completely disappeared from the pages of the national press. The 'alarmist' view of a 'delinquent crime wave' had gained ascendancy in the national press. Statements made by the Prime Minister, who now cautioned against 'certain journalists doing their best to magnify the situation', indicate the extent to which this 'alarmist' view had come to pervade press coverage of the theme. Moreover, the collective press collaboration on the theme of 'widespread immorality' had resulted in overseas newspapers picking up the theme. The Prime Minister, one of the initiators of the concern, now complained that 'certain journalists were magnifying the situation'. The theme had gone beyond the control of the government and 'law enforcement agencies', journalists were giving the inquiry into juvenile delinquency 'undesirable publicity' and 'setting out to give the wrong picture in overseas newspapers' (NZH 12/8/1954:10).

The 'juvenile immorality' theme had come to be interpreted as a crime wave which was defined in the Mazengarb Report as 'uncertain in origin' and 'insidious in growth'. And as the Report pointed out, the only remaining course of action was to enact legislation so that 'special measures' could be taken to prevent a 'vice' that had 'assumed considerable proportions' (AJHR, H-47:13-17).

(iii) Interest in the 'Wave of Immorality' Peaks and Wanes

The Mazengarb Report, which was now commonly referred to in the press as the 'Morals Report', was presented to Parliament on the 21st of September. The Mazengarb Committee and other interested groups had already called for 'prompt action' to 'correct present trends' (NZH 11/9/1954:8) in the weeks prior to the Report's release. The release of the Report's recommendations prompted a week of intense press coverage. During this final phase of the theme's development journalists not only related relevant issues to the theme, they also actively sought to bring about a 'legal definition' of the 'problem' by emphasising the need for prompt government action on the proposed 'new laws'. Front page stories headed 'NEW LAWS URGED TO CURB DELINQUENCY' (Star 21/9/1954:1) and editorials which reacted favourably to the report stated that the proposals for effective control of juvenile immorality were justified. Statements such as 'some of the recommendations can be put into effect before Parliament ends' (NZH 22/9/1954:8) helped promote the Report's call for a legislative solution.

Lengthy articles discussing the report concentrated on the recommendations which included the 'enlargement' of the of the 'obscene and indecent' publication laws, and the recommendation that 'more power' was to be given to the courts to involve and penalise the parents of delinquents (NZH 22/9/1954:8, Dom 22/9/1954:10, Star 22/9/1954:11, 'Truth' 29/9/1954:29). The opinions of 'officials' : politicians, church 'Officials',

magistrates, Home and School Representatives, and others quoted in these items reinforced the view that the Committee was 'on the right lines in its recommendations'.

In addition to promoting a legislative solution the press publicised the Mazengarb Committee's emphasis on the 'parental responsibility' for delinquency. An Auckland Star story headed 'CHILD PROBLEM- SWIFT MOVE WANTED "MAIN RESPONSIBILITY FOR PARENTS"' (Star 22/9/1954:11) stated that the solution lay in parents accepting their 'responsibility', while other stories spoke of 'parental delinquency' (Dom 21/9/1954:10). An Editorial headed 'PARENTAL RESPONSIBILITY' linked the parental responsibility solution to delinquency to the need for legislative solutions, by arguing that since there was 'such a large measure of agreement that parental responsibility is the key factor' then 'statutory amendments and regulations' were the only likely means to bring 'parents up with a round term' (Star 23/9/1954:2). Accusations that parents were to blame for the increase in juvenile immorality were reinforced by the Prime Minister's announcement on the 8th of October that copies of the Mazengarb Report would be sent to the 300,000 homes which drew the family benefit by the end of October.³⁵ This announcement and the subsequent public distribution of the Mazengarb Report also emphasises the government's highly visible role in legitimising the 'concern' and 'panic' which surrounded the preparation and

³⁵ Reported in the Dominion 8/9/1954:10, New Zealand Herald 8/9/1954:12.

release of the Mazengarb Report.

The theme of juvenile delinquency gained significant coverage in the press from the three weeks from the release of the Mazengarb Report on the 21st of September until reports of the 'hastily' enacted legislation appeared in the press in the first week of October. In addition to the items covering the release of the Mazengarb Report, the press continued to print stories concerned with the juvenile delinquency problems 'overseas' and local child delinquency statistics provided by various 'authorities'. The imprisonment and subsequent fate of Juliet Hulme and Pauline Parker still proved newsworthy as did statements over issues which could be seen to be related to the theme of 'juvenile immorality'. These included statements on: the selfishness of working mothers, the 'impact' of indecent literature, the 'dangers' of co-educational schools, the 'indictment of New Zealand parents', the 'lack of Christian principles' and the 'precociousness of adolescent girls', which were published in every Letters to the Editor section and in other items concerning comments made by 'officials' and interested groups.

The Mazengarb Report had also drawn attention to 'sexual laxity' amongst adolescents in Auckland. The Auckland based papers, The New Zealand Herald and the Auckland Star, printed several items discussing the implications of the statement that 'matters in the city bought "Grave concern to members of the (Mazengarb) Committee"' (NZH 22/8/1954:8, As 22/8/1954:4). In a separate

story titled 'DISCLOSURES IN AUCKLAND SHOCK INQUIRY' (NZH 22/8/:8) The New Zealand Herald stated that the Committee had helped initiate a police investigation into the moral laxity of forty boys and girls at Kowhai Intermediate. The trial of Terrance Morath had also just begun. The age of the defendant and Mr Verbiesen's statement that 'appearance of the body was consistent with an attempt at indecent assault having been made' (NZH 1/9/1954:19) were enough to re-establish the link between this murder to the theme of 'juvenile immorality'. By emphasising the fact that Morath was an ex-pupil of Kowhai Intermediate School The New Zealand Herald endeavoured to forge yet another link between the Auckland incidents of 'juvenile immorality'. In addition to the Kowhai Intermediate investigation and the Verbiesen murder trial there were two cases to be heard by the Auckland Courts, where teenage girls 'had given evidence of agreement to sexual intercourse with older man' called 'Griffs' (NZH 22/8/1954:8). These Auckland 'disclosures' were to prompt statements in the press that 'something must be done' about a 'serious situation' which could not be dismissed in a 'light and airy way' (NZH 22/9/1954:10). This call for action was not to go unheard as the Mazengarb Reports' recommendations were to be immediately put into effect.

The major recommendations of the Mazengarb Report became enshrined in legislation on the 29th of September, a week after the release of the Report, in what many contemporary and subsequent commentators have labelled 'hasty, ill- conceived,

panic legislation'.³⁶ By the beginning of October the Government had introduced and passed three Amendment Bills in the 'dying stages' of the session which were aimed at: controlling indecent literature, giving the courts more power over 'delinquent parents' and preventing the sale of contraceptives to juveniles.³⁷ While the introduction of the Report had led the press to advocate a rapid passage of legislation, editorials and published letters to the Editor now began to condemn this action as too 'hasty'. Letters from the public now argued that the report was poorly constructed with 'conclusions based on opinions' and that it was a 'waste of money to send this report to Householders' (Dom 12/9/1954:8). Dominion and 'Truth' Editorials noted that the portion of the legislation dealing with 'indecent literature' had drawn criticism amongst 'the distributors of popular literature' and that the definitions of indecent literature left the legislation open to a variety of 'interpretations' (Dom 3/9/1954:8, 'Truth' 29/8/1954:15). An Auckland Star Editorial stated that the Government had gone 'too far in a hurry' (Star 2/9/1954:2). These editorials indicated an acknowledgment of the widely reported statements by the President of the Booksellers Association, who had criticised of the practicalities of the proposed registration system, which was to come into effect under the Indecent Publications Amendment

³⁶ See section titled 'The Long Lasting Repercussions' in Chapter Nine.

³⁷ See Chapters Eight and Nine.

Bill.³⁸ This condemnation of the Indecent Publications Amendment Act concluded with a full page 'Truth' story headed 'NEW ACT BRISTLES WITH AMBIGUITIES' where criticism by Mr I.D. Campbell, Lecturer in Law at Victoria University College,³⁹ reinforced the 'strong misgivings about the workability of the legislation already expressed by the members of the New Zealand Booksellers Association' ('Truth' 1/12/1954:23).

The coverage of the theme of 'widespread juvenile immorality' virtually ceased in mid October after the passage of legislation and press criticism of the 'New Rules' which had, ironically, been created with their blessing, and to a large extent, through their development of concern over 'juvenile immorality'. Front page stories, editorials and regular letters of concern from the public had ceased by early October. The 'juvenile immorality' theme struggled on with reports of the Verbiesen and 'Griffs' trial gaining headlines, but these headlines were insignificant compared to the earlier full page headlines of the Parker-Hulme Trial. Reports from the political parties involved in the election campaign which was now in progress occasionally referred to the 'problem' of juvenile immorality. However, these references were not used to construct an election platform and

³⁸ See The Auckland Star 25/8/1954:2, 29/9/1954:2, 30/9/1954:1. The Listener (Vol 31 No 789 1954:5) also published an editorial which attacked the rationale behind the legislation.

³⁹ See Chapter section titled 'The Long Lasting Repercussions' in Chapter Eight.

the theme of 'juvenile immorality' became subsumed by the previously publicised worry over housing and urban development. The exploits of individual 'Milkbar Cowboys' were occasionally published but were usually tucked away in the middle sections of the paper. The only significant published story in November 1954, which could be directly related to the issues which had been furiously debated in the previous three months, was the story in 'Truth' which condemned the 'ambiguities in the Indecent publications Amendment Act, ('Truth' 1/12/1954:29). With the cessation of 'official' comment and interest from politicians, police and Christian citizens, and the halt in the flow of information from ongoing court trials, the issue of 'juvenile immorality' disappeared from the headlines and front pages of the national press.

The final stage of the development of a theme of 'juvenile immorality' can be seen to be linked with the advocacy and passage of a legislative solution. Having contributed to and recorded this process of what Cohen (1981) terms 'new rule creation', media support and interest in the theme declined, leaving the theme to be replaced by other themes and previous concerns. The decline of this instance of 'panic' or 'concern' can be directly linked to the ultimate achievement of a media inspired theme; the establishment of a more stringent or 'conservative' legal definition of the 'problem'. Once this is achieved the impetus for escalating the panic is lost, without momentum, and starved of further input from the 'agents of

control'. Thus the juvenile immorality theme ultimately dwindled and died, leaving the 'theme possibilities' generated by ongoing events and incidents connected with adolescents and adolescent sexual behaviour to be ignored until conditions were right for the theme to be resurrected at some future date.

It is also evident from this analysis of the media's construction of the theme of 'juvenile immorality' that the media does not act in a vacuum, but rather acts in conjunction with other 'societal agents' and groups who have a vested interest in promoting concern and 'conservative' outcomes; Chapters Five, Six and Seven of this study will examine the role of these groups.

5: The advocates of the 'moral crusade'

The previous chapter of this study focused on the media's capacity to mobilise public concern over incidents of juvenile sexual experimentation in the Hutt Valley. This examination of the media's role in defining and orchestrating the theme of 'juvenile immorality' implies that the media does not operate in a vacuum, but rather interacts with other groups and institutions which contribute to the definition of 'abnormal' behaviour as 'disturbing' or 'immoral' and advocate a legislative solution. Cohen (1981), Hall *et al.* (1981) and other sociologists who have investigated specific 'moral panics' have, as indicated in the previous chapter, tended to emphasise the media's contribution to a panic. This emphasis on the media's role in the construction of a 'moral panic' must not, as Barker (1984) argues, prevent an investigation of the 'campaigners'; the groups which become involved in what Becker (1963) more broadly termed a 'moral crusade'. The 'campaigners' or 'moral entrepreneurs' cannot be seen as 'creatures' of the media but rather identify with the

campaign so strongly that they come to believe the illusion of 'moral decline' which they themselves are promoting.

Thus it is essential to outline the attitudes and concerns of the various groups which contributed to the definition and perception of the 'problem' of 'widespread juvenile immorality'.

This chapter will outline the attitudes and concerns of the various groups of 'campaigners' who made submissions to the Mazengarb Committee, in order to identify and evaluate the attitudes, concerns and motivation of those individuals and organisations who actively contributed to the perception of the 'problem of juvenile immorality' as 'extensive' and as a potential 'threat' to the nation's 'moral fibre' and the existing social order.¹ The following chapter will examine those groups who professed to hold a neutral view or opposed the definition of an impending 'moral crisis'. A detailed examination of the submissions will allow an evaluation of each contributing group's perception of the nature and extent of the crisis, thus allowing further appraisal of the Mazengarb Report's contention that the situation was serious and necessitated legislative action. The underlying tensions and influences from the various sectors of society, which led to extensive media attention and thus to a heightened public awareness of 'juvenile immorality', will be

¹ The Report of the Special Committee on Moral Delinquency in Children and Adolescents promoted this argument which had previously been aired in the press (AJHR, 1954 H-47: pp. 13-20).

assessed. Finally such an examination will allow an assessment of the impact of each group's views on the recommendations contained in the Mazengarb Committee's Report, recommendations which in turn led to the 'hasty' passage of 'decisive' legislation.

The Contributing Groups

On July the 13th it was announced that the Government was going to order an inquiry into the 'grave social problem which had been unearthed' in the Hutt Valley. (Dom 13/7/54:14, NZH 13/7/54:8)

It was clear from this announcement, and subsequent articles (Dom 21/7/54:10, NZH 21/7/54:10), that members of the public were invited to send written submissions to the Special Committee on Moral Delinquency in Children and Adolescents.² The Special Committee, chaired by Dr. Mazengarb, heard one hundred and forty five witnesses at private hearings in Wellington, Christchurch and Auckland. In addition to the accounts and submissions received by witnesses, the Committee received written submissions and letters from one hundred and twenty individuals and organisations, many of whom supplied samples of publications which were considered harmful (AJHR, H-47:71).

The submissions made by individual witnesses can be categorised

² For a detailed analysis of the press coverage of the convening of the Mazengarb Committee see Chapter Four.

into the groups and organisations which they identified with, or were designated as having belonged to by the Mazengarb Committee (AJHR 1954, H-47:70). It is acknowledged that these groups are an artificial construction for the purposes of this study, as the categorisation of the submissions is based upon a small amount of information supplied by the individual groups and the Mazengarb Report, and individuals might well have identified with several of the listed groups. The difficulties in identifying group participation in moral panics is compounded by lack of a clear analysis in previous studies which have developed the concept of 'moral panics'. Such studies (Cohen 1981, Hall *et al.* 1981) refer to the active participation of the media, police and legislative bodies who act as 'control agents', but this conceptualisation of societal reaction to deviant behaviour as a response by 'control agents' has not been refined. Therefore, it remains a generalised supposition which does not fully account for the interactions between the great range of participant groups apparent in this particular case study. These difficulties aside, the construction employed in this analysis of the submissions made to the Mazengarb Committee is appropriate, as it allows the perspectives of each submitting group to be assessed as a manifestation of the underlying social processes active in a 'moral panic' rather than the sum of individual reactions, or a vague generally held societal attitude of 'impotent Victorianism' as advocated by Glazenbrook's (1978) study.

Department; the Superintendent of Child Welfare and four other Child Welfare Officers from various regional branches.⁴

Fifteen witnesses represented 'commercial interests'. Included in this category were three Milk Bar proprietors,⁵ seven film distributors, and two members of the Chemist Guild. The professional societies category included four witnesses from the Christchurch Psychological Society and one witness from the New Zealand Paediatric Society.

Non-church affiliated Women's organisations were represented by two witnesses from the National Council of Women.⁶ The remaining submissions were made by the Mayor of Lower Hutt (placed in the 'Civic Leaders' category), the Communist Party of New Zealand, the New Zealand Rationalists Association and the Wellington

4 The Police Report was compiled by Senior Sergeant LeFort, officer in charge of the Petone Police Station who instigated the Hutt Valley investigations and appeared as a witness before the Mazengarb Committee (for further details concerning Lefort's involvement in the concern over 'juvenile immorality' see section titled 'the Theme Develops' in Chapter Four).

5 These witnesses were connected with 'Elbes Milk Bar', a business situated in Lower Hutt. They were called to make submissions as the adolescents who were the subject of the police investigation into the 'immoral behaviour' in the Hutt Valley had often met in 'Elbes Milk Bar'.

6 The Catholic Womens' League, and the Anglican Mother's Union provided three witnesses which the Mazengarb Report classified as belonging to 'Women's Groups' (AJHR, 1954 H-47:70). These have been included in the 'Church and Religious Groups' category as they represented the views of women within their denomination rather than the views of women in general.

Hockey Association ('Miscellaneous Groups' category).⁷

A total of eighty three written submissions were received from seventy seven witnesses or groups of witnesses. A further one hundred and twenty submissions were received from individuals and organisations who did not give a verbal testimony at the hearings. The table given in Appendix 3 indicates the religious, professional and organisational affiliations of those who sent in written submissions and letters, but did not participate in the hearings.

This category of submissions was dominated by private individuals who were not directly associated with a particular organisation in the Appendix to the Report (AJHR, H-47: 72-78).⁸ Church groups provided the largest number of written submissions. Submissions were received from: the Church of England, Associated Churches of Christ, Roman Catholic, and the Methodist Church.⁹ Groups associated with commercial interests such as members of

⁷ The Mazengarb Report placed this group in a category of its own titled 'Sporting Bodies' (AJHR, 1954 H-47:70), as it was the only sporting body represented at the hearings it has been included in the 'Miscellaneous Groups' category in this analysis.

⁸ The 'Private Individuals' category includes three ordained clerics who sent in individual submissions which were not necessarily the official views of the Church.

⁹ The Methodist Church provided the largest number of written submissions which were not presented by a witness. There were submissions from other less well known church groups such as: The New Zealand Bible Testimony and the Church of Ascension.

the Chemist's Guild and cinema owners were also represented in this category of submissions.

A comparison of the groups who made submissions and provided witnesses at the hearings of the Mazengarb Committee is provided in the table given in Appendix 4. This table indicates that private individuals who did not associate themselves with a particular organisation were the largest single group to contribute information and views to the Committee. The number of submissions and witnesses provided by church and church affiliated groups was far greater than any other single organisation. Youth groups were the second largest group to contribute submissions and witnesses, and while these groups had no direct church affiliation many upheld and promoted religious values and were sympathetic to the aims and views of those groups included in the 'Church and Religious Groups' category. Commercial, educational and welfare interests were represented, but to a lesser extent than church interests. Parental, police and women's groups were under-represented and had the least number of representatives and submissions to promote their views and interests.

The remainder of this chapter will present the views, concerns and perceptions of the 'problem' upheld by those groups who actively supported and promoted a perception of a 'crisis' arising from 'widespread juvenile immorality'. This examination

of the 'campaigners' submissions includes substantial quotes from the main protagonists in order to present an accurate account of the various viewpoints. As those who professed to hold a 'Christian definition' of the 'problem' contributed the largest number of submissions and were the staunchest advocates of an impending 'moral decline',¹⁰ the examination of the 'campaigners' contribution to the construction of a moral panic will begin with an examination of the submissions made by the various religious groups and their representatives. The role of the police and certain 'pressure groups' who also acted as 'campaigners' will then be examined. The chapter will conclude with the views of 'private individuals', and 'youth groups'. These groups supported a notion of 'widespread moral panic' but were not so inclined to actively promote a moral campaign.

Church and Religious Organisations

The various church groups represented at the hearings were in accord in believing that juvenile 'immorality' was a serious problem. Most church groups, apart from some Church of England representatives and Salvation Army representatives, who argued that the problem had always existed, indicated that they thought the problem had increased to a significant extent over the previous five to ten years. There was, however, very little

¹⁰ These groups had consistently voiced these views in the press. See Chapter Four.

attempt to produce specific evidence to determine or assess the nature and extent of the problem. Representatives of the Roman Catholic Church argued that the recent events in the Hutt Valley indicated 'widespread disorder', a claim which rested upon 'the unanimous impressions of our priests and social workers' and upon 'court records'. However there is no record of any these 'court records' or 'impressions' having been considered by the Committee.¹¹

The Associated Church of Christ, the New Zealand Christian Endeavour Union, the Youth Committee and Social Service Committee of the General Assembly of the Presbyterian Church of New Zealand, the Council for Christian Education and various individual members and representatives of the Church of England, Church of Christ, Presbyterian Church, Methodist Church and Baptist Church began their submissions with a discussion of possible solutions without evaluating either the nature or extent of the problem. Church groups such as the Inter-Church Council on Public Affairs,¹² the Hutt Valley Ministers Fraternal, and the Salvation Army indicated that there was a serious problem but noted that this problem was not new and did not affect all

¹¹ Transcripts of the hearings are held at the Alexander Turnbull Library, together with a number of other records donated by Special Committee member Mr F.N. Stace. These records are referred to by the serial number assigned to them by the Alexander Turnbull Library (Ms 2384).

¹² The Inter-Church Council on Public Affairs had members elected from the following churches: Church of England, Methodist, Baptist, Congregational, Salvation Army and Presbyterian.

adolescents. The Inter-Church Council on Public Affairs' submission stated that 'it would be misleading to suggest that our New Zealand young people are decadent', while Salvation Army representatives pointed out that 'sexual immorality is not new' and that 'this kind of thing has been going on for many, many years'.

Some Lower Hutt clergy recognised the social problems arising from housing shortages in the Hutt Valley. However they considered the social environment of the Hutt Valley as a catalyst rather than a cause of juvenile 'immorality'. Reverend Anderson, from the Presbyterian Church in Naenae, stated that he thought the 'problem' was an 'outward manifestation of what is going on in the community' as the incidence of juvenile immorality was 'greatly intensified' in the Hutt Valley 'because of the sort of density of housing and population there'.

All of the religious groups represented at the hearings indicated that the problem of adolescent sexual promiscuity could be related to a decline in religious belief and church attendance. Father D.P. O'Neill cited a 1949 survey which had estimated a mere twelve percent of the non-Catholic population attended church. This lack of church attendance, he argued, led to 'great numbers of children' 'growing up without any system of religious belief or practice'.

The other religious groups which were represented at the hearings

also argued that a decline in church attendance and religious influence could be seen to be a major contributing factor to a general moral decline. The Associated Churches of Christ noted that the 'animal-like' immorality of children had originated from parents neglecting the teachings of the church:

New Zealanders have neglected God and his church. God is irrelevant to the daily business of living. Why should such mothers and fathers be surprised when their children take the pleasures of life as they come along? If children have not been taught the reality of a being higher than human, to whom all life is subject and who enters human life with the spirit of holiness, love, purity and eternity why should they (the parents) be surprised when they (the children) live like animals? (Associated Churches of Christ in New Zealand: MS 2384)

While the Inter-Church Council on Public Affairs argued that 'today's' children were 'second generation pagans' who, due to a lack of religious teaching, had not inherited the 'sanctions which held good for their parents', a group of Salvation Army officers reminded parents that the 'real cure' would not take place until the 'nation turns to God and realises our accountability to him'.

It was felt that this decline in moral values had produced a dangerous 'moral climate'. The Hutt Valley incidents were therefore symptomatic of the wider forces of 'secular materialism'. The Inter-Church Council on Public Affairs argued that a 'social revolution between the two wars' had 'created a bad moral climate where children were the 'victims' of 'secular

materialism'. The Presbyterian Church went a step further and argued that a climate of social change had produced a 'bad moral climate' which threatened to disintegrate society:

We here in New Zealand must face simply and clearly the fact that, in terms of belief our nation too is at a critical juncture. The weakening of traditions that have held us together is plain to discern. It may indeed be a temporary recession but at the moment its incidence is clearly marked and its effects obvious. We have inherited a background, but no ruling philosophy of our own. A rootless society is a precarious one and the recovery of basic belief is essential if our society is not to disintegrate slowly due to a lack of inherent vitality and conviction. (The Youth and Social Service Committee of the General Assembly Presbyterian Church of New Zealand: Ms 2384)

Some groups moved beyond the mere expression of the view that there was a lack of 'Godliness' which could be arrested by state education and argued that this lack of 'basic belief' was a direct result of a lack of religious education in state schools. The New Zealand Council for Christian Education stated that 'The Nelson System limits the effectiveness of the Council in providing religious education'. Anderson, who spoke on behalf of several religious denominations, lamented the lack of biblical understanding in state schools:

Education is secular and it is impossible to impart Christian standards of conduct without also an adequate understanding of the biblical basis and Christian doctrine upon which they rest, and out of which they grow.

(MS 2384)

In answer to Dr Mazengarb's question 'the Nelson System -you would be quite happy that would be a reasonable compromise?' he replied 'I hardly like to say yes immediately to that'. Dr N. H. Gascoigne, Director General of Catholic Education stated that the Nelson System had led to parents growing up to be 'irresponsible' and 'not facing up' to the responsibility of 'how to bring up their children'. Moreover the influence of educational philosophers such as Dewey had proved to be an 'evil' influence as they were 'educating children for a totally unrealistic world' and had proved detrimental to the imparting of religious ideals.

All religious groups, even those not particularly critical of the religious instruction in state schools, emphasised the need for an increased awareness of the bible and religious values through various forms of religious education such as bible studies, Sunday School, 'healthful hobbies' and regular church attendance in order to combat the 'bad moral climate'.

Although the secularisation of state education received much of the blame for the decline in New Zealand's moral climate, indecent literature, commercial broadcasting and commercial films, co-educational schools, the availability of contraceptives¹³, 'materialistic' parental attitudes, milk bars, alcoholic beverages, inadequate sex instruction, divorce, and working mothers were identified by religious groups as contributing factors to the moral decline and therefore were seen to be contributing factors in the perceived increase in juvenile

'immorality'.

The Roman Catholic Church, in particular, linked a breakdown in morality with indecent literature, film and public broadcasting trends:

The lack of social consciousness regarding matters of sex morality is reflected widely in comics and magazines, newspaper reports, advertising, radio songs and jokes, films and their advertising. Having considered our evidence on songs we submit that not only are many of them unsuitable for broadcasting, but that the atmosphere of this type of song is unwholesome, it is focussing attention all the time on physical love. Young people are being given an utterly false picture of what real love is and the influence of such a picture can only be disastrous.

(Catholic Women's League Lower Hutt :Ms 2384)

Other religious groups noted that various forms of adolescent entertainment could be seen to be morally harmful. Included in this category were the detrimental influences that might arise out of the tendency for teenagers to meet in Milk Bars.

The Roman Catholic Church was the only group to link co-educational education to the 'moral decline':

Co-educational schools for adolescents contribute an added difficulty. By their very nature they tend to promote early company keeping and other boy-girl activities at a time when the children, though physically capable of sexual relations are both emotionally and morally immature and unstable.

(Father D.P. O'Neill, Director of Catholic Social Services: Ms 2384)

The breakdown in family life through alcohol, mothers going out to work, and 'materialistic' tendencies was noted by a number of groups, as was the fact that chemists were allowing under age adolescents to buy condoms.¹³

The religious groups who were represented at the hearings agreed that the main solution to the problem of the moral decline, which they identified as the cause of juvenile delinquency and sexual immorality, lay in promoting Christian morality through increasing the influence of the various church organisations who imparted Christian values. The Hutt Valley Ministers Fraternal stressed this as the only possible solution in their submission when they concluded that '...there can be no ultimate solution short of a radical rediscovery of the Christian religion as an integral part of the whole life of the community', while the Associated Churches of Christ warned that 'No parent can afford the risk of trying to run a family without God. The whole family in the family of God is the only right way'.

The church groups called for the implementation of legislation to enforce their recommendations. These groups wanted to prevent the sale of 'morally harmful books', and contraceptives and they demanded far-reaching changes to government policies. The

¹³ The concern over sales of contraceptives to adolescents prompted the Presbyterian Minister Rev. Roy Belmar to call for a restricted sale of contraceptives to chemists so that those chemists who were not checking the age of their clients would not be able to stock condoms (the only form of contraceptives available).

Wellington Catholic Youth Movement's report on pornographic literature claimed that all booksellers had indecent publications on their shelves and stated that very little was being done to lessen this 'present day social evil'. O'Neill (representing the Catholic Social Services) advocated the licensing of contraceptives, stricter control of 'cheap literature', a reconsideration of the state co-educational policy and 'government long term planning to reduce the number of women who go out to work'. The New Zealand Christian Endeavour Union stated that measures should be taken so that 'Sunday was to be solely reserved for the worship of God'. They also wanted the government to ban the importation and sale of immoral and degrading literature. The Salvation Army wanted measures to prevent young adolescents drinking and advocated that the 'sale of contraceptives be strictly controlled'. Various other religious groups and individuals representing institutional churches advocated that there needed to be either legislation or the stricter control of these areas in order to reduce the influences that were seen to cause the 'bad moral climate'.

Since church officials viewed the well publicised incidents of 'juvenile immorality' as a 'symptom' of 'moral degeneration' they tended to stress the individual's potential to either be adversely 'influenced' or take an active role in seeking a solution to the 'problem'. Thus comics and movies were strongly condemned as they influenced the 'morality' of the individual. Parental influence and responsibility were also stressed as was

the need for 'stricter' legislation to prevent individual aberration from a path of 'godliness'.

The submissions presented to the Mazengarb Committee by church officials and other church affiliated groups indicates that these groups played a central role in portraying the Hutt Valley incidents of 'juvenile immorality' as a threat to the social order. This potential for 'social disintegration' was directly related to a decline in church attendance and Christian influence, without any serious attempt to examine the evidence for such claims.

The promotion of a state dominated by a 'lack of godliness', 'secular materialism' and the condemnation of secular education illustrates the process whereby 'campaign' groups seek to promote causes which relate to their own position of power and influence. However, this process was not necessarily intentional. A strong identification with the media promoted campaign, would have reinforced the church official's belief that New Zealand society was faced a 'critical juncture' that could only be solved by legislative action which would force the individual into adopting the 'Christian standards of conduct'.

The Police

Previous investigations into episodes of moral panic have

highlighted the role of the police in initiating the panic and labelling the participating adolescents as 'deviant'. The examination of the press's role in amplifying concern in Chapter Four indicated that the police played an active role in initiating nationwide concern. A detailed examination of the statements to the Mazengarb Committee made by the police officers involved in the Hutt Valley investigation will help clarify police involvement and definition of the 'problem'.

Senior Sergeant F.W. LeFort, the Senior Officer at the Petone Police Station who had lead the investigation into the events in the Hutt Valley, was the main police witness. He acknowledged that he had been the driving force behind the police investigation into 'juvenile immorality' in the Hutt Valley. A copy of his Police Report was given to the Special Committee so that they had a summary of his impressions of the characters and background of the adolescents who had been involved in the investigation.

LeFort had not only assumed that 'immorality' was rife in the Hutt Valley; he had by his own admission and in the view of other witnesses¹⁴ actively set out to find examples of 'depraved' behaviour. Having found examples of this 'depraved behaviour' he had immediately notified the local media, who printed the details

¹⁴ Cinema owners and Mr Ransom had commented on LeFort's zeal in seeking out and publicising the exploits of 'depraved teenage girls'. (See section 'Secular Education Professionals' in Chapter Six.)

much to the annoyance of Mr Ransom, the Principal of Hutt Valley High School.¹⁵

When questioned about the events which lead up to the police investigation, LeFort stated that he had 'known all along' (before the confession of a Lower Hutt High School Pupil which was to uncover the what he termed the 'Elbes Milk Bar Gang') that 'this business was going on':

I had my suspicions of knowledge of this business going on. I knew sooner or later something would break.....I had done something about it in my area. For instance, in the Palace Theatre in Petone I had placed plain clothes men there to try and detect something going on. I had placed a man in the Grand Theatre at Petone. But it is strange to say as soon as these officers entered they were known to these boys and nothing happened. They seemed to sense that they were there and my men reported afterwards that they did not see anything. I have instructed constables to call at the theatres during their rounds and co-operate with the ushers and the managers and see if they could detect anything but they all seemed to sense when the officers were there.
(Sergeant LeFort:Ms 2384)

LeFort told the Committee that the police investigation had begun with the questioning of a fifteen year old girl [F.16] who had left home. The girl had 'voluntarily confessed to having led a depraved sex life' and having belonged to a 'gang' who 'met mostly for sex purposes'. Evidence given on the second day clarified the way the police had obtained the names of those who had belonged to the 'Elbes Milk bar Gang', and gave an indication

¹⁵ Ibid.

of LeFort's impressions of the girl's character and her motivation for 'exposing' the gang:

(Dr McLeod)

The originator of the inquiry, F.16, came along, you told us the other day and said "I have had it. Sex. Sex. Sex." Now questions were asked of this girl what she meant by that presumably and she quoted the names of certain boys and that would involved them in charges

(Sergeant LeFort).....Yes

(Ms 2384)

The initial revelation by 'F.16' had lead to the police questioning the other adolescents whom she had named, until the names of fifty nine children had been obtained. The police had subsequently laid one hundred charges of carnal knowledge, attempted carnal knowledge and indecent assault. Further questioning by the Committee clarified the nature of these charges and the 'sexual activities' which had taken place in the local cinemas. LeFort maintained it was impossible for those questioned to have admitted to acts out of fear of those questioning them, or out of a desire to pass the blame on to others. He was convinced that these girls had not 'admitted everything' to the police as 'they did not admit any more than they had to, and some of them never told us everything'.

As the questioning progressed, and it became apparent that the some of these charges had been made against boys who had intentionally put their hands on girls breasts, even though the

hand had been 'placed on top of the clothing':

(Dr McLeod)

What would be the minimum sexual happening that would involve any male before the court in this present series?

(Sergeant LeFort)

The mere handling of the body such as a private part, including the breasts- over or under the clothing.

(Dr McLeod)

So that if a boy were to sit in a picture theatre in the Hutt Valley and put his arm around a girl's neck and put his hand on her left breast-intentionally.....he would be involved whether there was clothing or not.

(Sergeant LeFort)

Yes.

(Ms 2384)

LeFort justified charging the adolescents with this crime of 'indecent intent' by stating that he had felt it was essential not to 'raise the sex passions or emotions of a girl' as the arousal of such passion would have 'a disastrous effect on the girl's conduct from that night onwards'.

In the subsequent questioning on the possible extent of this type of behaviour LeFort indicated that had he been allocated more resources he could have uncovered half as many charges again. He had been prevented from doing so because he had run out of staff and was under pressure from the press and the schools to 'make a decision'. He emphasised the 'gang influence' which he stated was 'very evident'. The name 'Elbes Milk Bar Gang', had he alleged, been given to the 'gang' by its members rather than by

the police or the press. He stated that the sole purpose of this gang was to perpetuate sexual immorality as 'Boys and girls met for the express purpose of becoming initiated into sex practices'.

In LeFort's opinion the character of the girls involved was a major contributing factor to incidents of immorality. In the Police Report he had stated that the girls were 'unintelligent, 'filthy' and 'depraved'. When questioned by the Special Committee he staunchly defended the use of these words:

(Dr McLeod)

Now the matter of intelligence. You say some were not intelligent. The expression is throughout the official report you put in- the case notes- lack of intelligence. Is that merely as it appears to you and your officers?

(Sergeant LeFort)

Well, yes, but the way they talk- their demeanor throughout the inquiry, their lack of responsibility, lack of shame- all indicate that they are weak.

(Dr McLeod)

You mean morally, or from the point of view of intelligence?

(Sergeant LeFort)

Combined they were weak sort of girls generally, morally, physically, mentally, and in every other way.

(Ms 2384)

Such statements indicated that he thought that the girls had actively sought out the boys and had indulged in this behaviour because they were 'immoral' and 'oversexed'; in his view the type of parent, and social background were irrelevant 'they were all

good candidates....they wanted it'. The girls were seen to be 'a menace to any male' as they used their 'technique on him by rubbing her leg on his private part, arousing his passion'. This 'pernciousness' of the girls was 'borne out by statements' from the boys.

However, when questioned further by the Special Committee, LeFort admitted that there was a possibility that some of these 'depraved' girls were sexually naive, as one girl who was thirteen and had 'volunteered the information that she'd been known by twenty boys' had said 'that she did not even know where babies came from'.

LeFort did not consider this an absurd statement, or a contradiction as he believed that such statements could not possibly have arisen out of witnesses wanting to give the questioner the information sought. He stated that contradictions between a lack of knowledge of sexual behaviour and a high level of promiscuity were possible because these girls were unintelligent. He stated that the police had been able to determine this 'lack of intelligence' by 'their demeanor throughout the inquiry'.

The Special Committee queried the fact that there had been fewer pregnancies resulting from the 1954 incidents of 'immoral behaviour' than there had been amongst the considerably smaller group of adolescents involved in the 1952 inquiry. LeFort

responded by stating that there were very few pregnancies involved in this 'long series of sexual episodes' in 1954 primarily because the girls had indulged in 'continued excess' and this prevented pregnancy. In addition to indulging in excessive sexual intercourse, the adolescents involved used contraceptives and the withdrawal technique:

(Dr McLeod)

Now there may be some considerable value in your opinion here. You will notice that the impression we got is that there are very few pregnancies involved in all this long series of sexual episodes. Your view point, I take it without putting words in your mouth, was that- that was because either contraceptives were used or the method of withdrawal?

(Sergeant LeFort)

Yes there are two other things- that is excess by a girl- continued excess.

(Dr McLeod)

You mean continued excess would prevent pregnancy?

(Sergeant LeFort)

Yes, excess intercourse.

(Ms 2384)

LeFort's assertion that the girls were the initiators of these 'sexual episodes' was supported by Mr P. Munro, the Senior Superintendent of the police:

My police experience would lead me to believe that in most cases such as we have recently seen in the Hutt District it is caused by the female.

(Mr E. H. Crompton, Commissioner of Police: Ms 2384)

LeFort, argued that there was a need for increased police 'powers'. He emphasised this need by describing the problems

that he and other police officers had faced in their confrontations with Hutt Valley adolescents, when children had refused to give their name and address stating that they had 'done nothing wrong'. The police he argued had 'no power', boys on motorbikes were laughing off police warnings and 'going in after the young girls' in the theatres who sat in rows 'waiting to be plucked by these vultures'.¹⁶

In his Police Report LeFort went so far as to recommend that those adolescents known to be pursuing clandestine sexual meetings in theatres should be banned and charged if they were found to be in the theatre again. He was in full agreement with Dr Mazengarb's suggestion that the police should have a legal right to check 'immorality amongst juveniles' in the same way that they checked 'illicit trading' 'in licensed premises'.

All three of the major police witnesses agreed that there needed to be restrictions on the sale of indecent literature. Mr Crompton called for 'a stronger legal authority to deal with indecent literature', while LeFort stated that there should be an age limit for indecent literature. Such statements placed an emphasis on the need for further legislative solutions to prevent

¹⁶ This statement indicates the inconsistencies in LeFort's statements to the Mazengarb Committee. At this point in the questioning he implies that the boys were 'hunting' the girls, when in earlier statements he makes the generalised statement that it was the girls who were 'enticing' the boys.

immoral behaviour. However, the police witnesses expressed varied views on the precise nature that this legislation should take. Lefort's call for the police to have considerable powers in order to control such immorality was agreed to by the majority of senior police officials who were interviewed by the Mazengarb Committee.

These recommendations and LeFort's description of the 'female' members of the 'sex gang' gained the Commissioner of Police's approval despite the many inconsistencies evident in his police report and submission. The 'depravities' included the touching of a girl's breast beneath a layer of clothing in a darkened cinema. Girls who had confessed to initiating numerous sexual acts were 'naive', while the boys who were supposedly 'taken advantage of' waited like 'vultures' in the back rows of picture theatres. Pregnancies were not evident due to 'a continued excess' of sexual intercourse. And while the Commissioner supported LeFort's assessment of the problem, statements from Superintendent Sugrue, a Christchurch police officer, denied LeFort's allegations that 'immorality was rife'. Such inconsistencies suggest that LeFort's perception of the 'incidents of depravity' and the extensive activities of the 'Elbes Milk Bar Gang' were determined by his own personal convictions that 'sooner or later something would break'. An energetic pursuit of a girl's confessions made this belief reality. The support of the Commissioner of Police and publicity from the media ensured his perceptions of a 'depraved sex gang',

and the need for increased powers to be assigned to the police, reached the ears of the politicians and the Mazengarb Committee.

An examination of the police statements made to the Mazengarb Committee verifies the conclusions of Cohen's panic study which credited the police as having a crucial role in the identification and labelling of deviant adolescents as 'folk devils'. As 'control agents' they also seek to reinforce 'conservative' legislative measures. In this particular study the labelling and reaction to these adolescents appears to have been precipitated by one particular senior police officer who expended considerable energy to find incidents of 'depraved behaviour'.

Women's Groups and the New Zealand Communist Party

Groups such as the New Zealand Communist Party and the Hastings Housewives Union were adamant that there was an urgent need for stricter censorship, laws to prevent juvenile sexual misbehaviour, and legislation against the 'vile trafficking' in contraceptives.

The Communist Party of New Zealand viewed the 'problem' as serious and stated that there was 'a general lowering of all standards' and recommended that a 'brutalised tendency among sections of young people' should be examined. The effects of 'a magnitude of paper-backed magazines of the Mickey Spillane

Variety' were singled out for particular criticism because:

....They feature and tend to glorify violence and sudden death with the "hero" usually finishing up in the arms of a scantily-clad women, who is displayed provocatively on the front cover.

(Mrs C.A. Birchfield: The New Zealand Communist Party: Ms 2384)

Radio serials, and Hollywood feature films were also seen to be 'major contributing factors in child delinquency'. Detailed quotations from Wertham's book "Seduction of the Innocent" were cited by Mrs C.A. Birchfield to back up the contention that:

...the problem facing us is not restricted to the Hutt Valley, nor even to New Zealand. Also that responsible groups of citizens in other lands are of the opinion that horror books and films are a major contributing factor in child delinquency.

(Ms 2384)

The Hastings Housewives Union was one of the few women's groups represented at the hearings who was not directly affiliated to an institutionalised church. Witness told the committee that they wanted to prevent adolescents obtaining contraceptives by mail order:

We would advocate legislation compelling detailed classification of any goods for sale to prevent the questionable distribution of these articles by mail.

(Representative of the Hastings Housewives Union: Ms 2384)

They also recommended that there should be stricter supervision of comics and ladies underwear advertisements. They demanded 'heavy' penalties for the wholesale trading of contraceptives in any non legitimate channels:

The sale of contraceptives is a vile and vicious racket and trafficking in these articles should be controlled by legislation.

(Hastings Housewives Union: Ms 2384)

It was thought that only those who were over eighteen should be able to legally buy contraceptives. Chemists were to be the only retailers allowed to sell contraceptives, as prior to 1954 any retailer was able to sell such items. They also wanted police women in all towns to control school trains, and concluded by condemning 'public organisations and business interests' for their attitude towards 'this evil traffic':

We deplore the fact that the conscience of public organisations and business interests are so lax that they appear to refuse to acknowledge the continuance and the existence of this evil traffic and the damage to the morals of our youth.

(Hastings Housewives Union: Ms 2384)

The agreement of such diverse groups as the Hastings Housewives Union, the New Zealand Communist Party and Roman Catholic Church Officials supports Barker's (1984) findings that the effect of the 'lens of deep ideological opinion' tends to prevent the formation of factions. The press promoted themes which initiate a moral panic that encourages campaigning groups to appeal to the

'lowest common denominator' of public opinion and concentrate on the 'threat' of whatever deviant behaviour has been publicised by the media. Politically diverse groups of 'campaigners' will adopt a united public face and thus provide intense pressure to enact legislative measures.

Individual Submissions

Most of the 'private citizens' who appeared before the Special Committee stated that they felt juvenile delinquency and 'immorality' was a problem, or proceeded to outline their views of the cause without indicating their perceptions of the nature and extent of the 'problem'. Many echoed the churches' warning that New Zealand was forgetting religious principles and slipping into 'moral chaos and decline'

Several witnesses, like the Church Officials, stressed the role secular education had played in reducing 'Christian principles and morals'. Mrs M. Bullock stressed the importance of 'restoring the study of the bible in schools', as bible teaching was 'far from adequate'.

However, one or two witnesses placed an emphasis on the need for a liberation of sexual attitudes rather than a Christian moral education. Dr Freidlander, a dental surgeon, advised that 'sex should be treated naturally'. Mr J.C.H. Chapman took the idea of sex education still further when he stated that his war

experiences led him to recommend that all adolescents should be shown explicit films on venereal diseases and their consequences so that they would be aware of the potential dangers.

Many of the other witnesses who appeared defined the problem according to their own personal beliefs and work experiences. Several ex-teachers such as Mrs M. R. Rohan (a retired teacher) and Miss E. Newton (who had taught for thirty years) criticised the 'modern education system' and the 'self expression' philosophy'. Other trained teachers such as J. Nesbitt stated that the blame lay with the parents rather than the teachers, while G.E. Dewar (a primary school teacher) stated that 'it is not the children who are going wrong, it is the race'.

Several witnesses stated that the 'problem' was directly related to working mothers. 'Debbie' recommended that there should be benefits so that women with families would not have to work, while Mrs T.C. Farrow recommended that it should be possible to use the Labour Laws to check that any married women who starts working has provided the 'proper provision' for children under fifteen years.

It is apparent from this summary of the submissions made by those who the Special Committee labelled 'private citizens', that the submissions made by this category of witnesses varied to a greater extent than the submissions of those witnesses who identified themselves with a particular organisation. The views

of the 'problem' ranged from those who thought New Zealand was slipping into serious 'moral decline' to those who felt 'immorality' was no worse than it had been in previous decades, while others stated that sexual behaviour amongst adolescents was part of the 'growing up process'. The causes that these witnesses ascribed to adolescent sexual behaviour were also varied; some condemned comics and 'indecent literature' and the cinema, while others condemned working mothers, the two World Wars, and a lack of Christian principles. However in general, witnesses who claimed to be speaking as 'private citizens' supported the contention that there was a 'problem' and suggested remedies also ranged from strict legal controls to the need to foster community spirit and an understanding of adolescent needs. This is indicative of the persuasive nature of the media theme of 'widespread immorality' which had by the advent of the Committee hearings received considerable attention from the major national dailies.¹⁷

Non-Church Affiliated Youth Groups

This group includes those groups the Report classified as 'Other Welfare Organizations'. The groups included in this category were: The Boy Scouts, Chrichton Cobblers Club, Girl's Life

¹⁷ See Chapter Four.

Brigade, the Hutt Valley Youth Survey,¹⁸ Nursery Play Centres, Orphanages, Sea Cadets, Youth Hostels, the Y.M.C.A. and the Y.W.C.A. The submissions of those welfare organisations which were directly controlled by a church group have been discussed in the Church and Religious Groups section as their perceptions and recommendations corresponded to those of the church group to which they belonged.¹⁹

Non-church affiliated youth groups gave a variety of answers to the Special Committee's invitation to comment on the extent and nature of the problem. The Y.W.C.A. Vice President stated that her association did not 'feel' that there had been a decline in the attitudes of adolescents or an increase in sexual misconduct:

I feel that the sexual conduct of that particular age group, the adolescent group, in relation to the general standards of the whole community is the same. In other words, I am not saying that the group has got out of line.

(Miss Blakely, Y.W.C.A. National Secretary: Ms 2384)

The Y.M.C.A. representative and the Auckland Nursery Play Centres Association's submission proceeded to outline possible solutions without defining the nature and extent of the problem. The Hutt

¹⁸ See Chapter Three for a detailed account of the Hutt Valley Youth Survey.

¹⁹ These groups were placed under the heading of Religious Welfare Organizations in Appendix B of the Mazengarb Report. They included: the Christian Endeavour Union, Methodist, Presbyterian, Roman Catholic, and Salvation Army Welfare Groups.

Valley Youth Survey was the only group which attempted to define the nature and extent of the problem in terms of statistical data.

Although a loss of Christian values was referred to by most of these groups, particularly the Christian orientated Y.M.C.A. and Y.W.C.A., other factors were seen to have created adolescent social problems. Both the Auckland Nursery Play Centres Association and the Hutt Valley Youth Survey (HVYS) Report indicated that urbanisation and a shortage of housing was a major factor in creating a situation where juvenile delinquency could flourish. All groups identified a lack of leadership and the need for more recreational facilities as contributing factors. However the HVYS Committee was the only group to link these factors to the rapid growth of housing areas and recommend that new housing estates needed a variety of recreational facilities. Most groups merely noted the need for facilities that would suit their own activities.²⁰

The officer in charge of a boys' home and a representative of the Sea Scouts Association had admitted when questioned that there had been difficulties with school aged boys being able to readily acquire contraceptives. Other members of youth groups also commented on the availability of contraceptives recommending that they should not be able to be acquired by school pupils.

²⁰ For example the Model Engineers Association recommended that model making should be promoted.

There was criticism of the health programme in schools and many of these organisations recommended that there should be professionals to help educate parents and children in social, physical and emotional development:

It is submitted that New Zealand has a mental health concern, one of the symptoms of which includes the behaviour of its adolescents. This concern is of a large order and requires the efforts of all persons involved in working with people, professionally, pathologically, socially, in the sporting field, educationally, and spiritually. No area must be omitted.
(Auckland Nursery Play Centres Association Incorporated:
Ms 2384)

References were also made to the harmful effects of 'pulp magazines', liquor and the availability of contraceptives, too much free time on Sundays and the breakdown in family organisation and the lack of parental supervision. The lack of Christian morality amongst adolescents was commented upon but not stressed as the major cause of 'juvenile immorality'

The recommendations made by these groups included provisions to account for a lack of social amenities, and the need for more recreational facilities and leadership was stressed particularly by the Y.M.C.A. and the Boy Scouts. The Y.M.C.A. and the subcommittee of the Hutt Valley Youth Survey favoured the control of liquor, 'Pulp' magazines and contraceptives to juveniles while the Auckland Nursery Play Centres Association advocated positive guidance and discussion.

The youth groups, like the church officials, expressed 'concern' and stressed the need for a both a 'Christian' and a legislative solution. However these views were tempered by a recognition of the particular social and environmental situations which affected many adolescents in areas such as the Hutt Valley. A more moderate view could have arisen out of direct contact with adolescents which would have impeded a total acceptance of the media's theme of 'widespread immorality', and the accompanying illusion of 'moral disintegration'. This active involvement carried a responsibility for the behaviour of youth which placed these groups in a more precarious position than the church officials. Such responsibility became evident when groups such as the Sea Scouts had been accused of unwittingly promoting 'immorality', by inadequate supervision of members.²¹

²¹ Members of the Sea Scouts Association were questioned by Mazengarb Committee members over an alleged incident which involved several members who were allowed to return home unsupervised (Ms 2384).

6: The defendants

While the transcripts of the Mazengarb Committee submissions illustrate the identification and definition of 'a threat' by certain members of the police which prompted a 'manning of moral barricades' by church groups, pressure groups, and private citizens, they also reflect an attempt by certain groups to counter the 'campaigners' promotion of the theme 'of widespread juvenile immorality' and the impending threat of 'moral chaos'. These 'defendants' argued that delinquency had not substantially increased, and that the situation in the Hutt Valley and other urban centres represented 'normal' adolescent behaviour. The submissions made by this group of witnesses provide an alternative assessment of the 'problem' and help illuminate the role played by the 'campaigners' in shaping the reaction to a 'problem' of 'widespread immorality'.

It has been stated in previous chapters¹ that many 'professionals' opposed the view of 'widespread juvenile

¹ See Chapters Five.

immorality'. This chapter will, therefore, begin with a investigation of those groups who could be placed in this category; the child welfare officers, secular educational professionals² and other government officials and 'expert' witnesses. The subsequent sections will examine the views of those who purported to have 'commercial interests' and members of the other categories who opposed the view advocated by the press and campaigners. As in the previous chapter substantial quotes have been included from key witnesses who had a particular involvement in the Hutt Valley 'incidents' in order present an accurate account of their perception of the situation.

Child Welfare Division

Mr C.E. Peek, the Superintendent for the Child Welfare Division of the Education Department, was the main witness for the Child Welfare Division. Peek had taught for eighteen years and had been employed by the Child Welfare Department for fifteen years. He had been Superintendent of the Child Welfare Division in 1952 when concern had arisen over a 'crop of cases of juvenile immorality in the Hutt'. It was this concern which had lead to the Hutt Valley Youth Survey.

² Educational professionals who were associated with a particular religious institution have been placed in the 'Church and Religious Organizations' category (see section titled 'Church and Religious Organisations' in Chapter Five) as their submissions indicated that they regarded themselves as religious leaders rather than education specialists.

In Peek's opinion the incidents discovered in the 1954 police inquiry were no different in character from the 1952 cases or any other incidents of such 'juvenile immorality' anywhere else in New Zealand. He also stated that the major difference in this case was the number of children involved:

I was in Wellington in my present position when there was this crop of cases of juvenile immorality in the Hutt in 1952, and I was acquainted with particulars of those cases in a general way. I did not study the intimate details of the cases. I cannot distinguish between the incidence in the Hutt and anywhere else in the country. I happen to know the 1952 ones because I recently looked up some notes about them. I cannot say if there were any distinguishing features between the 1952 cases and the 1954 cases....

(Ms 2384)

He reinforced the Hutt Valley Youth Survey's conclusions that the incidents of 'immorality' in the Hutt Valley might be related to the fact that there was a high number of juveniles in the area:

....I think I can recognise some factors which seem to be common to these sporadic outbreaks-promiscuous behaviour of this sort. There usually seems to be the accident of the association of two or more rather precocious children, and the fact that these seem to get together seems to promote a quicker and more rapid growth of the total field in which their effect is felt in the nature of a gang.they seem to recognise a sort of code of behaviour.....The only difference I see is the size of the group. It seems to me that the reason for the difference in size is related mainly to the number of children who are available and various other incidental factors which make it convenient to get together but fundamentally I see no difference in behaviour.

(Ms 2384)

While Peek acknowledged that there were 'promiscuous' girls involved, he thought that the behaviour resulted from the fact that there were two particular groups in the Hutt Valley; the working older adolescent boy who had an excess of money to spend, and a group of 'precocious school girls':

I do see in this particular circumstances one peculiar factor which I cannot say was always present in other cases, and that is the impingement of one particular class of individual upon another. It is a rather peculiar impingement. I am referring to the older adolescent with more money than he needs, perhaps with motorbikes too, impinging upon the school group which contained rather precocious and promiscuous girls. I think that the particular meeting of those two groups has some significance in the size of this particular outbreak.

(Ms 2384)

Peek also stated that the majority of his senior officers had notified him that they did not think that sexual misbehaviour among children was more prevalent in 1954 than it had been previously. His submission indicated that Whangarei, Napier, Masterton, Greymouth and Invercargill were the only areas where Child Welfare Officers had noticed an increase in 'juvenile immorality'. Child Welfare Officers in Wellington (this included the Hutt Valley), New Plymouth, Christchurch, and Timaru were not sure; while Officers in Auckland, Hamilton, Nelson, Masterton, Dunedin, Palmerston North, Wanganui, and possibly Rotorua were of the opinion that the incidents of 'immorality' had not increased.

When the Special Committee queried the reliability of this statement and the reliability of statistics in general, as

statistics 'only deal with those people who are found guilty'; Peek agreed with the Committee and stated that there were no records in existence which would allow the Special Committee to determine whether or not juvenile delinquency was on the increase. He recommended 'a long involved programme of research' to arrive at the 'truth'. He then proceeded to produce figures and a graph which indicated that the total number of incidents of general delinquency had decreased over the war period but by 1954 the general rates of delinquency had returned to what they had been in the pre-war period. The consideration of these figures lead him to conclude that the general rate of delinquency was the same in 1954 as it had been twenty years ago in 1934. He argued that specific data needed to be collected for juvenile sex offences, but stated that the general figures for delinquency would be larger than the figures for juvenile sex offences, as general delinquency is easier to detect than juvenile sexual offences. He concluded by stating that he did not believe that there was a moral disintegration amongst New Zealand's youth.

.... I looked at my own figures. I examined it from this angle, and everyone seems to think, and the man in the street seems to think, that the situation is worse than it was fifteen or twenty years ago. The whole fibre of our youth has gone to pieces. That is something I have never held with.

(Ms 2384)

Other witnesses from the Child Welfare Department backed up Peek's assertion that neither the rate of delinquency nor the nature of delinquency had undergone any significant change. Mr G

C Smith, a District Child Welfare Officer in Auckland stated that in his nine years as a Welfare Officer there had not been any change of sexual behaviour patterns in the community, nor did he think that girls were becoming the 'predominantly noticeable instigators in sexual offences'. Smith went further than Peek had in his analysis of the situation, and implied that it was the activities surrounding the instigation of the 'Special Committee on Moral Delinquency in Children and Adolescents' which had directly lead to the 1954 increase in the incidents of 'juvenile immorality' rather than any drastic change in the patterns of adolescent sexual misbehaviour:

If you will take a look at the figures for cases appearing in court over a long period of time, you will find that in 1951 there were thirty three cases in all. The actual number of children charged with a specific offence I think, went above twenty. Even assuming you have another thirty cases of children, that gives you a maximum of about sixty of seventy cases for the year. This year we are going to have something like over one hundred cases. I do not know any way of explaining this sudden rise in 1954 except by the activities of this committee.

(Mr G C Smith, District Officer of Child Welfare, Auckland: Ms 2384)

Since the majority of the Welfare Officers felt that this type of behaviour had not noticeably increased there was very little reference to the possible causes of such behaviour. It was agreed that Welfare Officers needed to work closely with principals and education authorities, and with parents in order to advise 'in respect to emotional disturbances' and to 'start a bit of prevention in a general way'.

Secular Education Professionals

The senior educational administrators who testified at the hearings agreed that the 'immoral' behaviour of adolescents had not significantly increased over the previous years. Dr C.E. Beeby, Director General of Education, stated that there had 'always' 'been a level of sexual experimentation' and added that 'the Hutt case is an extreme case of the normal'. Beeby's recent discussion with primary schools verified his opinion as 'the general weight of opinion on their side is that it is not getting worse'. He added that older teachers 'remember some years ago, situations which they thought were perhaps worse'. Mr T.H. Whitwell, Senior Inspector of Schools, was of the same opinion:

I have been a teacher for thirty years, an inspector for twelve years, and senior inspector for the last four years. I want to say that right from the outset the sex problem has always been with us in every school I have been. In every locality I have been in I have come across sex problems. There seems always to be a number of children abnormally interested....

(Ms 2384)

Other witnesses involved in tertiary education and research into delinquent behaviour also indicated that there had always been a percentage of young children and adolescents who would become involved in sexual experimentation. Professor W.G. Minn, Chair of Social Science Victoria University College, stated that 'a lot of experimenting' took place in 'early life' which 'if tackled

too heavily with too heavy a hand might cause damage'. The N.Z.E.I. representative also stated that 'moral delinquency among children is no new thing' as 'instances of it periodically come to the notice of teachers and are dealt with according to the seriousness of the offences disclosed, usually without undesirable publicity'.

The Principal of the Hutt Valley High School and the Principal of the Hutt Valley Memorial Technical College³ also thought that the problem was no worse than it had been in the past. Mr S.M. Ramson, the Principal of Hutt Valley High School, went as far as to state that Sergeant LeFort⁴ had unnecessarily attracted public concern by bringing the matter to the attention of the press:

The first I knew of this was really when I met the members of the police force who came to see me about pupils at my school, and at that stage it was obvious that it concerned some very young pupils in a comparatively minor way. I was therefore very surprised when I saw in the morning paper a couple of days later where the Senior Sergeant (LeFort) had given the matter very great publicity and in doing so had taken what I thought was rather the liberty of attempting to assess where the blame lay. In other words he threw it at the schools.....Sergeant LeFort publicised the case, he tried to capitalise on the situation in the initial stages...

(Ms 2384)

Mr E.W. Mills, the Hutt Valley Memorial Technical College

³ The two Hutt Valley schools that been directly involved in the police investigations.

⁴ The Senior Sergeant at the Petone Police Station (see section titled 'The Police' in Chapter Five).

principal, also stated that juvenile 'immorality' had not been a major problem at his school. He stated that the problems which sparked off the police investigation could be connected with a rapidly rising roll as the 'sex troubles' in the school had started once 'the school got over the six hundred and fifty mark'.

Like Ransom, Mills pointed out that media publicity had unnecessarily heightened public concern. He stated that this concern was not shared by all, or even a majority, of parents as many parents who had contacted him had stated that they felt that the behaviour of the majority of youngsters at the school was 'quite normal' and had urged him not to 'expel' the ones involved in the police investigation. He had agreed and was keeping these 'three worst' youngsters in the school' as there had already been 'too much publicity'.

Mills gave evidence which indicated that a total of seven boys (sixteen and under) and ten girls (fifteen and under) from his school, were involved in the investigations:

... Of the youngsters in the school involved, four of the boys were in the Fourth Form and three in the Fifth Form. Two girls were in the fourth form and three in the fifth form. Two girls were in the fourth Form and eight are in the Third Form. Now at the 30th of June one boy was fourteen, five were fifteen and one was sixteen. Four of the girls were thirteen, five were fourteen and one had just turned fifteen.
(Mr Mills, Principal of Hutt Valley Memorial Technical College: Ms 2384)

He stated that in his opinion the girls were the primary cause of any problem that there had been, and identified a particular girl as a ring leader:

It seems fairly clear to me from the cases of the youngsters in the school we have not got the same worry about the boys as we have about girls. The worst cases we have are girls and it is quite clear some of them are an absolute menace. They have dragged boys into this sort of thing. In general the girls are far worse than the boys as far as we are concerned... There is one girl in particular who has had eight charges of indecent assault against her, and she has been, as far as some parents are concerned, a menace.....I am told that this girl has been a masturbator since early in her life, and she has carried this practice on since she was only a few years of age.

(Ms 2384)

In order to describe the nature of the offences of 'this one girl in particular', Mills defined masturbation for the committee and provided a more detailed account of 'the sort of things she was up to'. His description also referred to what he and a number of other witnesses had felt were gender injustices in the convictions. The charges of delinquency for the girl had been less serious than the charges of indecent assault for the boys, yet it was the boys who were 'operated upon' by this particular girl:⁵

⁵ Mr I.H. Johnson of Naenae College, Lower Hutt also gave evidence which indicated to the committee that the girls might have 'initiated the action'.

.....She is charged in some cases with masturbation of boys in the front row of picture theatres, and she did the same thing in private homes too, but there is no charge against her of sexual intercourse....They charged her with being delinquent- all the charges are indecent assault. The boys concerned were charged with indecent assault.

(Ms 2384)

The majority of education officials and witnesses, whose schools were directly involved in the investigations in the Hutt Valley and the later investigations in Auckland, agreed that the problem of 'immorality' had not significantly increased. Many of the other teachers, and principals and inspectors who appeared as witnesses failed to define the nature or extent of the problem. These witnesses chose to immediately launch into an appraisal of the possible causes.

There were a variety of possible 'causes' of 'immorality' identified by the witnesses who were involved with state education in a professional capacity. Social change resulting from the period following the Second World War was seen as one possible cause, a 'changing world' was causing 'children to now mature faster' so that 'opportunities for heterosexuality were occurring earlier'. The Committee noted that the 'drift towards the towns' and substandard housing....could also have something to do with it.'⁶

⁶ These views were expressed by Mr T.H. Whitwell, Senior Inspector of Schools, Mr P.T. Keane, headmaster of Kowhai Intermediate, and Mr C.R. Bach a teacher at Otahuhu College.

The problems which arise when mothers work rather than stay home to mind children were also seen by some educationalists to be a major contributing factor. Mills noted this as a possible cause and stated that five of the seventeen cases involved came 'from homes where both parents work'. However the problems created by working mothers were not the only factors identified by this group of witnesses. Educational professionals also credited the increase in the divorce rate, insufficient parental control, and poor relationships between parents as contributing factors to the 'problem of juvenile immorality'. Some witnesses saw poor parenting as the major cause of 'immorality'. Mr A.E. Campbell, Chief Inspector of Primary Schools cited 'insufficient parental control' as a major cause, Mr P.T. Keane, the Headmaster of Kowhai Intermediate (the Auckland school which became the focus of another investigation into juvenile 'immorality' during the hearings), stated that the blame lay 'at the door of the parent', while Mr Mills, the Principal of Hutt Valley Memorial College, pointed out that nine out of the seventeen children from his school who were involved in the police investigation were from 'unsatisfactory home conditions'. Miss R. Reilly, the Visiting Teacher for the Wellington Education Board stated that the Hutt faced particular social problems such as a lack of play-grounds and a growing juvenile population. Witnesses from other parts of the country (such as the Principal of Hamilton East School) pointed to the national housing shortage as a possible

contributing factor.⁷

The availability of indecent literature was also cited as a possible cause, but it was not seen to be a major contributing factor by many of this group of witnesses:

There has been quite a lot in the papers about the effect of comics. We as far as we can judge on research- it does not seem to make very, very much odds....There does not seem to be much correlation between that type of thing and what happens later.
(Professor W.G. Minn, Chair of Social Science, Victoria University College: Ms 2384)⁸

The standard of education and the trend towards the 'playway' and 'self-expression' methods in schools were also seen as possible causes of 'immorality'. Mills informed the Committee that 'the modern idea was excellent' but there were 'far too many teachers who are not capable of carrying it out', with the result that he and other headmasters were 'continually coming up against

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- 7 Mr S.M. Ransom contradicted these statements when he told the Committee that the girls from Hutt Valley High who were involved in the police investigation had all been members of good stable families.
- 8 Miss Clark, Principal of Wellington Girls College, and Mr Mills, Principal of Hutt Valley Memorial College, strongly supported Professor Minn's view. Mr J.C. Reid, a lecturer in English at Auckland University, was the main supporter of the opposing view. He argued that there was a correlation between the 'exposure' to indecent literature and juvenile immorality. He informed the committee that he had 'independently come to the same conclusions as Frederick Wertham and used the arguments in Wertham's books to draw attention to the 'the potential danger' of American comics such as 'Mickey Spillane'.

the problem of youngsters who had never been made to work to capacity'. Two witnesses from Auckland University, Mr A.G. Davis and Professor E.M. Blaiklock, went much further and criticised 'the entire philosophy of the state education system'. Compulsory education was 'bad' as it had lead to children not being extended enough. Education, it was claimed, had become orientated toward the 'backward child'. The trend towards self-expression in education, and the dropping of classical subjects such as Latin, was also criticised. The combination of these factors, it was stated, had lead to a general decline in educational standards, which was seen to be a major cause of the 'problem'.⁹ Witnesses were divided in their opinions on the impact of a lack of religious instruction in New Zealand's secular state education system. Some supported the argument put forward by religious groups that there was a lack of 'godliness' in New Zealand society, and actively supported the contention that a lack of adherence to Christian morals had directly contributed to 'immorality' problems; others did not see this as a major contributing factor.

The recommendations were as varied as the perceived causes of 'immorality'. Opinions were split on a number of suggested remedies such as: the necessity to censor comics, provide sex

⁹ Mr M.D. Nairn, headmaster of Mt. Albert Grammar School, also expressed the view that standards were declining. He stated that the average child in 1954 was half a year behind the child of twenty years ago. He also attributed this to universal compulsory education.

education in schools, change the curriculum and to provide religious instruction in schools. The majority agreed that co-educational schools were not a contributing factor to delinquency, and many recommended a closer liaison between the Social Welfare Department and the schools.

'Official' and 'Expert' Witnesses

The Film Censor Mr G Mirams; Mr W. Yates the Director of Broadcasting and Mr E.S. Gale the Assistant Controller of Customs were the main Government Officials apart those from the Education Department to give evidence at the hearings. These officials were called to appear before the Special Committee because of the concern that had been expressed, both to the Committee and in the press, about the influence that 'indecent' movies and literature might have on juveniles. Gale informed the Special Committee that there were difficulties in any endeavour to control the importation of literature, as 'pulp literature...just comes out in paper parcels' and it was 'probably sold and read by the adolescent long before we know anything about it'.

He explained that it was difficult for his officers to impose or judge what the standards should be. James Joyce's book 'Ulysses' was stated as an example of the difficulties involved in judging and imposing judgement on imported literature. The Supreme Court Judge of the United States of America had not considered it an

indecent publication yet it would cause 'some of his officers hair to stand on end'. During questioning by the Special Committee he indicated that in his view there was very little indecent literature arriving in New Zealand, and stated that the Customs Department would view any attempt by the Government to pass restrictive legislation to shut out 'pernicious and undesirable literature' with 'dismay'.

Yates defended the Broadcasting system and indicated he was against any legal restrictions on the content being broadcast by national radio stations. He warned that such censorship could be 'a very dangerous method of control' and stated that the some songs such as 'Bimbo' had already been banned after an 'outburst' of feeling on the suitability of their lyrics. Statements made by the Government Film Censor, Mr Mirams, also supported the present censorship system and warned against reintroducing the 'old outright suppression system'.

The Special Committee questioned two groups which were termed 'Professional Societies'. (AJHR, H-47:71)¹⁰ The New Zealand Pediatric Society was represented by its Vice President Dr E.K. Hughes, and five members of the Christchurch Psychological Society appeared before the Special Committee during its hearings in Christchurch. Hughes did not attempt to define the extent of

¹⁰ These groups are included under the heading 'Professional medical and psychological societies' in Appendix 2.

the problem. He chose instead to concentrate on the nature and possible causes of 'promiscuity'. While he noted that many of the girls in borstal came from 'bad backgrounds', he indicated that this did not diminish the crimes they had committed, nor did it absolve the girls from the responsibility of their actions:

Even if we understand why someone went to borstal or committed a crime we shouldn't let them off.....
 ...therefore while we understand why the girls are in Borstal, we are not going to let these girls think that they are the victims of circumstance and have done. You may lead them over a long period of time to say we appreciate you had a bad background, but you still can't go on offending and keep going into this place or somewhere else.
 (Dr E.K. Hughes, Vice President of the New Zealand Pediatric Society: Ms 2384)

He argued that there was a 'place' for corporal punishment which could be administered by the courts, and stated that it was the Pediatric Association's opinion that adolescents were maturing earlier in New Zealand than they were in other countries, therefore the 'feeble minded' needed more supervision and the 'school age should not be too rigid for these adolescents'. He thought that the 'singular absence of pregnancies in the Hutt Valley' indicated that the adolescents involved had been able to use 'preventatives'. Yet while commenting on 'sex instruction' he stated that he constantly came across girls who did not understand the cause of pregnancy. Hughes did not provide any details or judgement on the girls involved in the Kowhai Intermediate Investigation, even though Mr Stace asked him specific questions about the 'nymphomaniac' who had been found to

have had sexual relations with a middle-aged man in his Remuera home.

Representatives of the Christchurch Psychological Society stated that juvenile sexual promiscuity was a problem and added that this problem was indicative of the 'widespread, serious emotional maladjustments which exist in our society today'. The main cause of this widespread and serious emotional maladjustment was thought to be the events which had taken place during the childhood of many of the parents of these children. It was argued that many of those who were parents in 1954 had grown up during the First World War which had destabilised homes, and created an atmosphere of insecurity. It was stated that 'delinquency resulted from insecurity'. This led the Society to condemn defacto marriages and promiscuity.

The only 'expert witness' to be called as a private citizen was Mrs. J. B. Christensen who was, at the time, a student at Victoria University. Prior to arriving in New Zealand Christensen (a citizen of the United States) had been a member of a Senate Subcommittee which had been set up to investigate juvenile delinquency, and had also been involved in investigations into the effects of comics on adolescents. Her testimony to the Special Committee indicated that she did not consider 'sexual promiscuity' a serious form of delinquency, therefore the concern over the events in the Hutt Valley and Auckland were not warranted as some degree of sexual

experimentation was to be expected:

The problem concerning us in New Zealand, of sexual irregularities seems to be a matter of least concern to the students of Juvenile Delinquency in the United States.....We are in a transition stage as far as our feelings toward sexual morality are concerned. Sociologists and so on are inclined to accept it as something to be expected. In contrast with vandalism or theft, it doesn't infringe on anyone else's rights except the two or three individuals involved.

(Mrs J.B. Christensen: Ms 2384)

Christensen told the Special Committee that the laws in New Zealand which governed sexual immorality appeared to be far stricter than those in most American States, as in most States there was no law against a girl being touched on the breast etc., if it was with the girl's consent. In her opinion comics could possibly aggravate a situation where there was delinquent behaviour, however they did not directly cause delinquency. She concluded her testimony to the Special Committee by emphasising that adolescent 'sexual curiosity' was part of the process of 'growing up', and accepting adult sexuality as 'this business of sex is just part of growing up and you become acquainted with it as you do with many other things'.

Christensen recommended a community solution to the problem. She stated that 'more interaction between the child and the community' would help foster an understanding of adolescent sexuality. She also recommended that the community should accept adolescent sexuality and at the same time 'teach control' and not

take 'one extreme or the other'.

Commercial Interests

The 'Report of the Special Committee on Moral Delinquency in Children and Adolescents' listed submissions made by: booksellers, the Chemist Guild, film distributors and exhibitors, milk bar proprietors, and a newspaper editor as 'Commercial Interests'. All of these 'commercial groups' were seen to be relevant to the inquiry, as they had been singled out by the Special Committee and other submitting groups as possible contributors to the problem of juvenile delinquency. There had been considerable criticism of these commercial groups and the booksellers had been accused of stocking and selling 'indecent literature'. It had been claimed that Chemists were selling contraceptives to school pupils and therefore were seen to be encouraging under aged adolescent sexual activity. Elbes Milk Bar had been the alleged meeting place of the 'Elbes Milk Bar Gang'. The submissions made by most members of this group were defensive and sought to negate any accusations that they had directly contributed to 'moral delinquency'.

Prior to the Mazengarb Report there were no legal restrictions on the sale of contraceptives to juveniles. The controversy over the reported use of condoms by members of 'Elbes Milk Bar' gang prompted the Special Committee to question the chemists who appeared as witnesses on the availability of contraceptives and

the moral issues concerned with selling contraceptives to school pupils. There was a difference of opinion amongst members of the Chemist's Guild concerning the chemists' responsibility and efficiency in limiting the sale of contraceptives to teenagers below the age of consent. Mr F.T. Castle, a Wellington chemist claimed that 'chemists don't supply contraceptives to younger children' and stated that he had not sold them to school aged children, while Mr Algie Gifford, a retired Auckland chemist, stated that contraceptives had always sold in 'substantial proportions' and that during his career as a chemist there had been a number of inquiries about contraceptives from high school boys. Mr Gifford added that chemists were 'compelled to sell contraceptives' and that there was 'a large profit to be made from selling condoms'. When questioned by members of the Special Committee about the lack of Christian principals in selling contraceptives merely for profit he replied that he 'hadn't much time for Christianity'. However he did feel that the inquiries made by high school boys indicated that there was a need for sex instruction in schools.

Retailers and booksellers from the Hutt Valley were concerned with shifting the blame and criticism for selling indecent literature onto other sections of the industry rather than debating the merits of certain types of comics and other so called 'indecent literature'. These retailers stated at the hearings that Gordon and Gotch, the major distributor of books and magazines in New Zealand at that time, were forcing

booksellers to take this type of literature. It was claimed that booksellers did not have a choice, they had to sell comics and other lines which had been criticised as 'indecent literature' or they were not able to have access to the full range offered by the distributors. Witnesses representing Gordon and Gotch and other sections of the industry denied these allegations and stated that the blame could not be shifted to the distributor as the retailers could decide the types of literature they would accept.

Film distributors stated that there was confusion and mistakes in issuing censorship certificates, and added that they took 'extreme care' in relaying the details of these certificates to the exhibitors. The exhibitors explained that it was difficult to determine the age of many adolescents and therefore impossible to police the restricted certificates. The Hutt Valley and Petone exhibitors indicated that they did not feel that sexual misbehaviour in the cinema was a problem, and stated that 'extreme care' was exercised in controlling the behaviour in Hutt and Petone cinemas. Furthermore they stated that Sergeant LeFort had been unable to 'discover any offences in twelve months', despite the fact that he had sent plain clothed police officers in to check the cinemas. The New Zealand Motion Pictures Association maintained that there was a high standard of conduct in the country's cinemas and stated that they thought that neither the pictures that were shown, nor the standard of behaviour in cinemas, had anything to do with the happenings in

the Hutt Valley.

Elbes Milk Bar was represented by Mr A.L. Lummis (who was the proprietor at the time of the Hutt Valley incidents of juvenile 'immorality'), Mr Elbe (the former proprietor and owner) and Mr Ellingham (a solicitor). Mr Lummis stated that he did not know anything about the happenings. All that he had noticed was that groups of motorcyclists had began to meet outside his shop on Sundays. This group of teenagers made up about one percent of his customers but they were a 'rowdy element'. Mr Ellingham, Mr Elbe's solicitor, argued that the proprietor had done all he could to prevent the youngsters meeting outside his shop and shifted the responsibility on to the police for not moving them:

In the particular case concerned, that is with these children some of them have undoubtedly been in his shop, they have acted normally, and he will tell you he is very particular about how people dress, how his milk bar is conducted. There is no rowdyism in the place at all and he has no complaints, but undoubtedly as far as he is concerned young men with motor cycles and small groups outside on the street, over which he has no control..... Our suggestion is that any spot that is well known is going to be a natural meeting place, and unfortunately for us Elbe's Milk Bar has been the one for the Hutt City....

(Mr Ellingham, Solicitor for Elbes Milk Bar, Ms 2384)

Mr Lummis stated that the problem of motorcyclists congregating outside his milk bar was occurred mainly on Sundays as his clientele on Saturdays were 'sports folk' who were 'no trouble on Saturday whatsoever' and he suggested that it might be a 'a lack of things to do on Sunday that was causing the problem':

These motor cyclists do meet outside the shop. They arrive, one from one direction, two from another, and one from somewhere else. I don't know where they come from. Sunday is the only day they do arrive. I presume they have nothing else to do in their own area. They sit outside. Along come a couple of girls. The cycle horns toot. The girls go across and they sit out there. In fact one party not so very long back sat the whole afternoon across the road. (Mr A.L. Lummis Proprietor Elbe's Milk Bar, Lower Hutt: Ms 2384)

Having defined the 'problem' as the tendency for a group of 'young men on motorcycles' to congregate on Sunday afternoons outside his shop so that they attracted the attention of a 'couple of passing girls' he went on to state that he felt the the problem in the Hutt Valley had been 'grossly exaggerated' and had been fed by rumour:

I do feel this whole problem as far as the Lower Hutt is concerned has been grossly exaggerated..... There is a suggestion that I have been selling certain articles. That rumour is absolutely unfounded. I would not even think of doing such a thing. I mean contraceptives. There have been other suggestions - it has been suggested that I have been selling liquor in Coca Cola bottles. The idea is absolutely absurd. (Mr A.L. Lummis Proprietor Elbe's Milk Bar, Lower Hutt: Ms 2384)

He stated that he had no idea of 'what was going on elsewhere' until the court cases were publicised and maintained that this was a normal group of young people who he felt could have been lead astray by one girl rather than the organised activities of a gang.

I still think that the majority of these folk are normal young folk and they have been lead astray by one particular person who has been a very bad influence in the particular area -a girl.....
(Mr Lummis, Ms 2384))

In reply to further questioning, Mr Lummis stated that he had not heard the phrase 'Elbes Milk Bar Gang' used by any of the adolescents who gathered outside his shop, nor was he aware of any leaders of such a gang. He felt that the motorcyclists were a minority who congregated outside his shop on Sundays because they had could not afford to travel outside the Hutt Valley as they had to pay off their motorbikes. He also noted that there was very little to do in the Lower Hutt on a Sunday. These statements failed to support Dr Mazengarb's insinuations that these meetings and other activities were planned by an organised gang. In answer to further questioning he added that while a certain girl had led other girls to associate with the gang only a handful of girls were directly associated with this group of motorcyclists.

Mr Elbe, the former owner of the Elbes Milk Bar also stated that 'a normal problem' of 'young people' becoming 'a little noisy' had been grossly exaggerated:

So far as the control of young people is concerned, so long as I was in personal control of the place, we had the normal problem to do with lots of young people coming in. I have seen that place full up in the afternoon with secondary school people.....I must confess I had none of this problem at all. We had the normal problem from time to time of the odd boy here and there who would become a

little noisy.....

(Mr L.E. Elbe, expropriator of Elbes Milk Bar: Ms 2384)

Mr Elbe also condemned members of the police and the public for spreading rumours:

This man said to me "you chaps are doing a nasty job" and I said "what is the story now?" And he told me contraceptives were being sold to children. He was told by a policeman. I said "you can do me a good turn. Tell the fellow and I will discuss it with him." I saw him again two days later. In the interim Mr Lummis had put a statement in the press (denying the rumours).and I said "Have you seen your friend? I want to see him" He said "I have seen him and he has been back to the policeman, and the policeman was big enough to withdraw the remark. He said he should never have said such a thing. There was no truth in it." He said they had nothing on Lummis and he should not have said it.

(Mr L.E. Elbe, expropriator of Elbes Milk Bar: Ms 2384)

The committee argued that the closing of milk bars on Sunday might alleviate the problem. However neither Mr Elbe or Mr Lummis felt that this was a sensible solution as the 'gang would simply meet elsewhere' and Lower Hutt would be a 'poor place' if you 'could not get a cup of tea'.

Other Groups

Mr P. Dowse, the Mayor of Upper Hutt, was the only witness to appear before the Special Committee in what the Committee termed the 'Civic Leaders' category. Mr Dowse stated that immorality "happened in every school to varying degrees" and pointed out

that the Hutt Valley figures of delinquency were the same as those in the Wellington District, in spite of the fact that the Hutt Valley area had a thousand more school children than the Wellington District had. He pointed out that the situation in 1954 was probably better than it had been in the past as 'a few years ago they were going to the factories at fifteen and an odd girl at sixteen gave birth to a child....so there is nothing for people to hold up their arms in horror about'.

He stated that it was Sergeant LeFort's eagerness to 'dwell on the sexual life of school children' that had lead to the needless 'worry' over immorality:

....some of this police stuff was handled very carelessly...I have been told that this is a fetish of LeFort's to dwell on the sexual life of school children. I was told that he waxed eloquent about the shape and form of the beautiful girls at Petone College.....I think there has been too much worry.

(Ms 2384)

Mr Dowse attributed the behaviour uncovered by the police inquiry to the rapid increase in the population in the Hutt Valley. Such a rapid population growth had led to the teachers having limited contact with the community. He added that there was also a large percentage of working men and women and recommended that the Hutt Valley City Council should prepare a directory of organizations that could help young people to find activities to fill their spare time.

Another Hutt Valley group, the Naenae College Board of Governors, also provided witnesses and a detailed submission. They stated there were five hundred and ten pupils who were enrolled in the school.¹¹ Three boys from the school had been directly involved in the Hutt Valley Police Investigation. Their submission stressed that all 'happenings' had taken place outside of school hours, and that many of the boys who had been involved in the police inquiry had come from single sex schools as well as co-educational schools. They stated that they had interviewed the parents and children involved and had identified several causes which had lead to this 'social problem'. The Board held the parents responsible as 'in all cases the homes were not normal' therefore 'the parents are responsible and not the children'. Households where both parents worked were singled out for criticism. It was stated that such parents gave their children too much money and did not spend enough time providing their children with an adequate religious background. The parents of such 'problem children' had also failed to give their children 'systematic sex instruction from an early age'. The Board thought that there was far too much 'unsavoury literature for sale' and radio serials were seen to present a 'pseudo philosophy to life'. It was also pointed out that most teachers in the Hutt Valley did not live in the districts where they taught.

Mr A.S. Partridge represented the National Council of Home,

¹¹ There were only third and fourth formers at Naenae College.

School and Parent Organizations of New Zealand, and had been 'delegated over the past four years to investigate child delinquency'. His statement to the Special Committee emphasised the need for 'sex-education pamphlets'. His association believed that contraceptives should not be sold to 'juniors'. They recommended the use of school buildings out of school hours, however when questioned by Mrs Bloodworth (a Special Committee member) Mr Partridge found it difficult to recommend a method of dealing with those adolescents who would not endeavour to join in with the activities that might be offered. Mrs Bloodworth labelled these adolescents the 'unclubables'.

Finally, the New Zealand Rationalist Association felt there was a need to challenge statements made by the Churches. The New Zealand Rationalist Association's submission disagreed with the Auckland Anglican Synod's statement that 'there could be no true morality without religion'. They stated that the problem of juvenile immorality arose from a lack of sex instruction, the prevalence of 'indecent literature' and the actions of parents rather than any lack of 'Christian morality'.

7: The Mazengarb Report

The outcome of the 'moral crusade' over 'juvenile immorality' was dependent upon the influence of the 'campaigners' and 'defendants', as the Report to be produced by the Special Committee on Moral Delinquency in Children and Adolescents had the power to persuade parliamentarians to legitimate the values of the 'crusaders'.¹ This chapter will examine the details of what Gordon Tait (1979) called that 'incredible document popularly known as the Mazengarb Report', in order to ascertain which perceptions of the 'crisis' gained the Mazengarb Committee's recognition and thus influenced the parliamentary debate. The impact of the Mazengarb Report upon the Members of the House of Representatives and the 'hasty' passage of 'ill conceived' legislation will be considered in the following chapter of this case study.

The Mazengarb Report was divided into eighteen sections. Sections I to V dealt with the background events which had

¹ See Chapter Eight.

motivated the Report and sought to examine the patterns and rates of adolescent sexual behaviour, and compare these with those of the previous two decades. Sections VI to Section XVI dealt with the causes of what, in the earlier section, had been defined as a 'change in the patterns of sexual misbehaviour'. The final Sections XVII and XVIII provided a summary of the previous sections and contained proposals for legal and administrative action. This chapter now turns to a detailed investigation of each section of the Report.

'Has Juvenile Delinquency Increased?'

In Section I the Committee acknowledged the public concern and anxiety over juvenile delinquency which had been generated by the press reports of the Hutt Valley investigation. They stated that these press reports were a response to police statements, and a report made by a stipendiary magistrate and a child welfare officer. These reports had indicated that juvenile delinquency had doubled in recent years. The Committee noted that there were two other subsequent press reports which added to the burgeoning public anxiety. The first was the news of the murder of a woman in Christchurch by two girls (one of them her daughter) who were 'widely known' to have been 'abnormally homosexual'² in their behaviour. The second press report which they stated 'motivated

² Details of press reports on this case are given in Chapter Four.

further concern' was the published extracts from the Annual Report of the Justice Department which had indicated that sexual crime in New Zealand was, 'per head of population, half as much again as sexual crime in England and Wales'.³

The Committee concluded this section with several quotes from Australian and English newspapers, which they argued, indicated that the increase in juvenile delinquency was not confined to any one district or any one country; what was 'entirely new' in New Zealand was 'the attitude of mind'. The Mazengarb Report argued that some young people were planning and organising sexual indulgence with the attitude that as long as they had each other's consent they were not doing anything wrong. There was also concern that reports from abroad had magnified the extent of juvenile delinquency in New Zealand. The Committee hoped to repair this damage to New Zealand's good name abroad by acting in the 'interests of morality which may give a lead to other countries'.

This initial section of the Report acknowledged the influence of the media's portrayal of the theme of 'juvenile immorality' as a major factor in motivating the concern over 'sexual delinquency'. The Report credited the arousal of concern directly to the 'press reports' which had been initiated by the Hutt Valley 'police

³ Ibid.

investigations'.⁴ However, the Special Committee not only acknowledged the media's role in promoting the crisis they substantiated and expanded the media theme by arguing that this press coverage of 'sexual assault by juniors' represented an 'entirely new' attitude of mind.

In Section III The Committee outlined the incidents which lead to the police obtaining the admissions and evidence of 'sexual misconduct' from sixty five children. The Committee's statement that the investigation was motivated by the confessions of a girl at the Petone Police Station, who had stated that she was involved in a 'Milk Bar Gang' which met 'mostly for sex purposes' echoed the Sergeant LeFort's perception of the offenders.⁵

This section of the Report provided information and statistics on the adolescents involved in the Hutt Valley inquiry and referred to the 'similar occurrences' in 1952.⁶ The Mazengarb Committee argued that the situation in 1954 was far more serious than it had been in 1952, as there were three times as many children involved in the 1954 investigation. The figures given stated that there were only six girls involved in the 1952 inquiries while seventeen girls had been involved in the 1954 investigation

⁴ These press reports had identified the major national and international newspaper stories and events which were relevant to this theme (see Chapter Four).

⁵ See section titled 'The Police' in Chapter Five.

⁶ Although the Report makes no references to the Hutt Valley Youth Survey the figures resemble those contained in the HVYS Report.

(see Table 7.1). However, in spite of the fact that only a third as many girls were involved in 1952, two of these girls had become pregnant while none of the girls had become pregnant in 1954. In 1952 all eleven boys were under eighteen while in 1954 five of the thirty seven boys were over eighteen. When these figures are converted to percentages to compare the age of members within each group (see Table 7.2), and the percentage of those convicted are compared (see Table 7.3), it is clear the Committee's statement that the situation in 1954 was 'much more serious' than the situation in 1952 rested solely on the number of children involved in the investigations. The Mazengarb Committee had failed to take into account possible contributing factors such as the police effort put into each inquiry, or the determination of the police to bring these adolescents to court.

The Committee stated in 'Part Two' of this section that the discovery of these incidents of sexual misbehaviour in the Hutt Valley indicated that there must be similar behaviour elsewhere. Evidence from a police inquiry at an Auckland Intermediate school and an Auckland court case was cited to prove this point⁷. In the course of an inquiry into a theft at the school the police had found that forty children in the twelve to fifteen year old group, and one nine year old, had been implicated in incidents of 'sexual misbehaviour'.

⁷ The evidence presented in the Report indicates that the Committee are referring to Kowhai Intermediate and the 'Griffs case' (see Chapter Four).

Table 7.1 A comparison of the number of children involved and charges laid in the 1952 and 1954 'moral delinquency' cases.⁸

	<u>1952</u>	<u>1954</u>
Girls	6	17
Pregnant girls	2	—
Boys	11	42
Charges laid	61	107

Table 7.2 Percentage of boys under 18 years in 1952 and 1954.⁹

	<u>1952</u>	<u>1954</u>
	100%	88%

Table 7.3 A Comparison of the percentage of committed or admonished or discharged in the 1952 and 1954 'moral delinquency cases'.

	<u>1952</u>	<u>1954</u>
Cases not dismissed in court	82%	33%
Cases admonished, dismissed or discharged	27%	88%
Juveniles placed under supervision	58%	43%
Girls committed to care of the State	50%	29%
Boys committed to care of the State	0%	2%

⁸ Figures derived from the Mazengarb Report (AJHR, 1954 H-47:12-13).

⁹ Rounded to the nearest percent.

The Report mentioned two Auckland court cases where several girls had given evidence that they were sexually involved with an older man, and the Auckland murder trial of a fourteen year old boy. The Report was obviously referring to the trial of William Morath, but at the time of the release of the Report the case was still sub-judice and the Committee could not comment on the details. This section of the Report concluded with the statement concerning the 'Auckland evidence'. This 'evidence' had convinced the Committee that they were investigating a serious problem:

.... the Committee learned of a collection of sordid happenings occurring within a short space of time which people who regard themselves as men of the world could scarcely believe possible in this Dominion,....

(AJHR, 1954, H-47:13)

However, Report stated that the increase in juvenile sexual offences appeared to be evident only in the North Island as 'No submissions were were presented to the Committee' to show 'that sexual offending by juveniles in the South Island had increased to any alarming extent'.

In Section IV the Committee examined the extent of 'immorality' among children in order to ascertain whether this 'immorality' was increasing or decreasing. The reader was cautioned that this was a 'difficult question to answer' as 'Sexual immorality' was by its very nature a 'clandestine vice'. The Committee adopted an argument which closely resembled that made by Sergeant LeFort. It was argued that if the girls had remained silent then

the juvenile sexual offences would have remain unknown, thus there could be many undetected cases throughout the country. Evidence of a number of cases where girls had become pregnant in the Hutt Valley before their sixteenth birthday, was cited to prove that the extent of sexual misconduct had not been fully revealed, despite the recent extensive investigation in the Hutt Valley. After examining statistics compiled by the Superintendent of the Child Welfare Division the Committee concluded that: firstly there was not any significant increase in sexual crime relating to children between 1920 and 1953 after the increase in population had been taken into account; secondly that when the figures had been broken down into districts there was a large increase in the Auckland district; thirdly they claimed that the large increase in sexual crime evident during the Second World War had now returned to the previous pre-war rate; finally they argued that Maori juvenile delinquency was three and a half times that of the rest of the child inhabitants of New Zealand. The reason given for this was that 'offences may come from factors inherent in the traditions of the Maori and in their difficulty in conforming to another mode of living'. Social structures and processes were, therefore, ignored as it was the responsibility of the individual and the minority culture to 'conform'.

In the following paragraphs the Committee argued that the it was not possible to compare English and New Zealand adult sexual offenders as the the rates of conviction differed. In England only forty seven percent of the cases that were reported to the

police were acted upon or 'cleared up', whereas in New Zealand sixty four percent of sexual offences were acted upon by the police and courts.

An examination of Section IV shows that Committee interpreted Welfare Department juvenile offending statistics as indicating evidence that (apart from the Auckland region) there was in fact very little increase in either sexual or general juvenile offences. The evidence they examined had indicated that in 1954 there was a a higher percentage of Maori juvenile offenders than European offenders. This evidence did not show whether or not this represented an increase in Maori juvenile offenders. There was no attempt to examine the spatial patterns of juvenile delinquency offending, nor was there any attempt to link the high incidence of juvenile offending in Auckland with the fact that the Committee had found 'evidence' of such 'sordid happenings' in other urban areas. The Committee concluded that:

Whatever inferences may be drawn from this Report—whether juvenile immorality has increased or not—any nation is wise that, from time to time, surveys its moral health.

(AJHR, 1954 H-47:17)

'A changed Pattern of Sexual Misbehaviour'

Section V of the Mazengarb Report ignored the statistics quoted in the previous section, and the argument that 'sexual offending' was no worse than anywhere else in the world, and proceeded to

proclaim that 'improper sex behaviour amongst children' is not only more extensive, it is following a new pattern:

Similarly, in this matter of improper sex behaviour among children, it is not merely its extent, but certain features in its new pattern which command attention.
(AJHR, 1954 H-47:18)

Before proceeding to outline these 'new patterns', the Committee made it clear that this 'extensive' improper sex behaviour must be dealt with legally. They provided a counter argument to those who had argued that a change in law will not make people moral, by stating that when a 'vice' reaches considerable proportions, special measures must be put in place so that 'firm action can be taken by the legislature to protect the public'.

In this section it was argued that there had been five major changes in the pattern of juvenile delinquency. The first change was identified as the occurrence of 'immorality' in younger groups of children. The second change in patterns of sexual delinquency was seen to be the increasing precociousness of the girls involved in 'immoral acts'. The Committee argued that it was the the girls who were now initiating incidents of sexual misbehaviour:

It is unfortunate that in many cases girls, by immodest conduct, have become the leaders in sexual misbehaviour and have in many cases corrupted the boys.

(AJHR, 1954 H- 47:18)

Thirdly they stated that the incidents of such conduct have been 'organised' in a way that was not evident before, and that there was a tendency to carry on offending, after previous involvement in sexual misbehaviour. They identified a lack of shame and concern amongst those who were questioned and those who offended:

.... some of the girls were either unconcerned or unashamed, and even proud, of what they had done. Some of the boys were insolent when questioned and maintained this attitude. The Committee has not over looked the fact that in some cases this attitude may have been due to a defensive reaction.

(AJHR, 1954 H-47:18)

The sixth change in the pattern of youthful immorality was seen to be an increase in homosexual practices and the Report warned parents that sexual misbehaviour 'can occur between members of the same sex'.

This warning echoes the words in the introduction, and emphasises the Committee's view that the pattern and degree of immorality evident in 1954 was seen to be substantially different both in nature and extent from patterns of delinquency in previous years. It was argued that 'the subject' could not 'be dismissed in a light airy way'. They stated that there was 'something new' about the 'sexual misbehaviour' of 'young people' which indicated that the situation was 'a serious one' and 'something must be done'. Thus the Committee, faced with the conflicting views of the campaigners and professionals, had acknowledged that there was little statistical evidence to support the claim of widespread juvenile delinquency and had

instead turned to a claim which both groups of witnesses had agreed on; the 'precociousness' and 'unashamedness' of the girls'.

'Searching for the Cause'

Sections VI to VII outline what the Committee considered to be the 'predisposing' and 'precipitating' causes of juvenile delinquency. The 'predisposing' causes were thought to be the factors 'which lay beneath the surface' and created emotional maladjustment. These causes were contrasted with 'precipitating' causes which were events or circumstances that appeared to trigger the behaviour. It was argued that the most of the letters to the press, and letters to the Committee were ascribing the 'precipitating' causes to this 'evil', and in doing so they had dealt primarily with the superficial causes and had not dug below the surface to find the other causes of what was once again described as a new, serious and threatening state of affairs:

In searching for a real or substantive cause it must be borne in mind that juvenile delinquency, of the type now being considered, is a new feature of modern life and a facet of juvenile delinquency which does not appear to have engaged the attention of research workers.....The state of affairs which has come about was uncertain in origin, insidious in growth, and has developed over a wide field....

(AJHR, 1954 H-47:21)

The Mazengarb Committee had, therefore, included a reference to the broader analysis provided in the HVYS Report. However this

analysis was subtly changed so that rather than recognising the 'underlying' factors which could be seen to initiate acts of delinquency, the Mazengarb Committee used this analysis to dismiss as 'superficial' the evidence of the child welfare officers and other 'defendants' who used statistical data and experience in the field.¹⁰ The information supplied by these witnesses and 'researchers' were, in the Committee's opinion, far less significant than the churches unsubstantiated claims of 'moral decline' and potential 'moral chaos'.¹¹ Ironically, the Mazengarb Report had condemned a 'superficial' analysis of the 'problem' and had then emphatically reinforced the 'commonsense' views of the Church and 'campaigning groups'.

(i) 'Visual and Auditory Influences'

The Report dedicated a whole section to what were described as 'visual and auditory influences'. These influences were categorised as: objectionable publications, films, broadcasting, press advertising and television. In the objectionable publications section, 'Modern style comics' designed for 'low-mentality adults' were singled out for criticism. The genuine 'traditional' comic was not considered harmful as it did not provoke the 'anti-educational', 'pernicious' moral outlook that the various authorities had ascribed to this new variety. It was

¹⁰ See Chapter Six.

¹¹ Unlike the welfare officials, church witnesses failed to produce evidence to support their claims (see section titled 'Church and Religious Organisations in Chapter Five).

felt that the 'modern style comic' was more harmful than films because the the printed medium was 'more personal to them and more lasting'. This style comic was also thought to have more effect on girls than on boys as the girls 'readily identified themselves with the chief characters'. The Committee recommended the banning of such literature rather than censorship, and stated that the definition of indecent and obscene should be widened, and that all distributors should be registered along the lines of the Victorian Police Offences (Obscene Publications) Act 1954.

Such censorship was not recommended for the film industry: and as the film censor was seen to be providing adequate guidelines the onus was placed upon the parents. The main suggestions concerned the incorrect and wrong certification of films, the admitting of adolescents to films with restricted certificates and the preventing of 'grossly extravagant' posters and news paper advertisements. However, the Report did warn of the dangers lurking in darkened theatres:

Once inside a darkened theatre, children, adolescents and undesirable persons may behave improperly and the manager may have difficulty in exercising control.
(AJHR, 1954 H-47:24)

The Report noted that the major criticisms of the broadcasting service had been the disapproval of 'suggestive love songs' and certain incidents that occurred in crime serials for adolescents and children. It was stated that recent events had indicated that the broadcasting service should critically re-examine its

programs, and that the listening hours for children should be reclassified. It was also recommended that a message of 'crime does not pay' should be incorporated into crime serials and that a married woman should be included on the auditioning panel.

The Report condemned newspaper advertising and stated that advertisements were, 'more and more based on sex attraction, horror and crime'. It was felt that this development in advertising policy was harmful to juveniles and adolescents. Television was also included in this section of the Report. Although television was not yet available in New Zealand, the Report stated that when television did become available to the general public it would have 'enough of a negative influence' to 'warrant liaison between the various censoring committees'.

(ii) 'New Education' and 'Community Influences'

Section VII dealt with the influences within the school that the Committee had singled out as contributing to the undermining of the sexual morality of children and adolescents in New Zealand. These influences were divided into the following categories: the teacher and the child, co-education, the school leaving age, relations with the Child Welfare Division, sex instruction in school, and 'New Education'.

Under the section headed the 'Teacher and the School' the Report commented that there had been several significant changes in the

relationship between teacher and pupil which had aided the growth of delinquency. Urban growth had meant that the teacher no longer had a detailed knowledge of a pupil's background, and that there were now larger schools staffed with a high proportion of relieving teachers. However, the Report did not identify the social problems brought about by the rural urban drift. The difficulties which lead to 'immorality and delinquency' were seen to be of a 'medical' rather than social origin.

In the discussion of co-education as a contributing factor to juvenile delinquency it was noted that the Prosecuting Officer in the Lower Hutt court had made a connection between the outbreaks of juvenile delinquency in the Hutt and the fact that both sexes could 'associate' together in a co-educational school. The Committee stated that it had heard many other submissions all of which had indicated that co-educational schools increased the chances of 'immorality' among pupils. They concluded that these claims could not be substantiated, as many of the offences they had investigated had involved pupils which had initially made contact through activities which did not involve the school. Their concluding statement suggests they supported the claims made by schools that they were not a direct factor in promoting an increase in juvenile delinquency:

This linking of the school to the offender is unfortunate, as it is unsettling to the other pupils of the school and disturbing to the parents of the district.

(AJHR, 1954 H-47:29)

The Committee also noted that there was a need for schools to work closely with the Child Welfare Division. They stated that a child who was not likely to gain any 'appreciable' benefit from school should be supervised by the Child Welfare Division, and that headmasters should be in close contact with the division and vice versa, for all matters concerning the future of delinquent children. It was thought that sex education should be taught as a part of Nature Studies or Biology and that it was not the duty of the school to teach the 'fuller' aspects of the sex relations between men and women. This section of the Report concluded with a discussion on the 'playway' and 'free-expression' philosophies of education, as these had been singled out as a cause of the increase in delinquency by several witnesses at the Committee hearings. No conclusion was reached on the contribution of these philosophies to an increase in juvenile delinquency.

In Section IX titled 'Community Influences' the social problems of the new housing areas such as the Hutt area were examined. In this section the Committee noted that in areas where there had been large scale housing development there tended to be a disparity between the numbers of adults and children so that an abnormal distribution of population occurred. They warned that this abnormal population distribution in housing developments, combined with the absence of a community spirit and overcrowded houses, could be a contributing factor to the increase in juvenile offenders. The Committee offered one solution to the housing problem; the dispersion of state houses amongst

established residential areas.

(iii) The Home Environment

The following discussion on 'Recreation and Entertainment' 'Liquor and Gambling' and all of Section X which was entitled 'The Home Environment' clearly indicated that the Committee felt the solution to the problem demanded changes in the individual rather than change in social policies. They argued that it was not enough to provide organised recreation and entertainment through clubs and societies, as children can still 'slip into bad ways'. It was clearly stated that parents must prevent liquor at adolescent parties, disturbances that might arise out of divorce, poor discipline and a lack of supervision of adolescents. The Report criticised working mothers, and while they admitted some mothers might need to work they indicated that these were a minority. It was concluded that most women worked for an ulterior material motive or purely for their own enjoyment:

Some mothers may need to work: but many of them work in order to provide a higher standard of living than can be enjoyed on the wages earned by their husbands, or because they prefer the company at an office, shop, or factory to the routine of domestic duties.

(AJHR, 1954 H-47:29)

The Committee also condemned the 'thoughtless' women who are not home to greet children when they arrive home from school, those

who sent children off to the pictures while they played golf or visited friends. Fathers were allowed to be away during the day but they were not 'free from blame'; they too must take an interest in their children's activities during the evenings and on weekends. It was felt that children and adolescents had 'too much spending money' and that the starting wage for adolescents was 'somewhat high'. This was a further condemnation of working mothers, the implication being that there was obviously no reason for mothers to work if they could give 'young people' too much pocket money.

(iv) 'Sex Matters'

Section XI dealt with 'Information on Sex Matters'. This section was prompted by the police submissions which had indicated that most of the girls had an inadequate and 'rudimentary' knowledge of sexual matters, even the so called 'precocious' children had 'advanced knowledge only in respect of isolated portions of this subject'. The Report clearly stated that it was the duty of parents to answer children's questions on sexual matters as 'parents were the best suited for imparting this knowledge.'

Some limited group sex instruction was to be allowed as the Committee acknowledged that there were parents who obviously had difficulty imparting this knowledge to their children, but such instruction was to be given to each sex separately. Fathers and sons were to meet the Heads of schools and Parent-Teacher

associations for sex education lessons on separate occasions from the mothers and daughters, but if parents were unaccompanied by children they were able to meet these authorities together.

(v) 'Religious Influences on Morality'

Section XII dealt with the 'Religious Influences on Morality'

This section was a response to the submissions by church groups which had criticised the lack of a 'spiritual basis' in society and declining church attendance:

The consensus of opinion before the Committee is that there is a lack of spiritual values in the community. This is not merely because the majority of people do not go to church, but because of the general temper of society and standards of morality. Most people would affirm some sort of belief in God, but are unable to relate it to their daily lives.

(AJHR, 1954 H-47:43)

The Report went on to argue that Christian faith must be generally accepted or morals and standards of conduct must fall.

The lack of church attendance was interpreted as a turning away from the 'spiritual basis of life' to a 'purely materialistic conception of life'. The fact that sixty-four percent of the offenders in the Hutt Valley had never attended church or Sunday school regularly or had ceased to attend, whereas thirty-six percent had attended regularly, was cited to prove the Committee's conclusion that lack of church attendance was a major factor in the Hutt Valley incidents:

It is, however safe to assume that there was little religious teaching; and it is unfortunately true that there was a failure to observe moral standards. The acceptance of the Christian position cannot fail to promote good conduct in all fields including the relationship between the sexes.

(AJHR, 1954 H-47:43)

The Committee stressed that the 'blame' for this lack of church attendance lay with the parents and their 'lack of responsibility' in discharging their parental duties.

In Section XII, which dealt with 'The Family, Religion, and Morality', they warned that failure or inability by parents to appreciate their responsibilities could have dire consequences:

It is the view of the Committee that during the past few decades there have been changes in family life throughout the English-speaking world leading to a decline in morality as it has generally been understood. A remedy must be found before this decline leads to the decay of the family itself as the centre of our national life and culture.

(AJHR, 1954 H-47:47)

The Report implied that state intervention was no answer to what they termed a 'break down in the moral order and moral standards'. It was argued that the provision of State homes and family allowances had not lead to an increased sense of parental responsibility. This served to emphasise the Committee's perception of the problem of juvenile delinquency as being attributable to the the individual delinquent, who had not had an adequate spiritual education, and parents who had 'shirked' their

'parental responsibility'. Thus any legal solution must address the spiritual and attitudinal problems of the individual and the family rather than any social problems that may be operating outside of the family unit.

As well as demeaning the welfare state and governmental solutions to the problem of delinquency and 'moral decline', the Report attacked scientific and literary circles for promoting the view that a code of morals could exist separately from religious based code of conduct and faith:

This intellectual standpoint helped to undermine the authority of the churches. The views of the scientists were not the cause of but undoubtedly did accelerate, the drift from organised religion.

(AJHR, 1954 H-47:47)

Psychology was singled out as a particular example as a science that had contributed to the 'moral chaos' by promoting 'reasoning from observed facts' rather than a base of faith and religious morals.

A desire for scientific accuracy is understandable, a wish to understand the working of the human mind wholly commendable, but many people whose loose behaviour was instinctive, rather than inspired, now had apologists for their conduct. The moral drift had become moral chaos.

(AJHR, 1954 H-47:47)

(vi) 'Changing Times and Concepts'

Section XIV which was titled 'Changing Times and Concepts',

singled out the contentious issues relevant to adolescent sexual behaviour and education. This section covered the problem of the availability of contraceptives, the broadening of divorce laws, premarital relations, 'self expression in children', and materialistic concepts in society.

Under the section labelled 'Contraception' the Committee stated that while the initial distribution of condoms by the New Zealand Army in World War one had been a shock to 'respectable society', they had now been accepted. Society had been obliged to choose between 'two evils' and it had 'obviously' chosen what it regarded as the 'lesser of two evils'. However, if married couples were allowed to use this contraceptive device out of necessity, 'contraceptives' were not to be 'allowed to get into the hands' of adolescents and children.¹²

While the Committee argued that the divorce laws should be broadened, they noted that the tensions in an unhappy marriage could contribute to delinquent behaviour. They were firmly against any premarital relationships and stated that the idea that such relationships were permissible had contributed to the 'moral drift':

One aspect of the moral drift is that it is somehow not wrong to have premarital relations or to live together

¹² This section does not clearly define the age at which it is considered permissible to have possession of, or the right to buy, condoms.

as man and wife without marriage. Such a view is opposed to all the ideas of chastity which are inherent in our morality. Apart from that, an irregular sex relationship may be psychologically disadvantageous.
(AJHR, 1954 H-47:47)

The Report stated that a trend towards allowing self expression in children was yet another attitudinal change which had contributed to the present drift towards moral chaos. Once again psychology was to blame, as it had initiated this trend which had prevented parents from using 'corrective measures' and from disciplining children. Now that many of these children who had been brought up this way were parents themselves the problem had been compounded, as these parents were either too firm or too lax in disciplining children.

The Committee selected 'trend towards the dominance of materialistic concepts in society' as the final major contributing factor to the prevalent 'problem' of 'moral delinquency'. Social welfare policies were stated to be the cause of society's materialistic attitude. They argued that policies such as the provision of free education, hospitals, insurance, old age benefits and the 'child allowance' had lessened incentive and encouraged both parents and children to rely on the state. Such a 'benevolent' government had meant that adolescents no longer wanted to study, or take an interest in spiritual things. Such activities had been replaced by an interest in material possessions and a preoccupation with 'a world where things are temporal'.

(vii) 'The Law and Morality'

In Section XV 'The Law and Morality' the Committee argued that the law pertaining to the indecent conduct of young females and males was biased towards the young females, as girls were not liable for indecent assaults on boys. They stated that this anomaly should be eradicated as their evidence showed that many of the sexual crimes which had been committed by the boys had been initiated by 'sophisticated' girls who had 'tempted' and 'encouraged' 'many of the boys....into sexual crime'. It was argued that the girls committed an offence 'when they act towards boys in an indecent manner'.

The Committee proposed that legislation should be passed to 'punish' a girl who had allowed any person to 'indecently handle her' or have intercourse with her. They also argued that the law should be amended so that a girl who indecently assaulted a male could be charged with committing an offence, and noted in the Police Gazette alongside male offenders.

It was recommended that parents attendance at court should be made compulsory and that the court should have the power to take action against the parents of delinquent children. Parents were to pay fines or costs and to give security for the good behaviour of a child. If they failed to comply with these legal requirements then the court was to order the Social Security Commission to suspend the payment of the Family Benefit until the

parents complied with the courts requirements. Schools were to notify the Child Welfare Division of any child who was expelled from school, likewise the courts were to inform the principal of a child's school that he or she had been found guilty of an offence. However the Committee rejected a return to corporal punishment as stipulated under the Crimes Amendment act of 1941, where the judge had the power to order a whipping. They also stated that the Children's Court was not to be open to the public or the press and the particulars of offenders were not to be released to the public.

Proposals for Legislation

Sections XVII and XVIII summarised the conclusions and recommendations made in the body of the Report. The summary of recommendations divided the Committee's recommendations into three sections. The 'proposals for legislation' covered eight proposals for legal change which had been discussed in earlier sections of the Report. Among these proposals was the recommendation which would form the basis of the 'deplorable' 1954 Indecent Publications Amendment Act.¹³ It was proposed that all distributors of books, magazines and periodicals should be registered and that the distribution of 'obscene' and 'indecent literature' should be punished by the loss of a licence to

¹³ For a discussion of this Amendment Act see section titled 'The Long Lasting Repercussions' in Chapter Eight.

produce or distribute published material. It was also recommended that the definition of what was 'obscene' and 'indecent' literature be expanded so that these terms covered 'all productions which are harmful in that they place undue emphasis on sex, crime, or horror.' (AJHR, 1954 H-47:66).

There were several recommendations for changes in the power and procedure of courts. Firstly it was recommended that a new offence should be created which would enable the Children's Court to charge both girls and boys for committing 'indecent acts' with each other. Secondly the parent was to be made directly responsible for costs and fines. If parents failed to accompany juvenile offenders to court or failed to pay the fines and/or costs, the Committee recommended that the court should have the power to suspend the Family Benefit until the fines were paid.

Of the several proposals for 'administrative action' the only concession to the social and housing problems of areas such as the Hutt Valley was the recommendation that the Education Department should set aside residences for teachers in such new housing areas. The other proposals referred to a greater liaison between government departments and clarification of censorship.

The Report concluded with a reference to the importance of the 'parental example'. It was noted that new laws and regulations could help 'allay well founded fears', however, 'right living' and 'regularity of conduct' was needed to 'afford the best example for the conduct of the rising generation'.

Summary

The Report of the Special Committee on Moral Delinquency in Children and Adolescents represented a victory for the 'campaigning' groups, particularly the church officials and 'right minded citizens'. The Committee trivialised the 'defendants' viewpoints and actively sought to reinterpret or ignore evidence which did not support the campaigners perception of a nation facing serious and widespread 'juvenile immorality'.

The housing shortage and urban growth in the Hutt Valley and Central Auckland had warranted only a minor mention in the Report. However, there was a small victory for educational professionals and Hutt Valley headmasters; co-educational schools were not seen to have fostered this 'insidious' situation.

The Churches warning that 'widespread juvenile delinquency' heralded a 'lack of morality' and individual responsibility had been legitimised, as the Report stressed the importance of the church, the morality of the individual, and the responsibility of parents. Like the church groups the Committee warned that serious and dire 'moral' consequences were likely to result if these warnings were not heeded.

The Mazengarb Committee had, therefore, accepted the 'commonsense' and 'straight forward solutions' advocated by the

Church and the other 'campaigning groups'. The 'moral barricades' had not only been manned they had been strengthened and fastened into place by a government appointed committee. The campaigners arguments and their 'panic measures' were thus assured of a favourable hearing in the House of Representatives. The 'campaigner's' views and calls for action were to reach an even wider national audience, when a sympathetic Prime Minister and cabinet enabled this formal legitimization of the campaigners views to be sent to every household in the nation.¹⁴

¹⁴ A copy of the Mazengarb Report was sent to every household in the country (see Chapter Four).

8: The Parliamentary debate and the 'decisive legislative action'

Cohen (1980) Hall *et al.* (1978) and other studies (Kelsey 1982, Barker 1984) have indicated that the legislators and courts, as 'agents of control', play a major role in legitimising the 'campaigner's' values which are promoted in the 'moral campaign' against a perceived threat to societal values. Cohen notes that there can be 'serious and long-lasting repercussions in legal and social policy' which result from a group of individuals becoming defined as a 'threat' to societal values and interests (Cohen 1972:9). Hall *et al.* take this analysis one step further and state that when such a threat motivates 'a deep structure of anxiety and traditionalism' the result is the 'legitimation' of the values of the 'dominant culture' by the legislators and judiciary (Hall *et al.* 1978:32). Such legislative 'repercussions' and 'legitimation' can be seen to have occurred following the release of the Mazengarb Report, when the Committee's recommendations were hastily incorporated into three amendment bills and enshrined in law a mere ten days after the Prime Minister had received the Report. The campaigners cry that 'something must be done' had been heeded one hundred days after

the day that a fifteen and a half year old girl had confessed to the Sergeant in charge of the Petone Police Station that she become tired of 'sex, sex, sex'.

The development of Parliamentary concern over the incidents of juvenile immorality in the Hutt Valley which ultimately persuaded the Members of the House of Representatives to unanimously pass these three pieces of legislation will be outlined in this chapter. This analysis will include an examination the influence that the Mazengarb Report, and other 'control agents' such as the police and press, had in persuading Parliament to endorse this hasty legislative action aimed at preventing the 'insidious growth' of 'juvenile immorality'. The final section of this chapter will examine the 'repercussions' and impact of this legislation. Such an account will enable an evaluation of the legislative processes which led to the legitimisation of the values upheld by the 'campaigners'.

The Parliamentary Debate: Initial Issues and Concerns

There were two issues which were debated during the 1954 Parliamentary Session, that can be seen to be directly related to the concerns over juvenile delinquency and 'immorality'. These issues were: the possible harmful effects that might result when mothers chose to work rather than remain at home, and the adverse effect of harmful 'indecent publications'.

Parliamentary concern over juvenile delinquency and the related issues of 'working wives' and indecent literature surfaced in the 1954 session. This concern was unrelated to any previous debate in either the 1953 or 1952 session and while the 1955 Parliamentary Session saw a limited debate on some specific aspects of juvenile delinquency, by the 1956 Parliamentary Session 'juvenile delinquency' was no longer listed as a topic in the relevant Index to the New Zealand Parliamentary Debates. This would suggest that collective Parliamentary concern over juvenile delinquency and 'immorality' was confined to the 1955 Parliamentary session¹ and therefore directly related to the immediate events and societal reaction which had led the Mazengarb Report to conclude that:

'..the state of affairs which has come about was uncertain in origin, insidious in growth and has developed over a wide field'.

(AJHR, H-47:21)

(i) Working Wives and Mothers

The initial debate over the issues connected with working wives and mothers began as a criticism of the National Government's Budget. In the first weeks of the 1955 session, a Labour member

¹ Parliament was in session from the 22nd of June 1954 until the 1st of October, thus the 1954 Parliamentary Debate took place during the period which saw the greatest increase in public awareness of the 'problem' of juvenile 'immorality'.

Mr P.G. Connolly (Dunedin Central), indicated that the cost of living and government economic policies were forcing married women to 'go out to work'. This speech preceded the first press reports on the Hutt Valley investigation and was motivated by the fact that many members who participated in the debate had noticed that 'wives are going out to work' (NZPD, 1954:26).

Labour's criticism was countered by the National member Mr D.M. Rae (Parnell), who argued that women were working because they wanted to. Connolly then proceeded to acknowledge that there was a direct connection between working mothers and juvenile offending:

I would point out that quite recently the probation officer in Dunedin told me that in the case of eighty percent of the young offenders who come before the children's court the mothers are at work and away from home with the result that the children are left to run around the streets after school hours.

(NZPD, 1954:26)

The issue resurfaced in early August when another Labour Member, Mr H.L.J. May (Onslow), accused the National Government of 'making' married women go out to work in order to obtain 'prosperity' (NZPD, 1954:856). This concern over working Mothers coincided with publication of a series of letters in The New Zealand Herald and Dominion which debated the necessity for women to work. The Parliamentary Debate centred around the contention that a mother needed to be at home when her children returned from school. May argued that it was women from the lower socio-

economic income bracket who were the most likely the most likely to work out of 'financial necessity'.² He cited the Petone area³ as a specific example of an area where the wives and mothers of husbands on 'lower incomes' might be forced to work. May advocated that the Government should provide financial assistance to local bodies so that the cost of housing in areas such as Petone could be lowered. His speech implied that local initiatives in 'lower income' areas could prevent mothers having to work and thus there would be less incidents of juvenile delinquency in such areas.

Several days later Mr W.W. Freer (Mount Albert), also a Labour Member of Parliament, stated that he agreed with May's allegations that mothers had gone to work as a result of the Government's economic policies. However he also argued that in addition to the economic difficulties there was a 'materialistic' attitude, which had driven mothers to seek work:

...I wonder what will be the effect on the rising generation, with mothers and fathers out working, and the emphasis on their home life destroyed merely by greed and the desire to acquire something more in the home.

(NZPD, 1954:1050)

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- 2 The revival of Parliamentary debate on the issue of working mothers coincided with coverage of the issue in the national press from late July to early August. See section titled 'From Theme to Officially Recognised Crime Wave' in Chapter Four.
 - 3 An area at the centre of the Police Inquiry into the 'Elbes Milk Bar Gang'.

In the final stages of the debate relating to working mothers Mr T.L Hayman (Oamaru), a National Member of Parliament, directly linked the issues which had been discussed to the 'disclosures of immorality amongst young people in the Hutt Valley'. He stated that evidence from the investigation in the Hutt Valley had indicated that none of the families whose children had been involved in the investigation had gone out to work and concluded by stating that apart from families where the children were very young, or where the husband might disagree, there was no reason for the wife not to go out to work, especially if the result was 'Better amenities and a higher standard of comfort' (NZPD, 1954:1201)⁴

The promotion of the debate over the possible 'grave social and moral risks' that could occur should mothers 'go out to work' can be linked to two major factors. Firstly direct references to the problem of juvenile delinquency and the Petone area indicate that Parliamentarians were well aware of the 'Hutt Valley Investigation'. Such an awareness can be attribute to the media coverage of the Hutt Valley Investigation and other press reports of incidents and issues connected with juvenile delinquency during the Parliamentary session. Direct police contact with the Prime Minister would have also promoted an awareness of the

⁴ This argument was supported by Hon. G. H. Ross (Hamilton), the Minister for the Welfare of Women and Children (NZPD, 1954:1805).

'problem'.⁵

Secondly, the Parliamentary debate over the issue of working mothers was initiated by Labour Party politicking. The Labour Party claimed that financial necessity had led to a rise in the number of 'working mothers' in an attempt to discredit the Government's financial policy. The National party countered these allegations with the claim that the increase in working mothers⁶ was due to a 'materialistic' attitude, where parents put earning potential before their children's welfare. As the debate progressed it increasingly came to reflect the arguments of the church and other campaigners' arguments that delinquency resulted from the individuals 'selfish' desires. Therefore while it is evident that party politicking lay behind Labour's initial promotion of this issue, an examination of the subsequent debate shows that the emphasis moved away from a politically motivated inquiry into the reasons for mothers working and came instead to concentrate on the possible causes of juvenile delinquency. This shift of emphasis allowed politicians from both sides of the house to give their unanimous assent to the legislation which was introduced later in the debate.

⁵ Sergeant LeFort personally presented his report to the Prime Minister so that it could be discussed in Cabinet. (See section titled 'The Theme Develops in Chapter Four.)

⁶ Many Members of Parliament claimed that there was statistical evidence which indicated a recent substantial increase in the number of working mothers. A minority of Members disagreed.

(ii) 'Indecent Literature'

The debate over the availability of indecent literature began early in July when Rae asked the Hon. J.T. Watts (St. Albans), the Minister in Charge of Import Control, if he was going to use the Import Control Regulations to 'prohibit the import of poor quality and sadistic pulp magazines and comics which have an injurious effect upon children and young people.' (NZPD, 1954:238). Watts replied that the Import regulations were not designed to act as a form of censorship, and therefore could not be used to prevent such literature entering the country 'however meritorious the objects might be in this instance'.

The first statement of concern over the prevalence of juvenile delinquency and the 'availability of 'indecent literature' was expressed by May on the 13th of July. May's statement coincided with the first press reports on the 'Hutt Valley Police Investigation', and he clearly indicated that his comments were directly linked to 'recent revelations'. His statement identified 'the flood of suggestive comics' as one of the major factors which had 'created the recent increase in crime' (NZPD, 1954:374).

On the 13th of July the Hon. G.H. Ross made a lengthy speech which condemned comics and cartoons. Cartoons were seen to be a 'true degradation of womanhood' and their 'ready availability'

aided the 'contamination of young New Zealanders', while comics were 'powerful stimulants to sadism' and encouraged the 'admiration of successful villainy, contempt for the law and almost every other anti-social activity'. Crime and love comics were singled out for particular criticism as they showed 'seduction in great and usually alluring detail'⁷ and destroyed the 'instinct to read good books'. Ross's speech stressed the link between the availability of 'indecent literature and juvenile delinquency'. This link was given validity by references to 'overseas research' and trends. She referred to local press coverage of American concern over a general increase in juvenile crime to support her argument (NZPD, 1954: 378).

The speech concluded with an appeal for teachers, parents and churches and booksellers to strive towards preventing New Zealand youth from reading these 'poisonous books', and in stirring rhetoric called for stringent censorship measures:

When a fire is blazing one expects a fire brigade to proceed to the scene of disaster. We have a fire blazing now, fed with the fuel of countless indecent publications. It is for us, the legislators of the country, to cut off the abundant supplies of that fuel. Let our voices be raised about censorship.

(NZPD, 1954: 379)

In the following weeks Ross's condemnation of 'indecent'

⁷ Ross quoted Dr Frederick Wertham's book 'Seduction of the Innocent' in order to substantiate her argument.

literature was greeted with approval by both National and Labour Members of Parliament who greeted the speech with enthusiasm and spoke in support of the need for 'suitable legislation' to 'control' undesirable literature.⁸

By the end of July, public opinion and substantial press coverage had added to the general Parliamentary support for censorship, so that Members began to appeal to the Government to draw up the necessary legislation. This period of Parliamentary agitation for legal measures to enforce censorship of indecent publication coincided with the Government's appointment of the Mazengarb Committee. An exchange between the Minister of Education, and Moohan the Labour Member for Petone indicated that the Government had acknowledged the growing public and Parliamentary support for stringent censorship of 'indecent literature', but were still cautious about the possible consequences.

In question time on July the 28th, Algie was questioned by Moohan about press statements 'regarding the distribution of undesirable literature', and was asked if the Government had taken any action against such 'undesirable literature' in regard to the earlier 'Commissions findings'. Algie replied that the recommendations of this Government Committee had indicated that

⁸ The Hon. E.T. Tirikatene (Southern Maori), the Hon. E.B. Corbett (Egmont) the Minister of Lands, the Hon. A.H. Nordmeyer (Brooklyn), the Hon. C. F. Skinner (Buller) and others.

there was a necessity for 'special legislation', however he had not introduced such legislation because of his 'difficulty' in finding 'a method which would not have the bad features often inseparable from restrictive licensing and censorship' (NZPD, 1954:238).

The major Parliamentary Debate on the issues and possible legal solutions to the 'problem' of 'juvenile immorality' occurred in late August, when the 'Parker-Hulme Murder Trial' and the court cases of those who were involved in the Hutt Valley investigations were receiving considerable coverage in national and local papers.⁹ The Committee Debate on the 20th of August was dominated by a discussion of 'harmful literature' and the need to 'protect the public'. The debate began with several members stating that there was evidence to suggest that there were new publications originating from America with covers which 'bordered on the disgusting', while the publications themselves were 'designed to pander to warped literary tastes'.

Nordmeyer drew the Government's attention to the public's concern, noting recent cases in the United Kingdom where writers and dealers of 'gangster type fiction' had been convicted and imprisoned. While he conceded that no one knew what effect indecent literature might have on young people he stated that 'a psychologist who knew the workings of the juvenile mind would say

⁹ See Chapter Four.

that such literature must have a most harmful effect'. He strengthened his argument against the harmful effects of indecent literature by linking such literature directly to an 'alarming increase in sex crimes':

The recent report of the Commissioner of Police had drawn attention to the alarming increase in sex crime in New Zealand, particularly during the last year. The house should ask itself how much of that increase was traceable to harmful literature.

(NZPD, 1954:1311)

In the following debate two distinct views emerged. The majority of the Members of Parliament (from both sides of the house) accepted the argument that there was a connection between 'salacious literature' and juvenile delinquency and called for increased censorship. Freer stated that it was the 'State's responsibility to step in', as it was the Government's duty to see that 'importers should exercise some moral sense of responsibility to the community that gave them a living'. The Right Hon. W. Nash (Hutt) the leader of the Opposition, stated that 'steps should be taken to make it impossible for a person to profit in any way by the sale of harmful literature'. Both Nash and the Hon. R.M. Algie (Remuera), the Minister of Education, indicated that any recommendations made by the Mazengarb Report on 'a form of censorship' would be implemented regardless of the recommendations of two previous committees which had investigated the issue of 'indecent literature', as the Mazengarb Committee was 'well balanced and broadly based' and should they recommend a form of censorship then 'he would not avoid the

issue, because there was a difference between liberty and licence' (NZPD, 1954:1315).¹⁰ This group of Ministers and other Parliamentary Members pointed out that their views had strong 'public support' from women's groups, the police, and booksellers.¹¹

The Members who participated in the Parliamentary Debate stated that the primary motivation for this public and parliamentary concern was the 'disclosures made recently in the Hutt Valley':

(The Hon.) Mr Shand (Marlborough) said that, because of the disclosures made recently at the Hutt, the public was more deeply concerned about young people's morals than it had been a few months before. The effect of those disclosures on the public mind was doing more than the Government would be likely to do in the way of banning certain literature.....

(NZPD, 1954:1317)

While the majority of Members supported the proposal for

¹⁰ Algie stated that there had been two previous committees which had investigated the issue of 'indecent literature': an inter-departmental committee that had 'evolved a proposition that unfortunately was not practicable', and a committee that was considering whether the 'importation of pornographic literature could be stopped' (NZPD, 1954:1315).

¹¹ Nash claimed that 'various groups, particularly women's organisations' had written to the Minister of Customs and the Minister of Education in order to draw 'attention to the sale of harmful literature'. While Mr M.J. Mathison (Avon) stated that many people made representations to the various Cabinet Ministers already. He pointed out that the police had indicated that they were unable to get convictions because of the 'present phraseology of the act' and that the booksellers 'themselves had protested against that sort of stuff' (NZPD, 1954:1311).

'stricter censorship' there were some Members who cautioned against the introduction of such legislation. Bowden (the Minister of Customs), also argued that there were 'practical and theoretical difficulties associated with censorship'. It was, he stated impossible for the Customs Department to 'open each of these parcels and thumb through thousands of comics to see whether they contained suggestive drawings or unsuitable material'. However the greatest difficulty lay in determining 'who was going to lay down the standards of decency' (NZPD,1954:1312).¹² Such arguments reflect the arguments of the 'professionals' such as the film censor who were responsible for the enforcement of such legislation.¹³

These Members disagreed with the views of Ross and Freer, who had stated that it was the State's responsibility to counter private enterprise and prevent 'youngsters getting their hands on trash'. Gerard protested that 'it was all very well to blame the Government for not instituting complete censorship, but it was impossible for anyone to do that successfully' as 'the question was mainly one for parents and it was idle to ask what the government was going to do'. His speech also emphasised the need for caution in the reaction to the investigation in the Hutt

¹² Mr R.G. Gerard (Ashburton) supported also supported this argument and stated that 'such censorship was a difficult job' as 'one had to consider 'where it began and where it ended' (NZPD, 1954:1328).

¹³ See section titled 'Official and Expert Witnesses' Chapter Six.

Valley so as not to start a 'scare':

.....There was no reason for starting a scare. Everyone deplored the things that had been brought to light in the Hutt Valley, but it was good that they had been brought into the open. That would awaken parents to their responsibility. However it was necessary to keep such things in perspective.

(NZPD,1954:1317)¹⁴

Prior to the release of the Mazengarb Report there was, therefore, a gradual increase in support amongst government and opposition members for stricter censorship of 'indecent literature'. Initially the issue was divided along party lines as the majority of Members who spoke in the debate were Labour members who used the opportunity to criticise the government for ignoring the 'problem of the availability of indecent literature'. However the argument that the increase in 'indecent literature' was directly linked to an increase in the problem of 'immorality' and juvenile delinquency, persuaded the majority of the Members of the House of Representatives to support the need to legislate for stricter censorship measures.

The increase in support for stringent censorship can be directly attributed to the Members' awareness of 'public concern' over the theme of 'widespread delinquency and immorality' which had

¹⁴ Mathison (Avon) and Shand (Marlborough) also outlined the difficulties of censorship and stated that in the light of these difficulties the supervision of 'appropriate' adolescent reading material was the responsibility of the parents (NZPD,1954:1319).

been generated by the media. While some members had argued that 'stricter censorship' would be impossible to implement their arguments did not gain much credence against the media promoted image of a 'national problem', so that by late August the majority of Members from both sides of the House supported the argument for stricter censorship, with only a minority urging the need for caution and the 'need' to 'keep such things in perspective'. However this cautious minority gradually accepted the general appeal of Ross's argument so that prior to the presentation of the Mazengarb Report in the last week of September all Government Members, including those in the Ministry who had advocated the necessity for caution in legislating stricter censorship measures, had agreed to abide by the recommendations of the Mazengarb Committee.

The Special Committee's Recommendations Become Law

The Mazengarb Report was presented to Parliament on the 20th of September. The Right Hon. S.G. Holland's (Fendalton) Ministerial Statement on the 21st of September indicated that the Government was now unanimous in its support for legislative action. The Report, he stated, had shown that juvenile immorality was 'a serious and grave social problem' and he promised that 'the Government will not hesitate to take what ever action is called for, regardless of the unpleasantness of the task' (NZPD, 1954:1835). In the seven days following this

Ministerial Statement three Amendment Bills¹⁵, were rapidly drafted and sent to Select Committee. The purpose of these three Amendment Bills was to 'give effect to certain recommendations in the Report of the Special Committee on Moral Delinquency in Children and Adolescents' (NZPD, 1954:2005).

The Indecent Publications Amendment Act attempted to provide a specific definition of the meaning of indecent, and required all publishers and distributors of any printed literature to be immediately registered.¹⁶ The Child Welfare Amendment Act extended the definition of delinquency so that a female under sixteen who 'incites a male to carnally know her or to commit any indecent act upon or with her' could be termed 'delinquent' and fined for having committed an offence. This Amendment also allowed any 'Justice' to summon the parents or guardian of any child who was appearing before the court so that they could 'be examined in respect of the upbringing and control of the child' (NZ Statutes, 1954: 1171-1177).¹⁷ The final Act passed in relation to the Mazengarb Report, the Police Offences Amendment Act stated that it was an offence to give, sell, or persuade any

¹⁵ See Appendix 5.

¹⁶ The significance of this legislation in terms of a long ranging period of concern over comics has been noted by Shuker and Openshaw (1987), and the defects in this legislation were pointed out shortly after the Amendment Bill was passed (Campbell 1954). These comments will be discussed later in this chapter.

¹⁷ This was formulated in two sections. Amendment 'No.2' is the most relevant to the Parliamentary Debate.

child under sixteen to use a contraceptive device.¹⁸

The majority of Members who spoke on the 28th of September, in the debate preceding the second reading of the three amendment bills, supported the views and recommendations of the Special Committee which had written the Report. Mr W.B. Tennent (Palmerston North), along with many other speakers¹⁹ congratulated the Special Committee which had produced the Mazengarb Report, as what had 'come to light' had 'given right thinking people cause for alarm'. The Prime Minister was thanked for 'promptly deciding to introduce this legislation', and it was agreed that the Government's duty was 'to give a lead in remedying the position' so that it would 'make it more difficult for young people to have contact with those things that would pollute their minds and destroy what would otherwise be good lives' (NZPD, 1954:2016).

Various Members acknowledged that the police and press had played a significant role in motivating legislative action, as newspaper reports had 'turned aside earlier doubts' and had given 'right thinking people a cause for alarm'. Nordmeyer outlined the crucial role that the police had played in initiating this

¹⁸ The term 'contraceptive' referred specifically to condoms.

¹⁹ Bowden, who earlier in the Parliamentary Debate had advocated caution, opened the discussion on the proposed legislation by stating that 'The Report speaks for itself, and all Members of the House are eternally grateful to the members of the committee for the work that has been done' (NZPD 1954: 2006).

discussion and bringing the matter before Parliament, and noted that the Report had been written because the Police Report had 'initiated discussion in the community' (NZPD, 1954:2014), while Ross described the 'exchanges of newspaper cables on the subject between here and many other countries' which showed that the Government was tackling the problem. She also referred to particular articles in The Dominion to support her argument that children were directly affected by reading 'too much trashy literature' ((NZPD, 1954:2013).²⁰

While the Majority of Members indicated that such press publicity had been helpful in uncovering the 'prevalence of these happenings' and the 'new form in which they had taken' there were several speakers who stated that the 'whole matter' had been 'sensationalised' and dealt with in a manner which suggested 'panic'. Moohan was the most outspoken critic of the press and he certain statements made in the Mazengarb Report.²¹ He stated that the press had 'sensationalised' and 'exaggerated the incidents in the Hutt Valley so that they had been taken out of their proper 'perspective':

²⁰ The Dominion (27/10/54) had published a story, cabled from London, which described frightened children searching for a vampire in a Glasgow cemetery after having read 'horror comics'.

²¹ Moohan had earlier indicated that he supported the need for an inquiry into the availability of indecent literature. His speech on the 28th of September indicates that he reversed his opinion and became critical of certain sections of the Report after having received information from sources other than the police and the press.

The press has not been guiltless of sensationalism in its handling of this matter. I think it is a terrible thing that the actions of children- and that is all they are- have been blazoned across the world to give the impression in the United Kingdom particularly, that there is grave moral delinquency in New Zealand, when such is not really the case.

(NZPD, 1954:2009)

He argued that the Mazengarb Report and the Nation were blaming children for 'what adults (particularly parents) were responsible for' and criticised the Report for basing the statement that 'the moral drift has become moral chaos' on 'here say evidence' given by the witnesses 'which came before it'. These 'matters' lead Moohan to 'doubt the wisdom' of sending the report to every home in New Zealand.²² However despite this criticism, Moohan indicated that he, like his colleagues, supported the recommendations of the Report and the proposed legislation:

I think the recommendations of the committee are very good and I hope they will be accepted. Finally, when all this is done with, and all the legislation is passed, it should be re-emphasized that the care of the children, their guidance, and the moulding of their minds, are all matters which are firstly the responsibility of the parents.

(NZPD, 1954:2012)

²² On the 23rd of September Holland (the Prime Minister) informed the Government Printer that a Copy of the Mazengarb Report was to be sent to every house in New Zealand (NZPD,1954:1904).

While all the recommendations and proposed legislation were warmly received by Parliamentarians the Indecent Publications Amendment Bill received the strongest support. The Minister of Customs, the Hon. C.M. Bowden (Karori), who introduced the Bill explained that the 1910 Indecent Publications Act provided a 'rather narrow definition of indecent', so that 'pulp' literature could not be termed indecent hence the Amendment Bill sought to widen the scope to enable a document to 'be held indecent if it tends to deprave any individual of any class or age group' (NZPD, 1954:2006). As well as widening the definition of 'indecent' the proposed Indecent Publications Amendment Bill aimed to fix the 'liability' or 'responsibility' for the distribution of 'indecent literature' on the distributor. In order to do this the Amendment allowed for a system of registration which would require that all publications other than newspapers, 'trade' and 'club' magazines to be listed on a national register, so that 'no bookseller shall sell or have in his possession for sale any matter not so marked'. Bowden had by now bowed to the growing anxiety over 'indecent literature' and had adopted an extremely conservative stance. He argued that the newspapers should have been included as 'the illustrations contained in some or out newspapers, if not indecent, transgress the canons of good taste (NZPD 1954: 2006). Bowden claimed that the Organization of Booksellers were 'happy' about registration, and it was only a few who had made 'querulous complaints' and

raised 'doubts and difficulties'.²³ He countered such doubts alleging that booksellers were 'responsible' for a 'flood' of indecent literature and warned that the legislation had wide public support:

To my mind, some booksellers have abused the trust placed in them by the Government and are definitely responsible for the flood of worthless literature that has come into the country. It is well that the booksellers as a class should realise that the public conscience is awake and demanding better standards from them.

(NZPD, 1954:2007)

The Government's intention to do something to 'clean up' the 'evil' effects of indecent literature was supported by Nordmeyer who claimed that there was no 'alternative' to registration as 'without this new provision it would be difficult to prove that the publication did in fact come from a particular vendor' (NZPD, 1954: 2015). Algie, the Minister of Education, stated that the Government had used a 'model' which been adopted in the Australian state of Victoria and added that it was 'working fairly well in its initial stages' (NZPD, 1954: 2024). Labour Members were equally enthusiastic about the legislation. Mr S.I. Jones (Hastings) noted that 'this serious and important debate' was devoid of any party politics, and added his support to a Bill

²³ The Booksellers in their submission to the Mazengarb Committee were adamant that the responsibility lay with the Distributors (see titled 'Commercial Interests' in Chapter Six), thus would have supported legislation which emphasised the responsibility of the Distributors in controlling the 'flood of indecent literature'.

which 'protected youth' from those 'who pander to the lower instincts that are in all of us' (NZPD, 1954: 2028). Even Moohan gave the Indecent Publications Amendment Bill his full support:

We in Parliament are prepared to do everything humanly possible to see that the law is enforced against indecent literature and serials. Let us have the organs of publicity so directed that they may improve the minds of the children and not make them such that those children will be liable to go away and accept this rubbish as something worth while.

(NZPD, 1954:2028)

While the Child Welfare Amendment Bill did not generate the same enthusiastic agreement as the Indecent Publications Bill the aims of the legislation as outlined by Bowden, were favourably received by the rest of the House of Representatives. Bowden and Nordmeyer stated that the first objective of this amendment was to class all 'children guilty of indecent behaviour' as 'delinquent children'. This would allow girls as well as boys to be charged if they were found to have 'indulged' in sexual intercourse, and thus remedy the Mazengarb Report's contention that 'The girls (some of whom may have incited the boys to offend) cannot be charged' (AJHR, 1954 H-47:66). The girl was to be 'placed on the same footing as the boy' (NZPD, 1954:2015). The second objective was to force parents and guardians to appear in Court with the accused person to 'ensure that the child shall not have to appear in Court without some support' and to 'impress on parents where necessary that they have some responsibility' (NZPD, 1954:2007). These aims were accepted by subsequent speakers, several of whom agreed with Nordmeyer's opinion that

this Bill 'did not go far enough' (NZPD,1954:2019-2028).

The Government stated that the Police Offences Amendment Bill had two aims. Firstly it aimed to reduce the 'opportunity' for children to have contraceptives in their possession by preventing the sale of contraceptives to 'children', so that 'any person who gives to a child or attempts to persuade a child to accept such an article, or use it' would commit an offence and be subject to 'heavy penalties'. Secondly it was aimed at the 'precocious boy or girl who comes into possession of some of these things and perhaps displays them, either to show off or maybe having some ulterior motive in so doing' (Bowen, NZPD,1954:2007). Once again the debate indicated that there was general support for 'restrictive' measures in order to 'protect children from evil influences'.²⁴ Jones concluded the argument by stating that he could not see any 'real danger in making the child under sixteen virtually an accessory after the fact' in the purchase of a contraceptive and in a comment directed at all three pieces of legislation added 'To sum up I think this is a good starting point but by no means the last word' (NZPD,1954:2027).

The general support amongst Members of the House of

²⁴ Algie stated that these measures were 'pretty severe' but 'fair' and 'right' (NZPD,1954:2024). Nordmeyer suggested even stricter 'measures' and stated that 'the Government should consider increasing the age (at which adolescents could obtain contraceptives) to an older group beyond sixteen years' (NZPD,1954:2016).

Representatives for all three Amendment Bills ensured that they rapidly passed their second and third readings on the 29th of September in the state in which they had been drafted, and without the need for a division within the House (AJHR, 1954:336-363). The specific issues which had earlier concerned Parliamentarians and concerns over the impact of this legislation on censorship and definitions of delinquency had been subsumed into the general opinion that juvenile delinquency was a 'problem'. This perception a problem of 'juvenile delinquency' was reinforced by release of the Mazengarb Report which apart from some criticism was hailed as a 'thorough study' with 'good recommendations'. As a result of the combined impact of the press, the police and the publishing of the Mazengarb Report, Members of Parliament endorsed the Government's proposition to 'do certain things to deal with the problem' and unanimously agreed to the Minister of Customs (Bowden) proposal that they:

.....support the purposes intended to be served by the series of three bills on the Order Paper designed to give effect to certain recommendations in the Report of the Special Committee on Moral Delinquency and Adolescents.

(NZPD, 1954:2005)

The 'Long Lasting Repercussions'

Criticism of this 'speedily enacted legislation' began before the Bills had been passed in the House of Representatives. A 'leading article' in the Christchurch Press on July the 28th (the

day the Bills were introduced by the Government) stated that the Bills had been 'virtually written overnight' and had not received the 'consideration that was their due' (NZL, 1954:213). While the Prime Minister refuted this statement and claimed that the legislation had not been rushed through Parliament this did not dispel the lingering criticisms in Parliament that an 'atmosphere of haste and controversy' had surrounded the framing and passing of the three Amendment Bills (Burns, 1968:108).

The Bills had become Acts long before the Select Committee, which had been formed to comment on the recommendations of the Mazengarb Report, was able to report back to Parliament. This Committee which was appointed on the 28th of September (six days after the Mazengarb Report became available to the public and only one day before the Bills were passed in Parliament), queried many of the statements and recommendations that had been made by the Mazengarb Report. These queries are all the more surprising as the Committee included Algie, Ross, and Tirikatātene, all of whom had spoken out in favour of the Mazengarb Report's recommendations and the need for stricter censorship laws.²⁵

The introduction to the Select Committee's Report indicated that the Mazengarb Report and the resulting legislation, especially

²⁵ The Committee consisted of ten members, four of whom were National Government members and six of whom were members of the Labour Opposition. The other members of the Select Committee were stated to be Mr Barnes, Mr Hana, Mrs McMillan, Mr Mason, Mr D.M. Rae, and Mr Skoglun.

the Indecent Publications Amendment no longer had the wholehearted acceptance of Parliament. Although the Report had indicated that there was a need for concern it was claimed that the newspapers had promoted alarm over the 'extent of the evil':

From information in the possession of the police and the Department of Justice it appeared that the extent of the evil was in fact not so alarming as one might be induced to believe by a Purusual of the reports in the newspapers

(AJHR,1955, I-15:4)

The aims of the Committee, which were to 'study the legislation enacted by Parliament in 1954 to consider its efficacy and to make recommendations for its improvement', indicated that the legislation which had been rapidly passed with the full support of the House of Representatives in 1954 had within space of a single year become subject to doubts which necessitated an investigation into its 'efficacy'. The Committee also stated that there was a need to consult 'those who from their training, experience, and occupation were best qualified to advise to the scope and extent of the problem', and proceeded to invite the 'expert opinion' of officials from the various government departments. These specific aims and the emphasis on expert opinion and advice, which were conceived in the year following the public concern over the events in the Hutt Valley, differed considerably from the Mazengarb Committee's broad directives to discover the causes of moral delinquency through an appeal for witnesses from the general public. The Select Committee called for research which would provide 'data' so that the exact 'nature

and extent' of the 'evil' would be known.

Professional witnesses such as Dr C.E. Beeby (Director of Education) also had considerable influence upon the content of the Select Committee's Report. Their influence had not had a very marked impact on the Mazengarb Report, even though many of these professionals including Beeby had appeared at witnesses before the Mazengarb Committee.²⁶ For instance the Report of the Select Committee, unlike the Mazengarb Report, acknowledged the difficulties facing parents in imparting 'sex instruction' and argued that there was a need for professional support for parents, whereas the Mazengarb Report emphasised the need for legislation to force parents into providing satisfactory home environments and exercising parental control. The comments of the Select Committee were detailed, critical, and reflected the strong influence of the Departmental Heads of Education and Justice rather than views of the church, police and conservative pressure groups.

The Indecent Publications Amendment Act was to have the most serious legal and social repercussions. The Minister of Customs' fears concerning the practical and theoretical difficulties of censorship, which had been swept aside by the press coverage of subsequent events, and the influence of the Mazengarb Report were soon to be realized. The select Committee acknowledged that the

²⁶ See Chapter Seven.

'registration provisions' were a 'complex way' of 'achieving their objective'. They also noted that the Indecent Publications Amendment Act gave the courts considerable power to put booksellers and publishers out of business and noted that 'this power should only be exercised in the case of a second or subsequent conviction'. (AJHR,1955, I-15:24) Other ambiguities arising from the fact that certain parts of the Act had been directly copied from the Statute that was currently in force in the Australian state of Victoria were also noted. The Committee concluded its discussion of the inadequacies of the Indecent Publications Amendment by stating that the 1954 Amendment Act had 'increased' rather than 'decreased' the difficulties in administering the original 1910 Indecent Publications Act. In their opinion the legislation needed to be 'reconsidered'.

Professor I.D. Campbell was to provide the most comprehensive assessment of the Indecent Publications Amendment Bill in an article published in the New Zealand Law Journal which condemned the passage of the Bill as a hasty 'ill-considered move' and 'seriously' questioned 'the wisdom of the legislation'.(NZLJ, 1954:293). This article detailed the serious deficiencies and difficulties which were to plague the administration and enforcement of the registration system outlined in the Bill.

The first difficulty lay in determining who were the 'distributors' in various situations. It was the 'distributor' who was required to be registered and was liable for prosecution

as they were held to be 'primarily responsible' for the distribution and sale of any printed matter:

The registration requirements in this act are in this respect ambiguous and obscure and seem to apply to hosts of persons whose connection with the business of publishers, bookseilers, and news-agents is remote in the extreme.

(NZLJ, 1954:293)

The second difficulty arose from the Bill's definition of 'printed matter'. Printed matter was defined as 'any book, paper, pamphlet, magazine, periodical, letter press, print, picture, photograph, lithograph or other production'. Campbell described this as 'encyclopaedic definition', which embraced all 'forms of communication' (NZLJ,1954:294). However it was not the extensiveness of the definition of the 'printed matter' that posed the greatest problems in enforcing the registration system. The definition of what was to be considered exempt from registration was just as extensive as the definition of what was to be included. This extremely broad definition of possible exemptions resulted in the Justice Department becoming rapidly inundated with inquiries and requests for exemption (Openshaw and Shuker,1987).

The ambiguity which surrounded the registration requirements negated the intention of the legislators who had been intent on 'halting the flood of indecent literature', as it enabled those who were intent on printing and distributing 'indecent literature' a definitional loophole that allowed them to ignore

the Act. This left those who endeavoured to comply with the law to bear the brunt of this unwieldy legislation as they had to wrestle with the impracticalities of the registrational requirements.

As well as setting up an unwieldy legislative device which was difficult to administer, the Indecent Publications Amendment Act entrusted the courts with immense power. They could ruin a distributor's business and ruin his livelihood by cancelling or suspending his right to register. Such a cancellation of registration could be enforced if the distributor failed to mark every single printed item that he handled with his name and address. Thus a bookseller or publisher who was seen to be a distributor could be fined, imprisoned, or lose his business for failing to notice one unmarked book, pamphlet or magazine. A customer who unknowingly bought such an item from the distributor could also be liable for the same penalty.

It was Campbell's belief that the Amendment Act would be 'ignored' and treated with 'contempt' and 'adopted one of the worst possible ways to deal with the problem' as it made people 'unwittingly guilty' of breaching the law. It was, he implied, a heavy handed act by the Government who had adopted one of the 'worst possible ways to deal with the problem'. These beliefs were to be validated by the passage of time, as the problems of administering registration and labelling publications were to continue despite amendments to the 1954 Indecent Publications

Bill in 1957 and 1958.

Criticism of the Indecent Publications Amendment Bill and its legislative consequences continued throughout the following decade. Gray (1960) writing in the *New Zealand Monthly Review* criticised the use of the terms 'obscenity' and 'indecent' as being 'fairly narrowly defined', and argued that it gave considerable power to government representatives. Under this legislation the Minister of Justice had considerable power and responsibility as any book in 'question' could be extensively banned on the basis of a statement from the Minister. The Minister of Customs' was also given considerable power as the Minister who held this office seize a book or publication which they had declared to be 'indecent', by identifying it as a 'prohibited import'. Thus a book could be classed as 'indecent' and banned 'on no more than the subjective (and possibly unqualified) opinion of the Minister concerned'. This was to happen in the 'Lolita case' in the late 1950s when a Minister describing 'Lolita' as 'sophisticated smut' rejected an advisory committee's recommendations that the book be allowed to be sold and banned further importations thus allowing an 'arbitrary standard to be imposed upon the community at the barely controlled whim of a Minister'.²⁷

²⁷ Librarians as well as lawyers vehemently criticised the Indecent Publications Amendment Act. See New Zealand Libraries 1954 to 1961 *passim*.

The registration system was finally dropped with the passing of the 1963 Indecent Publications Act. This Act replaced the registration system with a tribunal consisting of five people who had the power to make legally binding decisions on the classification of literature. Burns (1968:142) states that despite 'difficulties' the process of classification had finally been simplified so that the Customs Department and the Department of Justice 'no longer had to attempt enforce registration without the sanction of legality'. Yet these 'difficulties' were not insignificant as the 1963 Indecent Publications Act removed the power to enforce arbitrary standards from Ministers of Customs and Justice and gifted them to the members of the Tribunal (Priestly 1967) so that the Tribunal could 'exercise...unfettered discretion'.

These powers which resulted from the Indecent Publications Amendment Bill where the values of 'right thinking' individuals could exercise 'unfettered discretion' can be directly linked to the concern which had arisen out of Sergeant LeFort's investigation into the Elbes Milkbar Gang:

Disclosures of the sexual activities of a group of children in the Hutt Valley so shocked the middle-aged population of New Zealand that all sorts of people were jumping up and down saying that something must be done about it. The climate was not conducive to proper study of the matter or to carefully thought-out measures. Books became the whipping boy. Something was being done. No one was in the mood to listen to cool and reasonable voices.

(Tait 1979:4)

While it is clear that the most serious legal and social policy repercussions which arose from the hasty passage of legislation following the presentation of the Mazengarb Report were primarily connected with the Indecent Publications Amendment Act, the impact and fate of the other three Amendment Bills is not so well documented. The provisions of the Child Welfare Amendment Bill, which gave the Court power to make orders against parents of offending children, was to be agreed to by the 1955 Select Committee which examined the Mazengarb Report, and its recommendations appear to have been incorporated into subsequent Child Welfare Legislation. The current 1974 Children and Young Persons Act states that:

At the hearing or proceedings in respect of the offence any such parent or guardian or other person as aforesaid may be examined in respect of the upbringing and control of a young person

(NZ Statutes 1974,:1667)

The impact of the 1954 Amendment to section thirteen of the original 1925 Child Welfare Act is not so clear. This section was amended to extend the definition of delinquency so that a female who incited a male to carnally know her could be termed delinquent and charged with having committed an offence. The Select Committee neglected to comment on this aspect of the Child Welfare Amendment Bill and there is no substantial evidence of adverse reaction to the change in the definition of delinquency in contemporary issues of the New Zealand Law Journal

or the national press. Currently the terms 'delinquency', 'to carnally know' and 'indecent acts' are not included in the 1974 Children and Young Persons Act. These have been replaced by the general term 'indictable offence' which, as defined by the 1957 Proceedings Act, refers to 'any offence for which the defendant may be proceeded against by indictment'. The 1974 Act makes no specific reference to 'immoral behaviour' by juveniles either male or female as an 'indictable offence'.

The Police Offences Amendment Bill met with considerable support from the Select Committee, who recommended that it should be extended so that anyone who was not a chemist could be prosecuted for selling contraceptives to any members of the general public of any age ((AJHR,1955, I-15:29).²⁸ In later years Beaglehole (1961) and other academics were to 'denounce' the Police Amendment Act and view it as symptomatic of the struggle for power and a 'collision of personalities' which had begun with the 1951 waterside strike. However the 1954 Amendment Act survived and was incorporated into the 1965 reprint of the Police Offences Act so that any person who gave, sold or 'otherwise disposed of any contraceptive to any child under the age of sixteen' or 'instructs or attempts to instruct or persuade any child under the age of sixteen to use any contraceptive' (NZ Statutes 1974, :1534) could be fined up to one hundred pounds. This clause was not included in the 1973 reprint of the Act.

²⁸ The Police Offences Amendment Bill made it an Offence to sell contraceptives to juveniles under the age of sixteen.

Conclusion

An examination of the legislative processes which were set in motion by the reaction to the incidents in the Hutt Valley suggests that 'anxiety and traditionalism' in attitudes toward both delinquents and their parents (particularly mothers and young females), came to override political divisions, the influence of professional and liberal viewpoints, and the practical administrative doubts of the policy makers. An examination of the Parliamentary Debate also indicates a close liaison between members of the police and Parliament as Parliamentary decisions were strongly influenced by press articles which directly quoted police reports and statistics. Thus the press's promotion of a theme of 'juvenile immorality' served to orchestrate public anxieties and concern over the issue of juvenile delinquency which persuaded the Parliamentarians to seriously consider the hastily prepared 'decisive legislation'.

The passage of the three amendment bills represented a victory for the 'moral campaigners' over those professionals and commercial interests who had opposed the view that there was a need for legislative action. Of all the 'moral campaigners' the church, with its strong traditional base and expressed anxiety over moral welfare, had had the greatest influence upon the

content of Mazengarb Report. It was, therefore, to a large degree responsible for legislative outcome, as it was the Report which played the major role in persuading the Members of both parties to support its recommendations through legislative action. However the church played a minor role in directly influencing the content of the Debate, as several Members referred to direct approaches by Women's Groups (most of whom were affiliated to church groups which had a strong 'moral' and traditional base).

It is apparent that the press, police and the church all contributed to Parliamentary concern and promoted the debate over the social systems moral boundaries. It is also important to note that there is evidence that each of these 'moral agents' influenced the other, for example the press played a significant role in communicating the police and church viewpoint and could have helped motivate the Parliamentary Representations made by individual Women's Groups.

Other studies have credited the hasty passage of this legislation to the fact that 1954 was an election year (Burns 1968, Glazenbrook 1978). While the impending 1954 election must have influenced the Government, who would have wanted to impress the electorate with decisive legislative action over what had been touted in the press as a major concern, this explanation does not fully explain the role played by the police, press and church, in promoting parliamentary concern over the issue of

juvenile delinquency. Nor does it adequately explain why both political parties became united in their support for such legislation. Such an explanation tends to be too narrowly focused on the parliamentary process and fails to account for outside influences and interests of those groups who seek to legitimate their views through the power of the State.

Subsequent Reports and comments by professionals in the Education and Justice Departments as well as legal professionals, who were distanced from the Parliamentary legislative process, indicate that there was serious criticism of the Mazengarb Report and the subsequent legislation which had been formulated at the height of the concern over juvenile 'immorality'. Ironically it was the 'Indecent Publications Amendment Act' which had received the greatest parliamentary support, that was to be the most strongly condemned. There was an immediate reaction and acknowledgement of the long term legal and social repercussions of the registration system put in place by the Indecent Publications Amendment Act, and while there was little contemporary evidence to suggest such a reaction to the other two Acts hastily passed in the 'dying stages' of the 1954 Parliamentary Session, it should be noted that only one aspect of this legislation is embodied in current legislation. All other legislation constructed to prevent the 'ugly things that happen in a lovely land' has been rescinded or deleted from the Statute Books.

9: Discussion and conclusion

An examination of relevant local and national reports, media coverage, submissions made to the Mazengarb Committee, the Mazengarb Report, and the Parliamentary debate indicate that the intense public concern and subsequent official reaction to the 'problem' of 'widespread juvenile immorality' were limited to a specific four month period, from July to October 1954. Furthermore an examination of contemporary reports and the views of those who were closely involved with the incidents of 'moral delinquency' in the Hutt Valley clearly imply that the Hutt Valley was an area undergoing rapid urban expansion and had experienced problems of adolescent sexual misbehaviour among its rapidly growing adolescent population in the years prior to the 1954. The incidents 'unearthed' by Sergeant LeFort were not any more 'new' or 'threatening' to the 'moral fabric of society' than earlier incidents in 1952; which had failed to attract attention in the press and engender national concern. The Mazengarb Report and the events which surrounded it can, therefore, be seen to be a moral panic as characterised by Becker (1963), Cohen (1972), Fishman (1978) Hall *et al.* (1978, 1981) and others.

In July 1954 a group of adolescents in the Hutt Valley who had allegedly indulged in 'moral delinquency' became defined as a 'threat to societal values and interests' through the presentation of the 'problem' of 'widespread juvenile immorality' in a 'stylised and stereotypical' fashion. The development of a media theme of 'widespread juvenile immorality' allowed groups such as the church to act as 'moral entrepreneurs' to successfully persuade the public and parliamentarians to acknowledge and adopt the perceptions, value systems, and solutions proposed by these moral campaigners. Social welfare professionals, local headmasters, and others who had a localised knowledge of the incidents of juvenile immorality in the Hutt Valley and Central Auckland, failed to gain a hearing in the press and subsequently failed to persuade the Mazengarb Committee or the legislators to listen to their claim that a certain amount of such behaviour was 'normal' and not significant.

The church and other campaigning groups who promoted juvenile immorality as a 'threat' with the potential to lead to 'moral chaos' were successful, because they identified the issue as a 'moral issue' and focused the debate upon the individual and the individual's 'moral' responsibilities. Such a presentation of the episodes of juvenile sexual experimentation presented clear and acceptable solutions to the Mazengarb Committee and the members of the House of Representatives, enabling a hasty passage of the 'deplorable legislation' which aimed to control the

'morally delinquent' individual. The problems of limited resources and structural contradictions within certain local economies where such behaviour was evident could be ignored as the demand that 'something must be done' had been met. Once legislative action was seen to be enforced, the theme of 'widespread moral delinquency' and the fears of 'moral decline and chaos' disappeared from the press and the public arena just as quickly as they had arisen.

It has been acknowledged in this study that moral panic theory necessitates a comparison between the 'representation' and the 'reality' of the events which can be seen to trigger a moral panic.¹ It has also been stated that such a comparison can be fraught with difficulties. However the transcriptions of the submissions made to the Mazengarb Committee and extensive press coverage of the various viewpoints have provided a detailed account of all those groups who were actively involved in the definition of the 'problem' of 'moral delinquency'.² The magnitude of the concern over 'moral delinquency' in late 1954, has meant that the reaction to the incidents of 'moral delinquency' have been well documented in 'official records', the only notable exception to this documentation of the events and viewpoints of participating groups being the adolescents themselves who were neither interviewed by the press nor permitted to appear before the Mazengarb Committee.

¹ See discussion in Chapter Two.

² See Chapters Four, Five and Six.

The conflicting views of the 'campaigners' and the 'defendants' imply that the media inspired perception of widespread 'juvenile immorality' was not justified as the professionals who worked closely with delinquents were adamant that juvenile delinquency in general and 'moral delinquency' in particular had not increased.³ Furthermore these groups produced statistical evidence to support their case whereas church groups and other 'campaigning'⁴ groups tended to base their views on personal opinion. Contemporary Reports also support the defendants' contention that neither juvenile delinquency nor juvenile immorality was 'widespread'. These reports provide evidence which suggests that the Hutt Valley was facing a localised problem resulting from a rapidly growing adolescent population.⁵ The issue of juvenile immorality, like 'traditional street crime' the issue at the centre of the Hall et al study (1978), came to be interpreted as a 'new' and threatening strain of crime. The subsequent condemnation of the legislation, which was passed as a result of the Mazengarb Committee's recommendations, implies that the concern over 'widespread juvenile immorality' was unjustified and the demand for 'harsher' legislation unwarranted.⁶ The short and concentrated nature of the panic and the subsequent lack of coverage of this topic in the media and in the House of Representatives indicates that the concern over juvenile morality

³ See Chapter Six for a detailed account of the 'defendants' viewpoint.

⁴ See Chapter Five.

⁵ See discussion in Chapter Three.

⁶ See Chapter Nine.

arose out of a misrepresentation of a 'normal problem' of adolescent sexual 'misbehaviour'. The issue of 'juvenile immorality' had been highlighted by localised problems associated with rapid urban growth and rapid population growth rather than a 'serious' and 'insidious' problem which heralded the existence of a 'pattern of immorality' of 'a kind not previously manifest in New Zealand'.

The Pattern of the 'Panic'

As discussed in Chapter Two, Cohen's (1972) study of the origins of the mods and rockers and the Hall *et al.* (1978) study of the moral panic over 'mugging', break the period of a moral panic into successive phases. It is, therefore, appropriate to break the 1954 reaction to the 'problem' of 'widespread juvenile immorality' into phases in order to outline the pattern of this particular moral panic, and to evaluate the ability of both the Cohen and the Hall *et al.* models to provide an understanding of the mechanisms and processes involved in the escalation of a moral panic.

(i) The 'Signification Stage': June- Early July 1954

The first stage of the reaction to a 'problem' of 'widespread

delinquency'⁷ can be directly linked to the media coverage of the initial events in the Hutt Valley. While statistics given in the Mazengarb Report indicate that the 1952 incidents of juvenile sexual misbehaviour were of a similar magnitude to those in late 1954,⁸ the earlier 1952 incidents did not receive media coverage in either the local evening paper, or the national press.⁹ During July 1954 the media were to highlight the initial episodes in the Hutt Valley and to develop a theme of 'widespread juvenile delinquency', enabling the sexual activities of the group of adolescents in the Hutt Valley to be interpreted as representative of a nationwide 'moral delinquency crime wave'.¹⁰ However the police, as well as the media,¹¹ played a major role in the escalation of this particular moral panic.

⁷ The Hall *et al.* terms for the three stages of a moral panic have been used in this analysis. Cohen's analysis also identifies three successive stages: the 'Inventory Phase', 'Opinion and Attitude Themes', and 'Rescue and Remedy Phase'. (See Chapter Two)

⁸ See Chapter Seven.

⁹ Detailed searches of the Dominion, New Zealand Herald, Auckland Star, New Zealand Truth, and the New Zealand Listener failed to find any reference to the 1952 episodes of 'juvenile immorality' in the Hutt Valley, yet these incidents led to local reports (including the HVYS Report) and were remembered by key Social Welfare personnel. See Chapter Five and the section titled 'Child Welfare Officials' in Chapter Six.

¹⁰ See Chapter Four for a detailed examination of the role of the media.

¹¹ The Hall *et al.* (1978) study highlights the role of the police during the initial stage of a moral panic, while the Cohen (1972) study indicates that the police play a dominant role in later stages of a moral panic. The role of the police in the initial stage of the panic is not as clearly defined in the Cohen study as it is in the Hall *et al.* study. (See Chapter Two.)

Sergeant LeFort, the Officer in Charge of the Petone Police Station, initiated an investigation into the Hutt Valley 'delinquents' and actively sought media coverage; much to the annoyance of local headmasters, the Mayor and other local officials.¹² LeFort's action bridged the gap between what Hall *et al.* term the 'private institutional world of the police' (1981:43) and the media's ability to select and offer powerful interpretations of significant events (Hall *et al.*, 1981:57). In approaching the media LeFort (with the backing of his superior, the Commissioner of Police) was able to bridge this gap and focus the public's attention on what he was already convinced was a serious and widespread 'business'. The subsequent trials ensured Lefort's views were reported in the national press, which in turn persuaded the Prime Minister and Cabinet to give them official recognition and credence.¹³

The press reports did not inform the public that LeFort had conducted a continuous campaign against juvenile immorality prior to the late 1954 media campaign. The 'activities' of these teenagers had not been discovered by accident in the 'course of duty'. Testimonies given at the Mazengarb Committee hearings clearly indicate that Sergeant LeFort endeavoured to actively 'seek out' 'depraved' adolescents by deliberately placing officers in local cinemas. His detailed investigation and extensive questioning of any adolescents who might be connected

¹² See Chapters Four, Five and Six.

¹³ See discussion in sections i and ii of Chapter Four.

with the giri referred to as 'F.16',¹⁴ confirmed his suspicions and ensured his eventual success in 'unearthing' the 'sex gang' which he had been convinced was operating in his area.¹⁵ In this particular moral panic the gap between the institutionalised world of the police and the public arena was bridged by an individual police officer who characterised the 'group of persons' who he identified as belonging to the 'Elbes Milk Bar Gang' in a stylised and stereotypical fashion.

LeFort's willingness to seek media publicity enhanced the media's ability to exaggerate and distort the extent of 'moral delinquency' and thus initiate a moral panic. His approach to the media provided the press with access to an 'official' police source whose viewpoint employed the very techniques that Cohen attributes to the media's representation of the target group. Lefort's ability to provide a bridge between the media and the police was enhanced by his use of the four techniques which can be seen to be employed by the media during the initial phase of a moral panic (Cohen 1972); exaggeration, distortion, prediction and symbolisation.

The initial seriousness of the 'crimes' were exaggerated. In his submission to the committee he acknowledged that many of the fifty offences often involved the touching of a breast through a

¹⁴ See section titled 'The Police' in Chapter Five.

¹⁵ LeFort had been convinced such a 'sex gang' was operating in his area for some time prior to F.16's confession (See section titled 'The Police' in Chapter Six).

layer clothing. He described the girls as 'depraved' and 'good candidates' who 'wanted it', yet local headmasters identified one girl as the 'trouble maker' and Lefort himself admitted that many of these girls were surprisingly 'naive' and unaware of the 'facts of life'. While the Police Commissioner backed Lefort's statements other senior police officers¹⁶ who were called to submit to the Mazengarb Committee stated that juvenile immorality was not a 'problem'. Local witnesses, including local headmasters, shop owners and Mr P. Dowse the Mayor of Upper Hutt, outrightly accused Lefort of exaggerating the problem and incurring needless 'worry' over 'immorality' ¹⁷.

Lefort's initial investigation also shows that there was a distortion of numbers as Lefort himself admitted that the intensity of the search for 'depraved youngsters' determined the number of names attained by his officers during their inquiry, and that given more resources he could 'unearth' more offenders. It is also significant that none of the offenders named in Sergeant Lefort's inquiry were convicted when the cases appeared before the courts.¹⁸

Prediction and symbolisation are also apparent. Lefort's opening statement to the Mazengarb Committee contained the implicit assumption that he would, given more men and time, have 'exposed'

¹⁶ Senior Sergeant Sugrue. See section titled the police in Chapter Five.

¹⁷ See section titled 'Other Groups' in Chapter Six.

¹⁸ See Chapter Four.

other members of the 'gang', and he emphatically stated that the girls had not 'admitted to everything'. Like the ensuing media coverage of 'widespread immorality', LeFort's statements both in the Police Report and submission to the Mazengarb Committee, contained certain words and phrases that carried symbolic and emotive power particularly when referring to the 'girls', who were described as 'depraved', 'pernicious' and 'lacking shame'. They were also stated to be 'morally', 'physically' and 'mentally weak', were said to have 'indulged' in excessive sexual behaviour and to have sought to 'arouse passion' in the boys.

LeFort's central role in initiating the discovery of the 'sexual activities' of the 'Elbes Milk Bar Gang', and his willingness to provide the press with 'official' information from the independent realm of police activity, supports Hall *et al.*'s assumption that the police as well as the media play an 'innovatory' role during the 'prehistory' of a moral panic.¹⁹ Thus as in the Hall *et al.* study the police did not 'simply respond' to this particular moral panic; they 'inadvertently amplified the deviancy' that they were 'absolutely committed to controlling' (1978:52).

However there is one serious flaw in both the Cohen and the Hall *et al.* models. Neither of these studies have accounted for the ability of a single individual to play a major role in

¹⁹ See Section iv of the discussion on 'The Development of a Concept of Moral Panic' in Chapter Two.

precipitating a moral panic, or for the division of opinion within a control group (such as within police ranks) or the possibility of an individual owing allegiance to several 'control' groups (such as the police and the church). The influence of labelling theory on the moral panic model has led to deterministic portrayal of the police as crucial 'actors'. The argument that the police are 'acting out a script that they did not write' (Hall *et al* 1978:52) emphasises the primacy of the role of police as 'control agents', but excludes an allowance for the personality, autonomy and free will of individual police officers.

The judiciary, unlike the police and the media, played a minor role in the initial phase as both models suggest. The individual court cases of the 'Hutt Valley delinquents' and the Parker and Hulme trial, aided the development of a media development of a theme of 'widespread juvenile delinquency'. However the fuelling of media interest resulted from the media incentives rather than any innovatory role taken by the judiciary.

While both the Cohen and the Hall *et al.* model identify the media, the police and the judiciary as 'control agents' who respond to the initial groups of persons or event in order to perform 'an exclusive control culture' neither model takes into account the ability of political and legislative agencies to magnify the 'problem' during this initial stage of the panic. The analysis of the development of the media theme in Chapter Two

and the development of the legislative debate discussed in Chapter Eight clearly indicates that the initiative for 'decisive legislation' arose during this initial stage of the panic. The Prime Minister (the Right. Hon. Mr S.E. Holland) and the Cabinet interacted with the key police participants and played an active role in initiating the legislative process through the early appointment of a committee to investigate 'juvenile immorality' and the issuing of press releases which urged that 'something be done'. Such an early involvement of key government figures gave the panic further 'official significance' in the media and initiated the legislative processes which led to the Mazengarb Report and subsequent parliamentary debate. Early involvement by key legislative figures could thus be seen as a critical factor which determines whether or not a moral panic produces 'such changes as those in legal or social policy or even in the way the society conceives of itself' (Cohen 1972:9).

(ii) 'The Convergence Phase': Mid July- August 1954

While the police, and legislative agencies can be seen to be the 'agents of control' who initially acted to stereotype and dramatise the significance of the 'problem' of 'juvenile immorality' during the initial phase of the panic, the second phase of the panic demanded an availability of significant events which could be tied to the developing media theme of 'widespread immorality'. As argued in Chapter Four, the local incidents of 'martricide' and 'juvenile murder', the prevalence of overseas

commentary on juvenile delinquency and 'indecent literature', and ongoing debate between professional groups and the church sustained the theme and lead to a 'signification spiral' which Hall *et al.* identify as characteristic of this stage.

However, while there is substantial evidence to suggest that the media were engaged in turning the symbols and images created during the initial phase of the panic into a predominant theme, the Hall *et al.* analysis over emphasises the media's role and fails to account for the underlying motivations and processes that lead individual groups to collectively generate a misconception of the nature of the issue or 'problem'. Future models of moral panics, therefore, need to provide a means to identify and classify the 'control agents' and 'moral entrepreneurs' so that these terms can be related with greater precision to a wide category of distinctive groups. Neither of these models clearly distinguishes between the moral entrepreneurs and control agents. Yet as shown in Chapters Four, Five, Six and Eight there appears to be a distinctive difference between the functions served by the media and control agents such as the police and legislative agencies. Unlike the police and the legislative agencies, campaigning groups such as the church and political groups serve their own organisational interests and are not directly under the centralised jurisdiction of the state, and thus contribute to the 'signification spiral' in a way that is markedly different from the state designated 'agents of control'.

Barker notes the reliance on the media as the primary source has lead to a 'depoliticisation of such campaigns' (Barker 1984:170), so that the motives of the separate groups have tended to become subsumed by the 'public face of the campaign'. The concentration of the media's portrayal of the campaign has once again led to a deterministic account of the roles that groups and individuals play in the construction of the campaign evident during a moral panic. Thus the Cohen and Hall *et al.* models fail to recognise that each group which participates in the 'signification spiral', and the individuals within that group, are acting from their own perspective and within their own sphere of interest.

In this particular panic there can be seen to be two opposing factions who vied for the attention of the public audience in order to gain acceptance for their definition of the problem; the 'moral campaigners' who served as advocates of a 'moral crusade against 'juvenile immorality' and the 'defendants' who countered the 'moralistic' and 'traditionally' based views of the moral crusaders. Both these factions were actively seeking media attention immediately following the reports of the police inquiry in the Hutt Valley. The creation of the 'signification spiral' does not, therefore, lie completely in the hands of the media. The process involves an interaction between the participating groups who are actively courting media attention and the media's own bureaucratic processes which lead to the structuring of those items which are presented as 'news'.

The examination of the submissions made to the Mazengarb Committee in Chapter Five, supports Barker's assertion that the reliance on newspaper sources has also promoted the misconception of the moral campaigners as creatures of the media. The submissions indicate that the Church, women's groups, the Communist Party and other groups who promoted the perception of 'widespread juvenile delinquency' did not successfully promote this illusion through a deliberate misrepresentation or collusion with the media or legislative agencies. The 'illusion' prevailed and became law because, as shown in Chapter Eight, the viewpoint and recommendations of these particular groups were seen to be apt and acceptable to those who had the power to pass the 'decisive legislation'.

The role of those groups who seek to neutralise or oppose the 'illusion' promoted by the moral campaigners also needs to be clarified. Neither model provides a sufficient allowance for 'agencies' which might act to hinder what Hail *et al.* term the 'active' and 'reactive' 'circle out of which moral panics develop'(Hail *et al.* 1978:52). There is little recognition that a moral panic arises out of a complex interaction between the agents of control and that both the 'campaigning' and 'defending' groups. The interaction between these component groups could provide the basis for an answer to the question of why some campaigns result in legislative social changes and others fail to have a permanent social impact.

The Hail *et al.* model notes the ability of 'experts' and the

'powerful' to become the 'primary and secondary definers' of a moral panic. In this particular study the views on adolescent behaviour held by church authorities, individuals, police, women's groups and political groups appear to have gained more credence with both the press and legislative agencies than the views of professional 'experts' and the heads of governmental institutions. The use of 'expert' and 'power', as explanatory concepts in the media's promotion of a theme is therefore called into question. The notions of 'expert' and 'powerful' appears to be related to those groups whose arguments appeal and have general credibility. The media is, therefore, not necessarily an instrument of the 'powerful institutions' nor are the participant groups creatures of the media. While the media played a central role in gaining the general acceptance of the threat posed by 'immoral' youthful behaviour, the importance of the media must not be over-emphasised as such an outcome is also dependent on a complex interaction between the participating groups and events.

(iii) 'The Threshold Stage' September-Early October 1954

By the beginning of September the process of 'media amplification' had reached a peak, and had so 'sensitised' the public that any juvenile crime or occurrence which could be even remotely related to the 'moral delinquency' was seen to be evidence that 'moral delinquency' was leading the country towards 'moral decline'. This perception of impending moral decline and a threat of 'moral chaos' was prevalent in the Mazengarb

Committee's analysis of the situation and marked the triumph of the 'campaigners' against the 'defendants'.

The Parliamentary debate indicates that the publication of the Mazengarb Report in early September 1954 marked the point at that societal disapproval of the 'problem' of 'moral delinquency' had reached such limits, that Mazengarb's Committee's proclamation that 'something must be done' received a favourable hearing in the House of Representatives. As outlined in Chapter Eight, the hastily conceived legislation designed to prevent a 'decline in immorality' leading to the 'decay of the centre and core of our national life and culture' (AJHR, 1954 H-47:45), was passed unanimously by the members of both political parties.

As discussed in Chapter Six the churches views and definitions of the situation tended to draw the most adherents and dominated the views of the campaigning groups. The church official's arguments that juvenile immorality was due to a 'lack of godliness' and a move away from the tenets of the 'Christian faith', had won over the defendant's arguments that 'moral delinquency' was not insidious nor 'widespread'; Thus the Government Censor's warning that legislation aimed at protecting juveniles would prove impossible to implement was ignored. The 'signification spiral' resulting from the interaction between the media, judiciary, police, campaigners and defendants had reached its peak. The well developed media theme and the superficial analysis of the problem promoted by the campaigners, successfully convinced the

Mazengarb Committee and Members of the House of Representatives that the only logical solution lay in increased legislative restrictions on 'indecent literature', 'precocious' girls, contraceptives, and parental responsibility.

As suggested by both models, during this phase media attention became focused primarily upon court proceedings and the legislative processes related to the Mazengarb Report and the Parliamentary debate. However, the lack of direct police participation appears to contradict Hall *et al's* findings which suggests that the police play a particularly active role during this phase of the panic.

As noted in Chapter Two the issue of 'juvenile delinquency' disappeared from the pages of the press and parliamentary debate shortly after the legislation became legitimised. Ironically in the following weeks as the impending elections drew closer the only election campaign issue which could be directly related to the incidents in the Hutt Valley and the 'problem' of juvenile delinquency was the issue of inadequate housing and state house ownership. It appears that once the campaigner's concerns had been legitimised, the heightened illusion of an impending 'threat' that had been created by a moral panic faded, so that the issue also faded from public attention.

The Timing and Context of the 'Panic'

An examination of the processes which initiate a moral panic supports the argument that the time span of an individual moral panic must be relatively short. A development of a theme or issue which is crucial to the escalation of the media coverage of an issue can only be sustained for a limited period of time before other issues rise to dominate the public arena. Other incidents, events, or issues which can be related to the media theme once it has been initiated must occur within a time span of several weeks to a month so that they can be successfully related to the initial event and thus contribute to the 'signification spiral'. The intense public concern which must be generated before an episode, or group of youths can be seen to be a 'threat to society' can only be sustained for a limited period of time.

Becker's (1963) original concept of a moral crusade refers specifically to a 'particular' value system and 'specific' issues, while the studies of Cohen and Hall (1978, 1981) focused on a particular event or group of persons as the initiators of the concern. Implicit in all these studies is the contention that public concern is generated through a stigmatisation of a particular group or episode. Media reaction to a particular group can only occupy a limited time span. Therefore, intermittent reaction to a 'problem' or issue over a period of years or decades indicates an ongoing ideological conflict which may or may not be related to a specific series of moral panics.

As discussed in Chapter One the Hall *et al* model, through the development of the Gramscian concept of a 'crisis of hegemony', has attempted to provide a clearer theoretical analysis of the broader historical and structural forces which work to link separate instances of moral panic to a specific social and cultural context. Hall *et al.* argue that the labelling of the original group or episode arises where there is a 'developing crisis of hegemony'. Thus the timing of a moral panic can be related to clear structural and historical forces resulting from an ideological struggle which operates to enforce the ruling 'conservative' ideologies. The findings of this study support the emergence of a dominant category of Christian based, individually prescriptive standards. Furthermore, these standards were legitimated despite attempts by the defendants to de-emphasise these 'commonsense' and widely held viewpoints.

However Cohen and Hall's rather ambiguous definition of the predominant ideologies as 'conservative' and 'traditional' needs to be clarified. In this particular panic the 'traditionalism' of prevalent ideologies can be seen to be typified by the views expressed by the church. Responsibility for deviancy or 'transgression' was seen to lie with the individual, so that the 'immoral' acts were the result of an adolescent's failure to accept the dominant accepted mores of society, defined and disseminated through Christianity. Moves toward a 'materialistic' attitude and the growing decrease in church attendance were interpreted as a failure to accept christian

belief, and the dominant values of society. The church, faced with evidence of a declining influence, argued that immorality was not only a threat to the church's power but was also a threat to the very structure of society.

The placing of the responsibility for immoral behaviour upon the individual fitted a 'commonsense' view of delinquency and discouraged a recognition of stresses and strains within the social structure which might lead to demands for social change or a redistribution of resources. An emphasis on the morality of the individual also led to an analysis of the 'problem' of 'moral delinquency' which allowed a consensus among those groups demanding a solution. Such an analysis fitted Sergeant LeFort's description of the female 'delinquents' as 'depraved' and the male delinquents as 'vultures'. It also fitted the Hasting's Housewives' Union's contention that 'horror comics' had the power to corrupt individuals, and the availability of contraceptives would directly lead to the 'damage of the morals of our youth'.²⁰ Moreover this superficial analysis appealed to widely diverse groups such as Methodist Ministers and members of the New Zealand Communist Party.

As noted earlier in this chapter, many of the 'defendant' groups, while denying that there was any real need for concern, also attributed the 'cause' of the 'problem' to immoral and

²⁰ See section titled 'Women's Groups and the New Zealand Communist Party' in Chapter Five.

irresponsible individuals. Headmasters, Milkbar owners and members of 'professional' societies identified individual 'girls' as the 'initiators' of the incidents while 'expert' and 'official' witnesses described the girls as 'feeble minded'. During this period professionals' such as teachers, welfare officers and education experts were heavily influenced by psychological theorists such as Bowlby, Glueck and Burt (cited in the HVYS Survey)²¹ who focused on the individual and the crucial role of the mother and family unit in child development (May 1988). In addition the arguments of authoritative 'experts' such as Wertham (1954) were used to argue that exposure to 'indecent literature' would directly elicit the behaviour depicted. Thus the view that 'immorality' could be combated by protecting adolescents from indecent influences, and the enforcing of 'Christian principles' was seen to be validated by current academic literature and research.

While social workers pushed for an deeper analysis and an understanding of the 'truth' the professionals' 'liberal' focus was 'indirect' and, so that unlike the Hall *et al* study, the professionals failed to effect change from 'without' (Hall *et al* 1978:176). There were no plausible alternative perspectives and research which could counter the predominant 'commonsense' view of delinquency resulting from an individual's 'moral' deficiencies. Thus the social workers, who were the only group

²¹ See Appendix One.

to argue vehemently²² that there was no evidence of 'widespread immorality' or 'moral disintegration' were ignored, as were any other references to the consequences resulting from the rapid social change occurring in the Hutt Valley. As noted in Chapter Seven, the only reference to the need to consider the social context of the 'problem' in the Mazengarb Report was a minor reference to the need for teachers to be housed in the local area, and the parliamentary debate focused solely on the 'molding of children's minds'.

Interwoven with the Christian based 'commonsense view' of the 'moral' responsibility of the individual was a strong emphasis on the 'moral' sexual responsibility of the adolescent female and condemnation of the working mother. LeFort's judgements that the girls 'clearly wanted it' and were somehow 'perverting' the boys, the Hutt Valley headmasters' statements that the girls initiated the behaviour, and the Mazengarb Committee's insistence that the girls were 'precocious' and should therefore be punished indicates that there was a greater stereotyping of females delinquents than male delinquents. Not only was the deviancy the result of deficiencies within the individual moral conscience, but given the susceptibility of the male the female was expected to bear a greater burden of the moral responsibility and was therefore punishable for a greater portion of the moral guilt.

²² See discussion in section titled 'Child Welfare Workers' in Chapter Six.

The working mother was the victim of a slightly different idealism. Instead of being held accountable for countering the masculine ideal of female sexuality, the working mother was seen to have failed to live up to the ideal of domestic femininity. The debate in the press over working mother's contribution to the 'juvenile immorality'²³, and the parliamentary debate which linked working mothers to 'increased juvenile immorality'²⁴, indicate that the economic restraints on women working which had been pushed aside during the Second World War²⁵ were back in place. The 'working wife' debate confirms the findings of, Cook (1984, 1985) and May (1988) which state that the 1950s marked a resurgence of the 'rosy ideal of motherhood'. As noted in Chapter Four and Chapter Eight most parliamentarians and many 'concerned citizens' were intent on portraying motherhood as the duty and joy of women. The replies in The Letters to the Editor columns suggest that Middleton's assertion that it was working class women who were most affected by the dominant beliefs and attitudes towards women during this period is correct. Many working class women had to work, and the condemnation of their doing so made life doubly difficult for them.

It is however difficult to assess Middleton's (1988) assertion that psychological theories, particularly Bowlby's theory of maternal deprivation, appear to have reinforced the belief that

²³ See Chapter Three.

²⁴ See Chapter Eight.

²⁵ For an account of the on post war motherhood see A short Adventure Between School and Marriage, Middleton (1988).

mothers were ultimately responsible for their children's behaviour. While Bowlby was cited in the HVYS Report he was not cited in the newspaper debate, quoted in the Mazengarb Report, or referred to in the submissions made to the Mazengarb Report.

However Bowlby's theory appears to fit the attitudes and beliefs of the time, for while there were not specific references to maternal deprivation theory it was not condemned as were 'free expression' theories. As noted in Chapter Seven the Mazengarb Report vigorously condemned psychologists for advocating 'self expression in children'; for allowing children to 'follow their own impulses'. Thus while 'experts' views can impact upon the public perceptions during a moral panic, the campaigners, and the legislative agencies who legitimise the campaigners demands, are selective in whose 'expert' views they promote.²⁶

The Hall *et al.* model argues that the media are the source of such a 'conservative' reaction to the crime, and that the 'traditionalism' of the public view arises from a 'conspiracy' 'between the ruling classes and the press' (1978:10). As indicated in the discussion above such an analysis appears to be rather simplistic, as the contention that ideological conflict arises from a media based 'conspiracy theory' fails to explain the complex interaction of events, individuals and groups. It is

²⁶ The Mazengarb Committee had a strong affiliation with the predominant campaigners, as noted in Chapter Four and Seven several of the committee had direct ties with the Church organisations..

beyond the scope of this study to fully evaluate the Hall *et al.* study's contention that a morai panic is evidence of a 'disintegration of the social order' and an indication of a society 'slipping into some sort of crisis' (Hall *et al.* 1978: pvii). Such an evaluation would involve a detailed study of a series of possible morai panics and thus an in depth analysis of the period.

An evaluation of the contention that morai panics arise out of a crisis of hegemony is made all the more difficult by the contradictions and complexities apparent in historical and demographical studies of the post war period. Sinclair (1980) describes the period as the 'cold war boom', while Dunstall (1981) indicates that the period following the Second World War can be seen as a period of contradictions. The Second World War had brought far reaching social change and austerity. However by the early 1950s there was evidence of prosperity and full employment. War heightened the expectations of reconstruction and reform as well as economic aspirations, yet the divisions within society were apparent as evidenced in the 1951 waterfront lock out and supporting strikes which have been interpreted as a working class struggle against the employers and the 'Nationalist Government' (Scott 1952).

As noted in Chapter Two and Chapter Three working class areas were facing particular pressure related to housing shortages. These pressures were evident in the two areas which were to become the focus of concern in late 1954. The notorious Trentham

transit camp was situated in the Hutt Valley while in Central Auckland there were transit camps in Victoria Park and the Domain. There was also overcrowding in the Freemans Bay slums (Dunstall 1981:404). However, demographic studies show that the urban structure could not be explained in simple class terms. While neo-Marxist theorists such as Bedgood (1980) argue that distinct class difference were present, Dunstall claims that residential patterns and urban structure were becoming increasingly complex, and that there was a general absence of the 'the language of class' and a 'prevailing belief in social mobility' and an egalitarian society (1981:406-407). As historians and social theorists such Bedgood and Dunstall agree that this period marked a rise in the power of the state through the enactment of welfare state policy, the forces which lead to this particular panic could well be linked to a the threat posed to the traditional powers of the church and the by a newly developed group of welfare state based professionals and servants. If so, then the Church can not always be seen to be an unquestioning upholder of the dominant ideology, but acts primarily to preserve its own power base.

However there are certain aspects of this particular moral panic, such as the condemnation of working mothers and the targeting of the predominantly working class motorcycle 'gangs', which support Cohen's vague assertion that moral panics appear to be directed at the working classes. But this is rather a simplistic analysis as the police reports and police submissions show that

the teenagers involved in the 'Elbes Milk Bar Gang' came from a variety of backgrounds; while both Parker and Hulme came from decidedly privileged backgrounds. If the public fears and indignation generated during the campaign against juvenile immorality came to be directed at working class targets this was because they bore the brunt of social change through being forced into the rapidly developing urban areas.

There is, then, no conclusive evidence to support the contention that this particular moral panic arose out of a class based hegemonic crisis. However, there are a variety of issues running through the media account, the submissions and the parliamentary debate, which suggest that particular ongoing themes and categories of thought become highlighted during a moral panic, enabling a mobilisation of a renewed recognition and validity of those groups who hold the traditional power base. The evidence of such issues supports Watney's contention that a moral panic represents 'a mobility of ideological confrontation across an entire field of public representations' (Watney 1987:42), rather than 'an unfolding of discontinuous discrete moral panics' as suggested by the concept a 'crisis of hegemony'.

The Adequacy and Implications of Moral Panic Theory

It is evident from the discussion in this chapter that moral panic can be used as a 'theoretical tool' to investigate the social relations and processes which can lead to the perception

of a particular group of juveniles as a societal threat. However while such studies are useful, historical studies of moral panics need to be undertaken with caution. Investigators of moral panics must at least endeavour to ascertain whether the beliefs and perceptions being promoted by the campaigning groups are misconceptions of a 'problem' that has directly arisen from the targeting of a particular group. Researchers must refrain from merely pronouncing judgement upon the particular moral judgements of the campaigners. To do so is to merely replace one moral judgement with yet another.

Moral panic theory can be a useful tool for guiding the historian to question the processes and agencies which act to identify, highlight, and legitimise public sanctions against juvenile 'immorality' and deviancy. However, as had been indicated in the previous discussion, many aspects of the models of moral panic need clarification. While moral panic theory provides an answer to question of how and why certain groups become targeted as a societal threat, an investigation of a moral panic raises other questions that historical and sociological studies have yet to answer.

There are also general questions and implications for the present and the future which are raised by a study of moral panics. The ability for a localised episode to generate immense public concern suggests that, when such localised episodes become highlighted, it is necessary to investigate the local 'stresses' and 'strains' that produce such episodes. A

clarification of the role of localised conditions in creating the opportunity for deviancy would help prevent episodes which arise out of a local context becoming misconstrued as a national threat. An awareness of the that certain processes such as those outlined by morai panic theory, can lead to localised 'problems' being interpreted as 'national threats' are a warning that the same forces might be currently be amplifying concern over an increasing crime rate. If so, legislators and policy makers might well waste valuable public funds and resources in endeavours to counter such a problem through restrictive legislation and nationally enforced measures, when funding might well be needed in local communities.

In addition an investigation of a morai panic such as this indicates that the public and those investigating 'problems' which attract national concern need to be aware that the 'commonsense' definitions of crime and juvenile delinquency have greater public appeal than sophisticated explanations. The press, therefore, has an obligation to partake in investigative journalism rather than merely printing the media releases of politicians, 'experts', police and campaigning groups. Likewise official committees set up to investigate such episodes need to be aware that the generation of publicity over such incidents can denote a public campaign by certain groups who can act, albeit sincerely and unintentionally, to use such 'commonsense' definitions of the situation to produce a believable illusion of such an episode representing a 'public threat'.

While the incidents described in this thesis took place in the 1950s, the events which surrounded the Mazengarb Report can still act as a warning, that official committees must not be swayed by the magnitude of concern rallied by campaigning groups when other disparate incidents lead to extensive press coverage of such group's views. There is a need to carefully investigate the local context of the incidents and all evidence so that an acceptance of one viewpoint will not be determined by the moral or 'commonsense' appeal. Furthermore the legislative agencies must resist the appeal of rapid legislative action, for while the enactment of such legislation satisfies the public demand that 'something be done' it can detract from the need for an awareness of the social context which initially produced the episode or condition. Finally as pointed out in Chapter One, professional viewpoints are not neutral, their perspectives can be incorporated into ideologies which impact upon the social control processes. Professionals and experts must therefore be aware that their pronouncements and judgements must be exercised and interpreted with an awareness that they too are accountable for the subsequent social processes which might ensue.

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APPENDIX 11Report of the Hutt Valley Youth SurveySECTION VII: REFERENCES

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Guidance and Counselling in Education	Prof. C.A. Curran
School is a Phase of Human life	Prof. Charlotte Buhler
On Being Secure	Prof. Herbert Sorenson
The Improvement of Reading	Prof. A.I. Gates
School Versus Home	Sister M. Beatrice C.S.S.F.
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English Studies in Criminal	L. Radzinowicz and J.W.C.
Science Vol II	Turner
Adolescents and Youth	Paul H. Landis

¹ There were no publication details given either in this section, or in the body of the Report

APPENDIX 2

A comparison of the 145 witnesses who appeared before the Mazengarb Committee according to religious, professional and organizational affiliations.¹

<u>Organization</u>	<u>Number of witnesses</u>
Church and religious groups	39
Youth groups not directly affiliated to a religious group	21
Private individuals	21
Educational professionals	21
Commercial interests	15
Child Welfare Division	7
Police	5
Professional medical and psychological societies	5
Other government officials	3
Miscellaneous groups	3
Board of Governors and P.T.A.	2
Women's organisations (not directly affiliated to a church organisation)	2
Civic leaders	1

¹ Derived from figures supplied in Appendix B of the 'Report of the Special Committee on Moral Delinquency in Children and Adolescents' (AJHR, H-47: 70).

APPENDIX 3

A comparison of the 120 written submissions which were received from individuals and organizations who did not appear before the Committee.¹

<u>Organization</u>	<u>Number of Written Submissions</u>
Church and religious groups	12
Youth groups (not directly affiliated to a religious group)	1
Private individuals	84
Education professionals	4
Commercial interests	5
Child Welfare Division	2
Police	0
Professional medical and psychological societies	2
Miscellaneous groups	5
Other government officials	0
School Board of Governors and P.T.A.	1
Women's organisations (not directly affiliated to a church organisations)	4
Civic leaders	0

¹ Derived from figures supplied in Appendix B of the 'Report of the Special Committee on Moral Delinquency in Children and Adolescents' (AJHR, H-47: 72).

APPENDIX 4

A comparison of the religious, professional and organisational affiliations as a percentage¹ of the 265 written submissions and witness accounts heard or read by the 'Special Committee on Moral Delinquency in Children and Adolescents'.²

<u>Organization</u>	<u>Number</u>	<u>Percentage of Total Submissions</u>
Church and religious groups	51	19.2%
Youth groups (not directly affiliated to a religious group)	22	8.3%
Private Individuals	105	39.6%
Secular education professionals	25	9.4%
Commercial interests	20	7.5%
Child Welfare Division	9	3.4%
Police	5	1.9%
Professional medical and psychological societies	7	2.6%
Miscellaneous groups	8	3.0%
Other government officials	3	1.1%
School Board of Governors and P.T.A.	3	1.1%
Women's organisations (not directly affiliated to a church organisation)	6	2.3%
Civic leaders	1	0.4%

¹ These percentages total 99.8% as they are rounded to the nearest tenth of a percent.

² Derived from figures supplied in Appendix B of the 'Report of the Special Committee on Moral Delinquency in Children and Adolescents' (AJHR, H-47: 72).

APPENDIX 5

- (i) Child Welfare Amendment Act 1954
- (ii) Child Welfare Amendment Act (No.2) 1954
- (ii) Indecent Amendment Publications Act 1954
- (iv) Police Force Amendment Act 1954



NEW ZEALAND

ANALYSIS

Title.
1. Short Title.

2. Powers of Magistrate or Justice
in matters preliminary to
hearing.

1954, No. 18

AN ACT to amend the Child Welfare Act 1925.

Title.

[17 September 1954]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Child Welfare Amendment Act 1954, and shall be read together with and deemed part of the Child Welfare Act 1925 (hereinafter referred to as the principal Act).

Short Title.

See Reprint
of Statutes,
Vol. III,
p. 1091

2. Section twenty-seven of the principal Act is hereby amended by adding to subsection one the following proviso:

Powers of
Magistrate
or Justice
in matters
preliminary
to hearing.

"Provided that any Magistrate or Justice may exercise jurisdiction for the purpose of doing all necessary acts preliminary to the hearing, including the adjournment of the hearing, remanding the defendant, or releasing him on bail; and the provisions of section thirty of this Act shall apply to all such proceedings."



ANALYSIS

- | | |
|--|--|
| Title. | |
| 1. Short Title. | 3. Duty of parent or guardian to appear before Children's Court. |
| 2. Extending meaning of expression "delinquent child". | |

1954, No. 77

AN ACT to amend the Child Welfare Act 1925. Title.
[1 October 1954]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

- | | |
|---|--|
| 1. This Act may be cited as the Child Welfare Amendment Act (No. 2) 1954, and shall be read together with and deemed part of the Child Welfare Act 1925 (hereinafter referred to as the principal Act). | Short Title.
See Reprint of Statutes, Vol. III, p. 1091 |
| 2. Section thirteen of the principal Act is hereby amended by inserting, after subsection one, the following subsections: | Extending meaning of expression "delinquent child". |
| <p>"(1A) Without limiting the generality of the provisions of subsection one of this section, it is hereby declared that every child shall be deemed to be a delinquent child within the meaning of that subsection who—</p> <p>"(a) Being a male, carnally knows or attempts to carnally know any female child under the age of sixteen years:</p> <p>"(b) Being a female, incites a male to carnally know her or to commit any indecent act upon or with her, and permits or suffers him to do so:</p> <p>"(c) Commits any indecent act upon or with any other child.</p> | |

“(1B) Where any child is alleged to be a delinquent child within the meaning of subsection one A of this section, it shall not be a defence to a complaint under this section that any child consented to any act referred to in that subsection.”

Duty of parent
or guardian to
appear before
Children's
Court.

3. (1) The principal Act is hereby amended by inserting, after section twenty-nine, the following section:

“29A. (1) Where any information is laid against any child in respect of any offence, any Justice may issue his summons addressed to any parent or guardian of the child or to any person having the custody of the child, requiring him to appear before a Children's Court with the child, at a time to be named in the summons.

“(2) At the hearing of the proceedings in respect of the offence any such parent or guardian or other person as aforesaid may be examined in respect of the upbringing and control of the child.

“(3) Every person commits an offence and is liable on summary conviction to a fine not exceeding twenty pounds who, being so required to appear, refuses or fails, without lawful excuse, so to appear.”

(2) Section thirteen of the principal Act is hereby further amended by omitting from subsection one the words “addressed to any person having the custody of the child requiring him to appear before a Children's Court at a time to be named in the summons, either with or without the child”, and substituting the words “addressed to any parent or guardian of the child or to any person having the custody of the child, requiring him to appear before a Children's Court with the child, at a time to be named in the summons”.

(3) The said section thirteen is hereby further amended by adding the following subsections:

“(10) At the hearing of any complaint under this section any parent or guardian or other person having the custody of the child may be examined in respect of the upbringing and control of the child.

“(11) Every person commits an offence and is liable on summary conviction to a fine not exceeding twenty pounds who, being required to appear before a Children's Court under subsection one of this section, refuses or fails, without lawful excuse, so to appear.”



ANALYSIS

Title.	6. Applications for registration.
1. Short Title.	7. Publication of register.
2. Considerations determining whether or not document is indecent.	8. Evidence of registration.
3. Documents unduly emphasizing sex, horror, crime, cruelty, or violence deemed indecent.	9. Distributors to be registered.
<i>Registration of Distributors of Printed Matter</i>	10. Printed matter to be marked with name and address of distributor.
4. Interpretation.	11. Cancellation or suspension of registration.
5. Register of distributors of printed matter.	12. Proof of distribution by distributor.
	13. Relief from contracts.
	14. Regulations.
	15. Offences.

1954, No. 78

AN ACT to amend the Indecent Publications Act 1910. Title.

[1 October 1954]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Indecent Publications Amendment Act 1954, and shall be read together with and deemed part of the Indecent Publications Act 1910 (hereinafter referred to as the principal Act).

Short Title.
See Reprint
of Statutes,
Vol. 11, p. 346

Considerations
determining
whether or not
document is
indecent.

2. The principal Act is hereby amended by repealing section five, and substituting the following section:

"5. (1) In determining whether any document or other matter is indecent within the meaning of this Act the Magistrate shall take into consideration—

"(a) The nature of the document or matter:

"(b) The nature and circumstances of the act done by the defendant with respect thereto, and the purpose for which the act was done:

"(c) The literary or artistic merit or medical, legal, political, or scientific character or importance of the document or matter:

"(d) The persons, classes of persons, or age groups to or amongst whom the document or matter was or was intended or was likely to be published, distributed, sold, exhibited, given, sent, or delivered; and the tendency of the matter or thing to deprave or corrupt any such persons, class of persons, or age group (notwithstanding that persons in other classes or age groups may not be similarly affected thereby).

"(2) No document or matter shall be held to be indecent unless, having regard to the aforesaid and all other relevant considerations, the Magistrate is of opinion that the act of the defendant was of an immoral or mischievous tendency."

Documents
unduly
emphasizing
sex, horror,
crime, cruelty,
or violence
deemed
indecent.

3. Section six of the principal Act is hereby amended by inserting, after the words "preventing conception", the words "or which unduly emphasizes matters of sex, horror, crime, cruelty, or violence".

Registration of Distributors of Printed Matter

Interpretation.

4. (1) For the purposes of the principal Act and this Act, unless the context otherwise requires,—

"Distributor"—

(a) In relation to any printed matter published in New Zealand, means the publisher thereof; and

(b) In relation to any printed matter published outside New Zealand, means the person primarily responsible for its distribution or sale in New Zealand:

"Minister" means the Minister of Justice:

"Printed matter" means any book, paper, pamphlet, magazine, periodical, letterpress, print, picture, photograph, lithograph, or other reproduction; but does not include—

(a) Any newspaper within the meaning of the Printers and Newspapers Registration Act 1908;

See Reprint
of Statutes,
Vol. VI, p. 954

(b) Any printed matter of a purely official, religious, social, professional, scholastic, commercial, business, advertising, or trading character; or

(c) Any printed matter or class of printed matter for the time being exempted by the Minister as hereinafter provided:

"Secretary" means the Secretary for Justice.

(2) The Minister may from time to time, by notice published in the *Gazette*, exempt any printed matter or class of printed matter from the registration provisions of this Act, and may from time to time in like manner amend or revoke any such notice.

5. The Secretary shall cause to be kept a register in the prescribed form of all distributors of printed matter in New Zealand, and shall cause all the prescribed particulars with respect to registered distributors of printed matter to be entered therein.

Register of
distributors of
printed matter.

6. (1) Every distributor of printed matter who is acting as such at the date of the commencement of this Act shall within three months after that date apply in the prescribed manner and form to be registered in the register, and upon payment of the prescribed fee he shall be entitled to be so registered.

Applications for
registration.

(2) Every person who after the date of the commencement of this Act desires to commence business as a distributor of printed matter in New Zealand shall before commencing that business apply in the prescribed manner and form to be registered in the register, and upon payment of the prescribed fee he shall, subject to this Act, be entitled to be so registered.

7. (1) The Secretary shall as soon as possible after the expiration of the period of three months from the date of the commencement of this Act cause a copy of the register, corrected to the last day of the calendar month then last past, to be published in the *Gazette*.

Publication of
register.

or have in his possession for sale any printed matter unless each separate article thereof is marked in the prescribed manner with the name and address of the distributor thereof.

(3) The Minister may from time to time by notice published in the *Gazette* grant exemptions from compliance with the foregoing provisions of this section in respect of any printed matter or class of printed matter specified or described in the notice, and may from time to time in like manner amend or revoke any such notice.

(4) Where any exemption with respect to any printed matter or class of printed matter is revoked, the provisions of subsection two of this section shall not apply with respect to that printed matter or class of printed matter until the expiration of three months from the date of the publication of notice of the revocation.

11. (1) Where any distributor of printed matter is convicted—

Cancellation or suspension of registration.
See Reprint of Statutes, Vol. 11, p. 228

(a) Of an offence against section one hundred and fifty-seven of the Crimes Act 1908; or

(b) Of an offence against the principal Act or this Act—

the Court before which he is so convicted, whether or not any other penalty is imposed, may in its discretion by order direct that his registration as a distributor of printed matter be cancelled or that his registration be suspended for such period as the Court directs.

(2) For the purposes of appeal, every order directing cancellation or suspension of a registration as aforesaid shall be deemed to be the sentence or, as the case may be, part of the sentence of the Court.

(3) After cancellation or during the period of suspension of any registration the distributor in question shall be deemed to be unregistered and shall be ineligible to be re-registered unless, upon application made in the prescribed manner to a Magistrate's Court after the prescribed notice in writing of intention so to apply has been served upon the Secretary, the Court directs that the distributor be re-registered.



ANALYSIS

Title.
1. Short Title.

2. Sale or disposal of contraceptives to children.

1954, No. 79

Title.

AN ACT to amend the Police Offences Act 1927.

[1 October 1954]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

Short Title.

1. This Act may be cited as the Police Offences Amendment Act 1954, and shall be read together with and deemed part of the Police Offences Act 1927.

See Reprint of Statutes, Vol. II, p. 500

Sale or disposal of contraceptives to children.

2. (1) Every person commits an offence who—

(a) Sells or gives or otherwise disposes of any contraceptive to any child under the age of sixteen years, or offers to sell or give or otherwise dispose of any contraceptive to any child under that age; or

(b) Instructs or persuades or attempts to instruct or persuade any child under the age of sixteen years to use any contraceptive.