

**Abstract**

Part 3 (Australian prison reformers) in a general tribute to some of the people who improved the lot of prisoners.

**Australian Prison Reformers**

What follows is a tribute to some of the dedicated people who improved the lot of prisoners in Australia. Many names are missing, but these brief profiles will hopefully provide an indication of the persistence, sacrifice and courage it took to advocate for the rehabilitation and humane treatment of people generally despised and rejected by society, often from birth without ever being habilitated in the first place.

**Alexander Maconochie (1787-1860)**

Captain Alexander Maconochie (pictured in the thumbnail image for this article) pursued an early career in the Royal Navy before taking an interest in geography. He was a co-founder and the first secretary of the Royal Geographical Society in 1830 and was the first professor of geography at the University of London. Maconochie was a generous and compassionate committed Christian who recognized the dignity of man (Barry 2006). Maconochie arrived in Hobart Town with his friend, the new Lieutenant-Governor of Van Dieman's Land, Sir John Franklin and his wife, Lady Jane Franklin (refer also to the Kezia Hayter entry below). Maconochie came across from England as the Lieutenant-Governor's private secretary, a position that was intended to quickly lead to a higher position. However, local political opposition to the Lieutenant-Governor (inherited from his unpopular predecessor, Colonel George Arthur) hindered Maconochie's rapid promotion (Barry 2006; Fitzpatrick 2006).

In 1838, at the request of the English Society for the Improvement of Prison Discipline, Maconochie wrote a *Report on the State of Prison Discipline in Van Diemen's Land*. Even though he knew this report was highly critical of the local penal system, Franklin sent it to the Colonial Office, which forwarded it to the Home Office. The report was used by the Molesworth Committee on transportation (1837-38) which linked the appalling conditions of convicts to the slavery abolition movement. The Molesworth Report of 1838 was influential in ending the system of transportation of British convicts to Australia (Barst 2012). The settlers who were enjoying convict labour in Hobart Town demanded that Maconochie be dismissed and Franklin was forced to comply. However, The Molesworth Committee helped Maconochie get appointed as superintendent of the penal settlement at Norfolk Island in 1840. Norfolk Island at that time was a place where convicts from the mainland were sent if they seriously misbehaved or repeatedly reoffended. The guards on the island were extremely cruel and the living conditions abysmal. Maconochie was assigned to the island for only four years, but in that time he applied world-leading prison reform ideas with impressive results. He believed that vindictive cruelty debases not just the prisoner but the society, and he ended degrading conditions and cruel treatment, including floggings and hangings. Although the first part of the sentence was punitive, the prisoner could by good conduct progress to a second stage involving reformatory activities. Maconochie's aim was to strengthen the self-respect and rehabilitation of the prisoner rather than dish out retribution that only embitters and alienates prisoners. He also believed that the convict's sentence should be indeterminate, with release depending on good behaviour and hard work during incarceration as measured by the number of 'marks of commendation' earned. This was Australia's first remission system. Convicts worked in small working parties where each was held responsible for the conduct of all in the group and there were collective marks or fines allocated. Marks could be traded for rations or other small benefits, and ultimately for freedom. Maconochie's groundbreaking methods were approved of by such prison reformers as Charles Dickens and English Quaker reformers and missionaries to Australia, James Backhouse (1794-1869) and George Walker (1800-1859). When Governor Sir George Gipps unexpectedly visited the island in 1843, he found everything in good order (Barry 2006). There was a low recidivism rate for the penal

settlement of only 2%, but after Maconochie's departure in 1844 the island reverted to its old ways with 'utter incompetence and debasing cruelties'. Back in England, Maconochie continued his work as a pioneering prison reformer. He published many pamphlets and the book, *Crime and punishment, the mark system, framed to mix persuasion with punishment, and make their effect improving, yet their operation severe* (1847), which influenced modern penology. In 1855, the Norfolk Island penal settlement was closed because of the high resupply costs.

Although ridiculed in his day, Maconochie has been recognized as an effective pioneering prison reformer. Canberra's prison was named after Alexander Maconochie.

*Further reading: Morris 2002.*

### **William Charles Wentworth (1790-1872)**

William Wentworth is best known as an explorer. He, Gregory Blaxland and William Lawson were the first Europeans to cross the Blue Mountains, which opened up new farming land. This wealthy was also influential as an advocate for the rights of emancipists (convicts who had served their sentence or been pardoned). Wentworth was conceived on a convict ship and spent the first seven years of his life on Norfolk Island. His mother was a convict and his father the convict ship's doctor. Wentworth's father had been involved in highway robbery but had escaped prosecution by agreeing to sail to New South Wales and act as its assistant surgeon.

Being born out of wedlock and to a convict mother and being a 'currency lad (born in Australia), Wentworth was denigrated by the free settlers. Wentworth's wife, Sarah Cox, was the daughter of unmarried former convicts, a currency lass and had two children before marrying Wentworth (eight months pregnant with their third child), so was ostracized by society. Wentworth, however, went about redeeming the family name by becoming hugely successful as a wealthy pastoralist (he led the 'squattocracy' and managed to get the Squatters' Act passed which allowed for long-term pastoral leases to be acquired by squatters); newspaper editor (and co-founder of *The Australian* which advocated for emancipists' rights); lawyer and politician (he co-founded Australia's first political party, the

Australian Patriotic Association which successfully advocated for both emancipists' rights and representative government for New South Wales, and he later led the creation of the NSW Constitution and was elected to the NSW Legislative Council, Sydney Council and as leader of the Conservative Party). Wentworth was also instrumental in establishing the University of Sydney, with access on the basis of merit rather than religion or social status.

*Further reading: Blakeley-Carroll 2015; Persse 2006.*

### **Kezia Elizabeth Hayter (1818–1885)**

Kezia Hayter was born in England. Her cousins and uncle were famous artists and the image at right was painted by her cousin, Sir George Hayter, a leading miniaturist. As a young woman, Hayter was a volunteer at Millbank Prison under Elizabeth Fry (refer to [UK prison reformers](#)). In 1817, Fry had established the British Ladies' Society for Promoting the Reformation of Female Prisoners, the first nationwide women's organization in Britain. It was this organisation that selected Hayter to be the matron on board the convict ship *Rajah* as it sailed to Australia.



At the age of 23, Hayter set sail, responsible for the welfare of 180 'rough' female convicts and their ten children. Assisted by a clergyman who was a passenger, Hayter and the prisoners prayed, read the Bible and worshipped together every evening. On the way, she encouraged and taught the women to make a finely embroidered quilt with nearly 3000 individual pieces, now called the 'Rajah Quilt' and held in the National Gallery of Australia (Andrews 2024). Female convicts on the way to Australia would often make things during the voyage (typically with materials provided by Fry's organisation). The convicts would keep these items as individuals, but the Rajah quilt was unique as a collective piece and as the only surviving example of work completed on board a convict ship. Upon arrival in Hobart Town in 1841, the quilt was presented to Lady Jane Franklin, the wife of the Lieutenant-Governor of Van Dieman's Land (now Tasmania), Sir John Franklin. Lady Franklin

took Hayter under her wing. Hayter continued to care for and visit the 179 female convicts with whom she came across (one died enroute). Hayter also assisted Lady Franklin in establishing the Ladies' Society for the Reformation of Female Prisoners and they visited the Cascades Female Factory together. Whereas Lady Franklin was in favour of harsh treatment and humiliation of the female workhouse workers, Hayter advocated for their education and reform. Hayter reported on conditions and welfare of the female convicts for her Society. Hayter and the captain of the *Rajah*, Captain Charles Ferguson had fallen in love during the voyage and they married two years later following his return from a subsequent voyage.

*Further reading: Ferguson 2005.*

### **Leontine Cooper (1837-1903)**

Leontine Cooper was born in London and immigrated to Moreton Bay, arriving in 1871 with her husband who took up a land selection. When her husband failed to make a living from the land, she took up teaching and writing for major newspapers (at a time when there were few female writers doing so). She quickly became a leading suffragist and feminist. In 1890, Cooper led a delegation of women to discuss prison reform with the Colonial Secretary, Horace Tozer. They pressed for the appointment of a female warder to supervise women held in Brisbane's police cells because most of the women were being held overnight to face drunkenness charges the following day. They were therefore vulnerable to improper advances made by lockup staff and police. Although the deputation seemed to be well received by Tozer, he apparently dropped their petition in the bin after they had left (Young 1991, p. 98).

*Further reading: Harry Gentle Resource Centre n.d.*

### **Charles Strong (1844-1942)**

Reverend Charles Strong was a controversial figure within the Presbyterian Church. In his native Scotland, he had preached a social gospel to poor coal-mining towns that proved very popular, although his message veered away from Jesus as a member of the Godhead (Strong almost became a Unitarian at that time and he avoided preaching on the Trinity and Jesus'

miracles and Resurrection). When he came to lead Scots' Church in Melbourne, his charismatic personality, social outlook and openness to worship music were again popular, although there were also accusations of heresy levelled against his humanist/ socialist liberal/ progressive preaching and his untraditional activities (he moved in Spiritualist circles and attended seances and psychic investigations, yet at the same time downplayed Biblical miracles). Strong was eventually given a six-month holiday to reconsider his position, after which he was ousted from the Presbyterian Church at the threat of a trial for heresy. Strong then helped form the independent Australian Church, which he led until his death. The Australian Church was intended to be ecumenical, a model for the universal church to come, with reunion amongst denominations and reconciliation amongst world religions (Hudson 2021, pp. 50,55), although such a universal religion could equally be that warned of in Revelation 17.

Both churches had mainly middle and upper-class congregants who described themselves using a mixture of terms including socialist, progressive, liberal and radical (Maddox 2021, p. 27). Australian Church members included journalist Alice Henry (refer below), poet and activist Bernard O'Dowd, feminist Vida Goldstein and politicians such as his friend Alfred Deakin, whom he mentored. With Strong's social justice focus, much social reform was accomplished, including prison reform. Strong reflected John Caird's Hegelian formulation labelled as 'Scottish Idealism': 'Religion consists, not so much in doing spiritual or sacred acts, as in doing secular acts from a sacred or spiritual motive' (Caird's note on Romans 12:11 re being 'not slothful in business'). At the same time, however, he criticized the Victorian charitable impulse to blame the marginalised for their own oppression. Strong observed that poverty tended to bring about moral failings rather than vice versa. He fought hard against the poverty, sweatshops and lack of education for poor children that he knew contributed to incarceration. Strong also wanted prisons to shift away from the punishment and deterrence focus to one of rehabilitation using 'the best scientific and moral forces' in the reformation process. In doing so, he shifted away from classical penology and towards the developing principles of modern penology (the 'new criminology') such as making prisons self-supporting and genuinely reforming institutions. In 1895, Strong delivered a sermon entitled, 'The treatment of criminals from a Christian standpoint' based on Romans

12:17: 'Render to man evil for evil.' He argued that the penal system was 'cruel and vengeful', largely founded on self-righteousness, fear and terror. He expressed hope that the Australian Church would find a solution. Soon after, Strong chaired a meeting at the Australian Church and the Australasian Criminology Society was formed with the purpose of the 'study and promotion of the best methods for the treatment of criminals and the prevention of crime.' The Society included prominent doctors, lawyers, gaol governors, trade unionists and activists. The executive committee comprised all of the groups and included the governor of Melbourne Gaol, John Buckley Castieau; editor of the socialist newspaper *The Champion* and Fabian Society President, Henry Hyde Champion; and feminist and suffragist, Vida Goldstein. For about a decade, the Society campaigned in three main areas: the abolition of capital punishment; the rollout across the Victorian penal system of the methods of the Elmira Reformatory including indeterminate sentences (refer to Brockway entry in the US Reformers article); and the establishment of separate children's courts in Victoria. The Society did not succeed in accomplishing any of these goals, but Curthoys (2021, pp. 86-97) outlines the arguments that it communicated to the Australian public which influenced debate and eventually bore fruit.

*Further reading: Badger 1971; Bonnington 2022; Maddox 2021.*

### **Frederick William Neitenstein (1850-1921)**

Moored in Sydney Harbour was the industrial school ship, the *Vernon* (later replaced by the *Sobraon*). These ships were not prison hulks, but rather used to house homeless boys. Captain Frederick Neitenstein was in charge of the *Vernon* then *Sobraon* from 1878 to 1896 and he had been the mate and clerk on board the ship in the five years prior to that (Luke 2020; Garton 2006). Neitenstein delighted in reforming the boys, especially those that began with a 'little sturdy hot-headedness.' He applied discipline, physical drill and surveillance. Each boy would start in the lowest grade and could progress to higher grades and more privileges through hard work and good behaviour.

After his time on the industrial school ship, Neitenstein became the Comptroller-General of prisons in New South Wales. Between 1896 and 1909, Neitenstein endeavoured to apply and promote his own and international ideas for prison reform in the New South Wales



penal system. In 1907, he reported that the NSW prison population had declined by 50 percent in the previous two decades, mainly due to improved educational methods and other rehabilitative efforts (Porter 2010). Neitenstein became a leading authority in Australian penal administration and the New South Wales system was regarded as the model for prison management throughout the Commonwealth. Neitenstein's reforms, including those related to prison industries, rehabilitation and decarceration were admired and supported by politicians and social reformers alike, and their uptake helped in the development of modern penology. Neitenstein, who listed his recreations as reform and philanthropy, was a member of the Howard Prison Reform League and a founder of the Discharged Prisoners' Aid Society to help released prisoners in reintegrating into society. From 1976, this society was called Victorian Association for the Care and Resettlement of Offenders (VACRO), but changed its name to just 'Vacro' in 2023 (no longer having 'offender' in the official name). Today, Vacro is Victoria's only specialist criminal justice reintegration service, continuing the work of 'creating new beginnings and stronger communities' (Vacro 2024).

*Further reading: Luke 2020.*

### **Alice Henry (1857-1943)**

Alice Henry began writing for *The Australasian* and *The Argus* in 1884, one of the first women to work for a newspaper and be trained on the job in Australia (Trioli n.d.). Well used to being treated in the same way as her brother by their parents, Henry promoted women's rights and women's hospitals, although sometimes she had to use non-female pseudonyms to get her work published. Besides writing about women's suffrage, trade unionism and social reform, she wrote about juvenile justice reform in both Australia and, from 1906, the United States when she moved there. Henry advocated a special children's court and an extension of Borstal prisons and reformatories for offenders aged under 18 (with the possibility of detention in a reformatory until 21).

*Further reading: Kirkby 2006.*



**Frederick Charles Burleigh Vosper (1869-1901)**

F.C.B. Vosper's father was a Cornish prison warder. He served briefly in the Royal Navy before migrating to Queensland. There he worked as a journalist in a number of newspapers and then as editor of the *Australian Republican* and later co-founder of the *Sunday Times*. An atheist, he was outspoken in his republicanism, promotion of miners' and workers' rights, and opposition to Asian immigration. In 1892, he was imprisoned for three months for inciting a riot. Upon his release, Vosper began to campaign on behalf of prisoners (Jaggard 2006). He was influential in his prison reform efforts, especially through his journalism and after being elected as an Independent Western Australian politician. Vosper also helped bring changes to the Lunacy Act.

*Further reading: Jaggard 2006.*

**Joseph Akeroyd (1882-1963)**

Joseph Akeroyd began his career as a Victorian school teacher then inspector of schools. He advocated that the traditional curriculum be changed to better address the needs of disengaged students in his region, particularly Indigenous students and children working on remote family farms. He also served in the Australian Infantry Forces, earning the rank of captain before his appointment as Inspector General of Victoria's prison system in 1924. Akeroyd became the longest-serving Inspector General of Victoria's penal system, leaving in 1947. Akeroyd's background in education and education reform carried over to his role in prison management. He could see the potential benefits for inmates of linking education and psychology policy and psychology within prisons. He progressively rolled out a series of educational reforms in Victorian prisons and reformatory schools at a time when other states and territories were largely disregarding the education and training of inmates. The two next Inspectors General (Alex Whatmore and Eric Shade) were also reform-minded former educationalists. Whilst Akeroyd inflicted flogging when 'deserved', Whatmore held an anti-flogging position. Whatmore also registered Victorian prisons as schools, and Shade established a training college for prison staff education.

*Further reading: Wilson 2021.*

**Phyllis Irene Frost (1917-2004)**

Dame Phyllis Frost became involved with prison reform at an early age. 'Her Christian philosophy of love your neighbour and treat others as you would like to be treated, together with the belief that it is only in helping others that the human spirit can achieve happiness and rest, underpinned her work' (AAP 2004). Frost studied physiotherapy during the polio epidemic, and later criminology to better understand the plight of the female offenders with whom she was involved. She established the Victorian Women's Prison Council in 1953 and remained chair of this Council for five decades.

Frost worked to improve the diets of female prisoners; to improve sanitation (rats were uncontrolled in the prisons); and to allow women to keep their babies with them while serving their sentences. She 'fought for prison reform at a time when prisoners were locked away and forgotten, and shamed countless politicians into action' (Clohesy 2003). She helped establish the Metropolitan Women's Correctional Centre at Deer Park in 1996, which was renamed the Dame Phyllis Frost Centre in 2000. Frost was active in over 50 community organisations and was appointed Dame Commander of the British Empire in 1974, a title that she used to lobby politicians and possible donors (Clohesy 2004). Her motto was 'Never judge a sausage by its skin.'

*Further reading: Clohesy 2003.*

**John Brosnan (1919-2003)**

Father John Brosnan was the much-loved Catholic chaplain at Pentridge Prison for 30 years. Humorous and always beaming, his reputation was 'the knockabout priest.' Brosnan successfully campaigned against Australian capital punishment and was chaplain to Ronald Ryan, the last man hanged in Australia in 1967 (*The Age* 2003). He respected everyone, whether inmate or politician. In 1977, Brosnan co-founded the Brosnan Centre to provide post-release support for young people.

*Further reading: Prior 1985.*

### **Peter Norden (c. 1950- )**

Peter Norden AO took over from Father John Brosnan (above) as the chaplain of Pentridge and was the Senior Catholic Chaplain to the Victorian Prison System (1985-1992). He often made the news in his advocacy for incarcerated people, including in 1987 when he heavily criticized correctional officers for their ban on the first prisoner in Victoria with AIDS (*The Canberra Times* 1987). Norden described the treatment, which included refusal to supervise the prisoner's exercise or let him out of isolation, as inhuman and degrading. Norden became the Policy Director of Catholic Social Services Victoria (1992-1995). Norden was then Executive Director and later Policy Director of Jesuit Social Service (1995-2007). He developed an innovative post-release program for high-risk young offenders and implemented and managed the program within a community setting. He also managed three national research projects on mapping social disadvantage and social cohesion, and on how educational authorities could manage illicit drug use and promote youth suicide prevention. Norden then began to lecture in criminology, law, social work and public policy at several universities in Melbourne and presented his ideas on prison reform in the media and at many conferences. His presentations have included the Inaugural Professor Tony Vinson Memorial Lecture at the University of New South Wales on the topic: '*The Path Towards Prison Abolition*' and the Opening Address at the Reintegration Puzzle National Conference in Hobart in 2018 on the topic: '*Smarter Justice must learn from the past*'. Among Norden's many publications advocating for prison reform are the reflective books, *Seeking justice in the criminal justice system in Australia: Learning from the past and planning for a better future* (2021); *Solitary confinement in Australian prisons: A further punishment other than that imposed by the courts? A breach of Australia's human rights obligations?* (2019); and *Crime And Punishment: Moving from retributive to restorative justice* (2002).

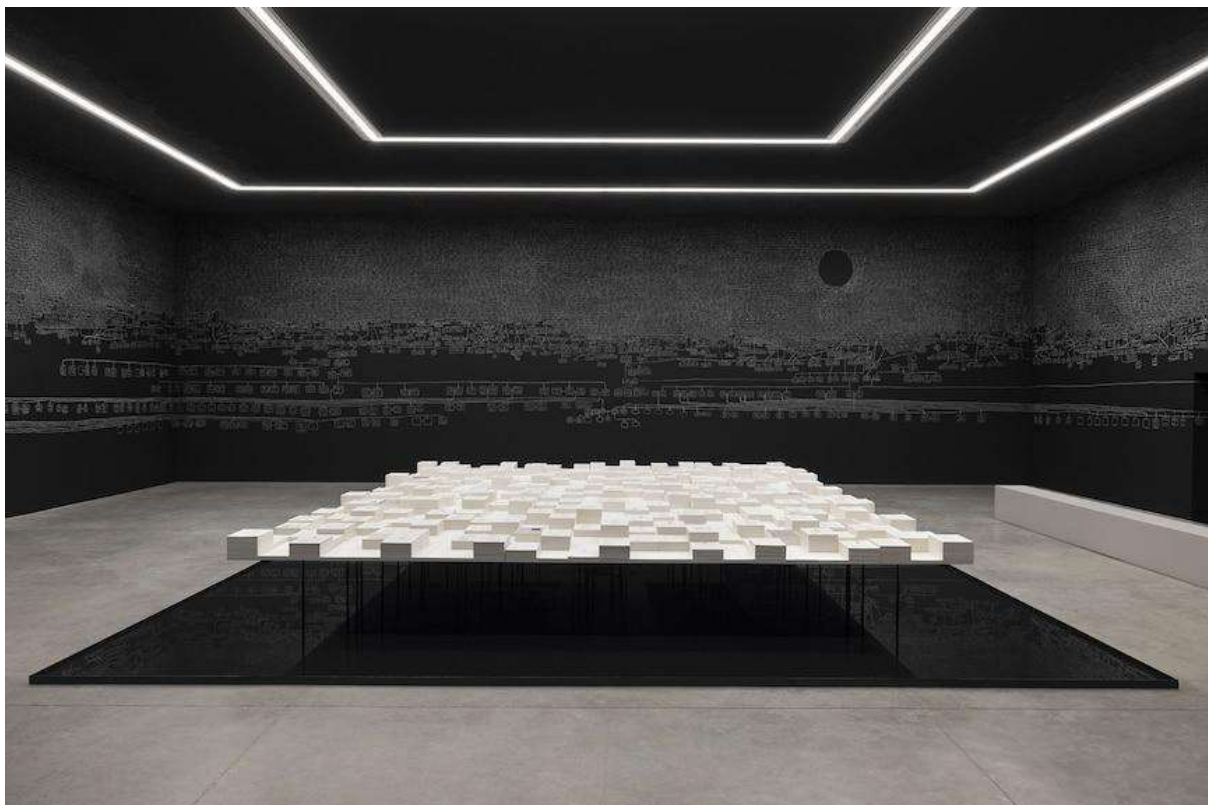
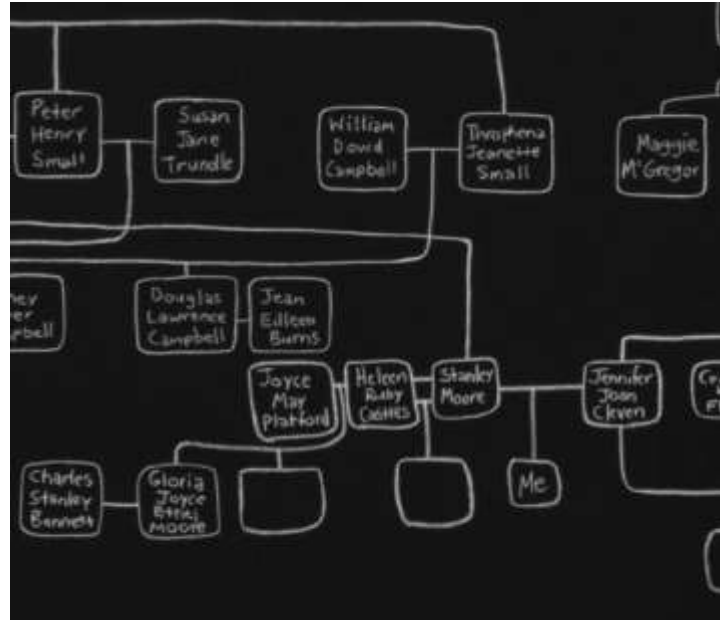
*Further reading: Norden 2021.*

### **Archie Moore (1970- )**

Multimedia artist, Archie Moore, is a Kamilaroi and Bigambul man, with an Aboriginal mother and a white Australia father. His award-winning installation named 'Kith and Kin' for

the 2024 Venice Biennale is comprised of a massive family tree in chalk on blackboard that wraps around all four walls of the space in the Australian pavilion.

The family tree has voids to represent disruption in the family history caused by massacres, epidemics and gaps in the archives. In the centre of the pavilion is a large table with stacked coronial reports on Aboriginal deaths in custody (including 19 documents involving injustices against Moore's own family).



Source: Bremer *et al.* 2024

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