

## Section 5: Police extension of mandate and detection of resistance and non-compliance with conscription.

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Even before the declaration of war in 1914, the police had a role in the compulsory military training of the male populace. The Defence Act 1909 instituted a territorial army through compulsory military training of 'every male from the age of fourteen to the age of twenty-five, after which he will serve in the Reserve up to the age of thirty. There are no distinctions and no exceptions'. There were potentially draconian punishments for failing to register for 'personal service': a fine of £5<sup>1</sup> and possible loss of civil rights for up to 10 years (New Zealand Official Year Book, 1915). There was a traditional civil rights argument against any military training that was compulsory. Police actively tried to suppress this lobby. In early 1909, when a meeting in the Wellington Town Hall was called to discuss the introduction of compulsory military training, the 'police appeared to think there would be trouble for they were not only at the doors but seated among the audience'. This provoked uproar. The Mayor was cried down with 'cock-crowing, cat-calls, shouts of derision alternated with shouts of applause' and when 'a socialist' protested against the presence of the police 'as spectators' the 'noise became deafening' especially when 'toy detonators' were exploded by members of the audience and cries of 'turn out the police' continued. Amid increasing uproar a speaker asked

'Was it not...an insult to peace-loving citizens that men in uniform should be sitting among the audience. (Loud applause).  
The chairman: As long as any man or woman is decently dressed he or she can enter this hall. (Uproar.)  
Mr Hogg: they are not here as citizens; they are here as policemen.  
(Cries of "Put 'em out!" and uproar)

(Evening Post 14 May 1904).

The press conclusion that there was 'ample evidence' of 'larrikinism' in this meeting (ibid) appears to have been elicited at least in part by a police presence since elsewhere, protest was decorous in the absence of police. A Dunedin meeting remained well-mannered despite resolutions against compulsory military training as 'a scoundrelly thing' useful only 'to find billets for a lot of idlers' (Otago Witness 12 May 1909).

When the Defence Act was passed later in 1909, the police initially took a very active role chasing up those who defaulted on fines for non-attendance at drill and by arresting and holding defaulters in prison. There was a general outcry against this in Parliament (Evening Post 3 August 1912) and the Prime Minister Sir Joseph Ward declared he never 'intended to put our lads into a common gaol, there to be clothed with gaol garments and to have their finger-prints taken like common criminals' (Wanganui Chronicle 4 April 1912). It appears that the Police Commissioner may have been taking the matter further than the government wished. When challenged as to why the Government did not instruct the police to stop enforcing punishment for defaulting on fines, a cabinet minister

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<sup>1</sup> In 1909 the annual payment to an 'efficient' mounted volunteer was £3/0/6 and so a fine of £5 was considerable; in that year it cost just over £25 to maintain a prisoner in gaol for 12 months, The Official New Zealand Yearbook, 1909 'Expenditure by gaols and prisoners' see <http://www.stats.govt.nz/yearbooks> downloaded 20120630.

declared the Government was 'powerless to do so' (ibid) because there was no 'direct provision' for imprisonment under the Defence Act. The police had relied on 'the usual law in relation to direct fines'. But Ward announced that he proposed to change the Act to rule this out (Poverty Bay Herald 16 March 1912). In the event police recognised they had gone too far and when their prosecutions were dismissed in court, other 'similar charges were withdrawn by police' immediately (Wanganui Chronicle 4 April 1912).

The territorial system had its risks: collecting together a large number of untrained and unwilling young men had its dangers. For instance in August 1911 some 200 Wellington 16 and 17 year-olds reported for camp but put on a 'most unmilitary-like display of riotous insubordination' taking over the streets of Petone with 'shouting' hooting and tin-banging'. When finally drawn up before the commanding officer they 'took charge' and 'laughed, booed and hooted ... throwing mud at him freely' (The Press 2 August 1911). The system was evidently never popular. When after the declaration of War in 1914, the Defence Department announced it would suspend prosecutions in the interim, authorities were most disconcerted when 'quite suddenly a number of men ceased attending the parades' (Ashburton Guardian 8 February 1915). Rounding up such men promptly resumed. Now magistrates believed 'it was no time for a man to shirk his responsibilities' and determined to 'impose fines which would make the shirkers realise their duties and harden them up' (ibid). If tracked down they were treated as 'deliberate shirkers' and fined heavily (Auckland Star 7 September 1915). Perhaps with the advent of war, attitudes did change however since 'discipline at ...training camps was very good indeed' (Annual Report Defence Department 1916). This may have been a good gloss on the matter since the territorial system remained in force during the war and military defaulters against the Act were appearing in court and fined, and in some cases deprived of civil rights (Evening Post 18 August 1918). It seems that from the commencement of war, Police were needed to support the military effort. As the Commissioner of Police said in his Annual Report, 'since the outbreak of the war ... making various inquiries on behalf of the military authorities [gave]...the police much extra work' (Annual Report 1915 p 6).

This role increased as after some months of war, the Government began to foreshadow conscription. The national war census in late 1915 required every male resident between the ages of 17 and 60 to enrol by collecting a 'personal register' and returning it by hand to a post office or by post to the office of the Government Statistician. Although this was said to be a 'purely civil register' and 'DOES NOT INVOLVE ENLISTMENT', preparation for conscription was signalled and soon confirmed by other preliminary measures.

Towards the end of 1915, the Government announced that for the first time, permits were henceforth going to be necessary to leave and enter New Zealand. Large numbers of men reportedly tried to leave before the measure was implemented and officials were inundated with men who 'failed to give satisfactory reason' for their sudden 'desire to visit Sydney whence they could go anywhere out of the range of official control'. The police were increasingly drawn into the mechanisms of surveillance and when heavy demand 'for permits to leave by the next Auckland boat' meant officials had to be sent to supervise the issue of permits after police had made 'enquiries' into the legitimacy of motives for sudden overseas travel (Auckland Star 19 November 1915).

Conscription by ballot was introduced with the Military Services Act in 1916. All men between 20 and 46 years old were 'reservists' eligible for 'a chance in the ballot' and each man had to collect an enrolment card and register, and notify any subsequent change of address.

DOMINION OF



NEW ZEALAND.

# WAR CENSUS.

## NATIONAL REGISTRATION ACT, 1915.

BY PROCLAMATION issued under the above Act, EVERY MALE Resident of New Zealand between the ages of SEVENTEEN and SIXTY is required to register

**NOT LATER THAN TUESDAY, 9th NOVEMBER, 1915.**

## A PERSONAL SCHEDULE

must be filled in by every person to whom the Proclamation applies. The schedule, on being completed, is to be placed in the addressed envelope provided, and handed to an officer of the Post and Telegraph Department, or posted to the Government Statistician at Wellington. POSTAGE FREE.

**SCHEDULES ARE AVAILABLE AT ALL POST-OFFICES  
THROUGHOUT THE DOMINION.**

Any person who fails to furnish the particulars required, or who makes any false statement, is liable to

**A FINE OF £100 OR IMPRISONMENT FOR SIX MONTHS.**

The Register to be compiled is purely a CIVIL REGISTER for the purpose of ascertaining the resources of the Dominion in men, and the registration DOES NOT INVOLVE ENLISTMENT, NOR IS IT IN SUBSTITUTION FOR THE PRESENT SYSTEM OF ENLISTMENT. Those desirous of enlisting can obtain enlistment forms at the nearest post-office or Defence Office.

**WARNING!** The obligation to register is a personal one. The fact that a form has not been addressed to or received by any person DOES NOT ABSOLVE HIM from responsibility to register. ANY PERSON LIABLE TO REGISTER WHO REFUSES, FAILS, OR NEGLECTS TO DO SO WILL BE PROSECUTED.

**ALL INFORMATION WILL BE STRICTLY CONFIDENTIAL.**

(BY ORDER.) **MALCOLM FRASER,**

Wellington, 18th October, 1915.

Government Statistician.

*John Walter, Government Printer, Wellington.*

NEW ZEALAND GOVERNMENT PRINTING OFFICE  
IN A. HENDERSON'S BUILDING, 111, QUEEN STREET, AUCKLAND.

DOMINION OF



NEW ZEALAND.

# MILITARY SERVICE ACT, 1916.

## ENROLMENT OF EXPEDITIONARY FORCE RESERVE

BY PROCLAMATIONS dated respectively 1st and 2nd September, 1916, the enrolment of the Reserve is directed. Enrolment **MUST** be made not later than 15th September (First Division) or 16th September (Second Division).

### REMEMBER!

IT IS YOUR DUTY  
TO ENROL.

For the Protection of Reservists, certificates of enrolment will be issued as soon as possible after receipt of application or form provided.

Voluntary Recruits not accepted for service will have this fact recorded in the Register on supplying proof to the Government Statistician that they have enlisted.

### RESERVISTS' OBLIGATIONS.

The Reserve consists of men not less than 20 and under 46 years of age.

The National Register is the basis of the Expeditionary Force Reserve Registers.

Men not already registered must supply enrolment-card not later than 16th September, 1916.

Men already registered need not supply an enrolment-card, but must, not later than 16th September, 1916, notify present address if place of abode has altered since registration.

Men reaching military age or arriving in Dominion after 16th September, 1916, must supply enrolment-card within fourteen days thereafter.

After enrolment every reservist who changes his place of abode must notify new address within fourteen days thereafter.

The Act makes the reservist's obligation to do any of the above things a personal one, and he is not relieved by information previously given to recruiting officer or committee.

### REMEMBER!

YOU MUST DO  
YOUR DUTY.

Enrolled men have the chance of the ballot.

Men not enrolled may be sent straight into camp.

Employers are forbidden to employ men who are not enrolled.

Men who fail to notify change of address may become liable on a charge of desertion.

### EMPLOYERS' OBLIGATIONS.

Employers must not employ a reservist who is not enrolled.

Penalty on conviction—Minimum fine, £50.

Employers must not employ a deserter.

Penalty on conviction—Minimum fine, £50, or imprisonment not exceeding three months.

**ONUS OF PROOF** in every case is **ON THE DEFENDANT.**

**Call at nearest post-office**

For cards, forms, information, and assistance.

(By Order.) **MALCOLM FRASER,**  
Government Statistician.

Tens of thousands of men were soon mobilised. In six months nearly 30,000 men were balloted and in 12 months over 80,000 had been balloted. The bureaucratic burden this generated has been little noted, but it was essential for maintaining conscription without loss of confidence in the government. The Police Force was its lynchpin.

There were a number of points at which conscription could break down. The 1915 war census had not been entirely successful and throughout the war the problem of checking on the legitimate status of men still 'in civvies' was ongoing: had they not been balloted, had they evaded the ballot by not registering in the first place, had they changed address and so not received ballot papers or had they in effect deserted? To be seen as fair, conscription required unrelenting practical surveillance of the population to monitor compliance or evasion. This in turn required an unprecedented level of cooperation and coordination between government services and bureaucracies since the mechanism of conscription ran across the Post and Telegraph Department, the collection of statistics, the Defence Department and the Police. Eligible men had to personally collect enrolment cards from Post Office staff, records had to be compiled and maintained on numbers and categories of reservists. The Government Statistician was reported to actually draw the weekly ballot, conducted with a very high degree of formality and 'in the presence of a magistrate'<sup>2</sup>. **Film exists of his office workers compiling the mail-outs (JB SEE FILM ARCHIVE RE THIS)**

The Defence Department had responsibility for military training of conscripts, the power to issue military warrants and to conduct courts martial, but it had only a small military police, commonly known as the Redcaps. These men were primarily the 'guards and patrols in the Camp ... [and] patrol the roads between Upper Hutt and the Camp ... hotels at Trentham and Upper Hutt ... [and] railway stations'<sup>3</sup>. Other broader policing measures that might have fallen into the mandate of military police, and some activities directly relevant to troop discipline necessarily fell back on the civilian police who were numerous, well organised and with far reaching penetration into communities.

In 1916 when the Military Services Act came into force, the Recruiting Board appealed to the Commissioner of Police for help and the call was sent out in the Police Gazette on 23 August 1916. Superintendent O'Donovan, at this point acting for the Commissioner but soon himself to be Commissioner, instructed 'all members of the Force ... to carry out as far as possible' the requested activities to ensure that the posters, placards and lantern-slides prepared to instruct males of their duties to enrol as reservists were prepared for all police stations throughout the country. To this end a 'large poster will be sent to every police station and it is to be conspicuously exposed during the recruiting period and for such period thereafter as may be directed'. A supply of little placards was also sent 'and these are to be distributed to all hotels and licensed clubs in the district for conspicuous display' in such positions in the hotels 'as the officer making the distribution may direct' but including each office, 'each bar and on each landing and in each public room'. Copies of the war regulations were to be supplied to every publican, police were 'from time to time' to 'visit all such premise' to check displays. They were to visit all 'cinematograph-picture theatres in their districts' to ensure the lantern-slides were being screened before and at intervals of all performances. They were to visit all 'tram-cars or privately owned railway carriages in their districts' to see that at least two copies of the small placard were 'conspicuously displayed as directed' and 'All breaches of this regulation should be promptly reported' (Police Gazette 23 August 1916, p588). Taken seriously this must have represented a massive expansion of police reach within communities. The effort to fully institute conscription required this since almost from the outset there were defaulters and deserters on a scale far beyond the capacity of a small military police. In practice the civilian Police were the

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<sup>2</sup>New Zealand Official Yearbook 1918 DEFENCE subsection THE BALLOT

<sup>3</sup> **W Lawson, (1917) Historic Trentham, 1914-1917: The Story of a New Zealand Military Training Camp, and Some Account of the Daily Round of the Troops within Its Bounds, Wellington: Wellington Publishing Company**

effective agent on the streets and in the countryside, monitoring compliance with obligations under conscription and carrying out routine checks on men still in civilian life.

To this end the **Police Gazettes** were heavily used: they were a key mechanism for mobilising and maintaining the national police intelligence network. The Gazettes by 1914 were a well-established police resource since they had been in use by police for close on 50 years by the time war broke out in 1914. The weekly **Police Gazettes** with their tables and paragraphs provided rapid dissemination of detailed intelligence on persons down to precise personal details not only of name, offence and sentence but of nationality, height, complexion, hair and eye colour, distinguishing features such as tattoos and scars and even details of clothing. The **Gazettes** collated intelligence on a variety of missing persons and those who sought to remain invisible - such as escapees from gaol and other state institutions and deserters from merchant vessels or 'His Majesty's Service' (National Archives 2012 p 2).

No other arm of government had this sort of penetration of New Zealand society.

Even before 1914 the police were zealous in pursuit of 'shirkers' and in 1914 a 'recent memorandum from headquarters' aimed to 'facilitate the tracing' of shirkers through 'carefully compiled lists' to be distributed to military officers and 'also to the police and post office'. The Defence Department further offered 'a reward of 10s ... to any constable who is responsible for securing the conviction of a shirker, but ... only in the case of genuine shirkers whose names are to be found on the ... list' (Thames Star 31 January 1914). It is not clear how successful this measure was.

Once the Military Services Act 1916 made enrolment as a reservist mandatory, the Police Force was instructed to take action: 'it is now desired that police throughout the Dominion shall exercise their powers ... to question persons eligible for military service with a view to ascertaining whether they have registered under the Act. Special attention should be given to theatres, racecourses, billiard-saloons and other places frequented by men of military age as well as factories and other places of employment' (see **PG** 1916 p 727 and **PG** 1917 p.100). There was a popular conviction that authorities were not treating the issue with the seriousness necessary. A correspondent to the paper declared that 'Our Police Department, probably acting under orders, front the Defence Department' expended personnel, time and money retrieving one stowaway to make 'a "horrid example" of him' but yet those 'two patriotic departments' did not throw the net over the persistent shirkers who 'in droves' attend race meetings (Feilding Star 14 April 1917).

The police were given a watching brief for what could clearly be a very time consuming labour-intensive affair. For instance, in Auckland the 'search for shirkers' in July 1917 resulted in 'another' man coming before the court for not notifying changes in address and for apparently giving false answers to questions from at least two constables. A sub-inspector had been involved in subsequent interviews at the police station and next day he appeared in court to testify. But because the matter was in 'the unsatisfactory position of there being nothing to show whether the man had registered or not' a remand for eight days was granted to sort the matter out (Auckland Star 18 July 1917). Much police and court time and effort was obviously involved in a zealous pursuit of shirkers in civilian life. At times high level police were involved, but seldom with much result. In November 1917 the Sub-Inspector Dew said that his recent 'visit to the coast, north of Gisborne ... confirmed my impression there are no shirkers in hiding in that locality' (Feilding Star 30 November 1917).

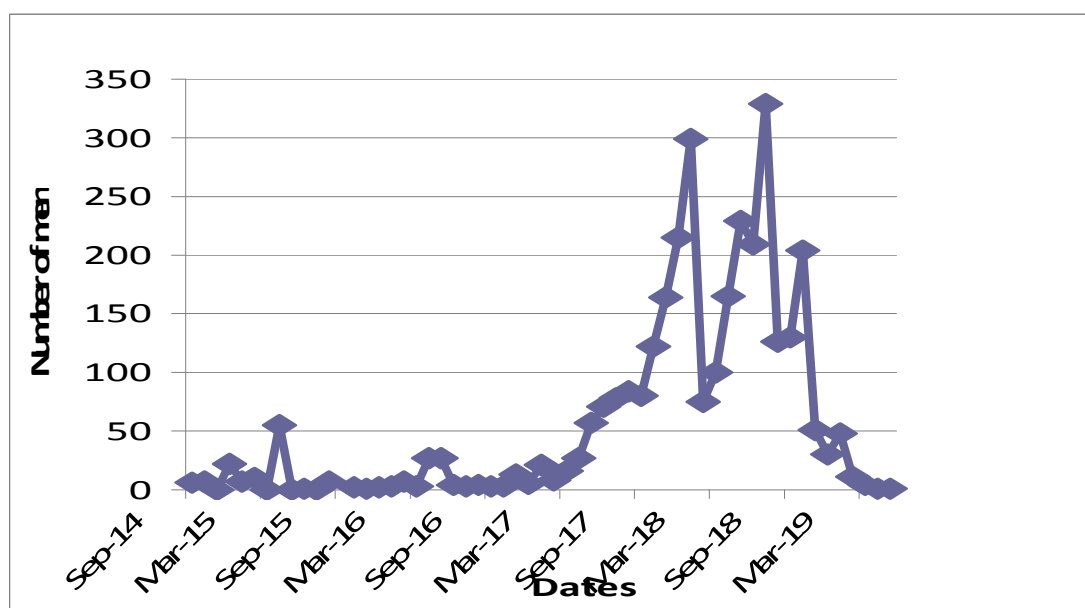
Nevertheless, from time to time the issue was aired in Parliament and in 1917 the Minister of Defence said that 'Cabinet had decided action would be taken on racecourses, show grounds etc., with a view to discovering shirkers under the Military Services Act' (Northern Advocate 17 October 1917). In 1918, the issue was further pursued by MPs (e.g. Grey River Argus 23 April 1918) and the Minister finally 'instructed the Police Department to supply as many constables and detectives in plain clothes as possible' in order to check on all men of apparently military age at the Trentham races. On the first day 390 men were checked, on the second day 500 men were checked but only 6 were possibly questionable (Auckland Star 23 April 1918). When a 'final report' came to hand of 'the

canvass made at the races at Awapuni and Palmerston North, of men who appeared to be of military age ... not one man had been discovered who could be designated a shirker' (The Colonist 8 May 1918).

Under the Military Services Act, defaulting by men who did enrol could take two forms – balloted men who did not report for medical examination and men judged fit who then failed or refused to go to camp. The former group were court-martialled in open court and given a penalty of up to two years hard labour. The second group were sent to camp and there 'dealt with' (Wanganui Chronicle 20 February 1917). Deserters were men who absconded from training camp, troop ships en route to the front and from the front line. **Police Gazettes** alerted front line police across New Zealand of men who were wanted for defaulting or deserting.

Since figures in the **Police Gazettes** relied upon reports from police stations, even statistics of convictions for breaking wartime regulations were not invariably accurate. For instance, the Christchurch labour leader Fred Cooke was released after serving sentence for publishing a seditious utterance on 19 September 1917 but was not reported discharged until 30 April 1919. Nevertheless, figures on deserters gazetted do demonstrate a pattern: a rapid escalation of numbers through 1917 and again through 1918. By 1917 police were locating defaulters (Evening Post 2 March 1917) and deserters (Evening Post 8 March 1917), often from 'the backblocks' (Waihi Daily Telegraph 23 August 1917) and handing them over to military authorities. Numbers reported in weekly Gazettes indicate the scale of the issue.

**Figure 1: men gazetted as deserters 1914-1919**



Source: **Police Gazettes** 1914-1918

In early February 1918, the Minister of Defence stated that of the 92,674 men who had been balloted, 9001 were defaulters and 5851 had been found. A further 2497 cases were under investigation and 653 warrants were currently with the police. In total he claimed 2450 men had been gazetted and 'tracked down leaving just over 3,000 men at large (Marlborough Express 21 February 1918). Deserters were not mentioned specifically in this report.

On 13 March 1918 the Commissioner wrote that while Military authorities were 'using every available resource' they 'realise without the fullest co-operation on the part of the police it will be

impossible for them to account for the whole of the defaulters'. The Commissioner told his front line staff that the Military authorities 'earnestly request the help of all police officers to trace them'. The police he said, now had a 'special opportunity' to do so in the course of collecting agricultural statistics: 'constables should make a point of seeing if possible every man employed on a farm or station and demanding the production of a leave-pass from each man'. A summary of proceedings 'should be laid against employers of unenrolled reservists or deserters and the results communicated to this office' (PG 13 March 1918 p. 168). At the same time procedures were streamlined for reporting arrests or discovery of 'shirkers' and for checking on doubtful cases of enrolment, (which was a longstanding problem see: memo from Government Statistician PG 21 February 1917, p100). The next few months of 1918 must have been worrying for police and military authorities since the numbers of defaulters and deserters continued to grow. By September 1918 unofficial estimates were that defaulters and deserters numbered 'anything between 1500 and 2000' and the task of 'rounding up shirkers and skulkers is very difficult. No satisfactory system of search has as yet been evolved' intermittent 'raids' notwithstanding (Evening Post 18 September 1918).

The extension of conscription to Māori in June 1917 can only have added to difficulties. Enrolment by an 'entirely different method' than for non-Māori: police filled in cards from the best information they could collect without informing the men. The first ballot was gazetted in May 1918 and a second in June 1918 (NZ Year Book 1918) and there was soon stout, albeit passive, resistance. Police entered the pā at Pukekohe to confront the 300-400 passive resisters; they were 'well received' with dance and song, but arrested four 'strong looking young Maori' who were hauled to the train and escorted to military authorities in Auckland (Auckland Star 8 July 1918). Similar scenes were acted out in Wanganui (Auckland Star 19 August 1918) and in the Waikato (Evening Post 20 June 1918).

There was evidently some criticism of the Defence Department by this time, but the Minister of Defence argued that an inquiry had shown that 'in all main essentials' the Department had managed well without any precedents in 'experience or knowledge' to follow. A £40,000,000 budget had been spent, but 'there was no fraud'. The country he said, must 'hang on and see that New Zealand did its part, and kept up reinforcements to the end. It must never be said that we did not keep up the strength of the New Zealand Division' (Evening Post 5 August 1918 p7).

Archives New Zealand. "Police Gazettes Information Sheet 1." National Archives  
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