

1944
NEW ZEALAND

PRISONS BOARD

(ANNUAL REPORT OF) FOR 1943

Presented to both Houses of the General Assembly by Command of His Excellency

MEMBERS OF THE BOARD

The Hon. Mr. Justice BLAIR (President); Sir DONALD MCGAVIN, Kt., C.M.G., D.S.O., M.D. (Lond.), F.R.C.S. (Eng.); B. L. DALLARD, Esq.; THEO. G. GRAY, Esq., C.M.G., M.B., M.P.C.; and ERNEST EDRIDGE, Esq.

12th July, 1944.

SIR,—

I have the honour to forward herewith the report of the Prisons Board for the year 1943.

I have, &c.,
A. W. BLAIR,
President.

The Hon. the Minister of Justice.

REPORT OF THE PRISONS BOARD

FOR THE YEAR ENDED 31ST DECEMBER, 1943

THE Board has to report that during the year it visited each of the prisons, prison camps, and Borstal institutions in the Dominion. It dealt with a total of 957 cases at sixteen meetings held in Wellington and at the various institutions.

The following summary gives details of the cases considered and the decisions arrived at:—

<i>Cases dealt with</i>		<i>Board's Decisions</i>	
Persons undergoing Borstal detention	373	Recommended for release on probation	193
		Deferred for later consideration	164
		Applications declined	16
	373		373
Persons sentenced to reformatory detention	254	Recommended for release on probation	119
		Recommended for discharge	3
		Deferred for later consideration	132
		Applications declined	Nil
	254		254
Persons sentenced to hard labour	273	Recommended for release on probation	177
		Recommended for discharge	9
		Deferred for later consideration	81
		Applications declined	6
	273		273
Habitual criminals for release or remission of head sentence	35	Recommended for release on probation	12
		Recommended for remission of head sentence	Nil
		Deferred for later consideration	23
	35		35
Habitual offenders	Nil		Nil
Probationers under Crimes Amendment Act	9	Recommended for discharge	8
		Applications declined	1
	9		9
Probationers under Offenders Probation Act	13	Discharge granted	10
		Modification of terms of probation granted	2
		Applications declined	1
	13		13

Having regard to the continued paper shortage and the necessity for economy generally, it is intended to make only a brief review of the Board's operations during 1943.

The Board, during the year under review, considered 957 cases, or 24 more than the previous year; and it recommended a remission of sentence in 521 cases, as compared with 509 in 1942.

That the percentage of offenders who have responded and evidently made good has been well maintained is disclosed by a comparison of the statistics with those of former reports. Approximately 23 per cent. only of the total number released after undergoing sentences of Borstal detention and reformatory detention or imprisonment with hard labour have been reconvicted or failed to comply with the conditions of their release.

The foregoing results are in marked contrast to those relating to habitual criminals. Of the habitual criminals released on parole since the constitution of the Prisons Board in 1911, 57 per cent. have been returned to prison for non-compliance with the conditions of release or for committing further offences. These figures, when compared with those of former years, show that the results remain fairly constant, though, considering present greater facilities for securing employment and thereby earning an honest livelihood, one would have expected to see a decline in the amount of recidivism. Habitual criminals fortunately constitute a relatively small percentage of the total prison population, but they represent an intractable group of professional criminals of warped mental outlook who seem to attain a measure of satisfaction from the short-circuiting of socially-acceptable codes of conduct. Because they have become more confirmed in their criminal habits, the Board is never entirely sanguine as to their future conduct. It is therefore a source of satisfaction to report that the Board was able during the year to recommend the complete discharge from the Habitual Criminal Act of a further 8 persons. The Board makes such a recommendation only where the individual, after a number of years on license from prison, has satisfied the authorities, by continuous good conduct and industry in the community, that he has rehabilitated himself.

In terms of the Offenders Probation Act, 1920, 13 probationers petitioned the Board for respite from the conditions of their probation, compared with 20 the previous year. Of the 13 applicants, 10 were granted discharge, variations in the conditions of release were made in 2 cases, and 1 application was deferred.

During the Board's circuit of the main prisons and Borstal institutions in the Dominion it viewed first hand some of the numerous activities of the Department. The members were impressed not only with the apparent success of these varied undertakings, but also with the intelligent interest and industry shown by the inmates employed therein, together with their obvious physical fitness and contentment.

The Board is indebted to the Director-General of Mental Hospitals and his experienced psychiatrists for the valuable reports and advice furnished from time to time concerning the persons coming under its jurisdiction.

The Board again desires to express its appreciation of the important work done by the members of the different after-care organizations and the many other public-spirited citizens who give such valuable honorary service in the different matters pertaining to the rehabilitation of inmates.

OBITUARY

Although not happening actually within the period covered by this report, the Board desires to place on record its profound sense of loss in the death, on the 23rd February, 1944, of its late President, the Honourable Sir Hubert Ostler, and the high regard and affection in which he was held by the members.

GENERAL

Since the Board commenced to function in 1911 no less than 31,803 cases have been considered by it. This includes prisoners undergoing sentences of reformatory detention, hard labour, habitual criminals, Borstal inmates, and probationers for discharge from probation or variation of terms thereof. Dealing with these cases under the particular headings, the results have been as follows:—

Reformatory Detention.—During the period from January, 1911, to December, 1943, 5,860 prisoners were sentenced to reformatory detention under the provisions of the Crimes Amendment Act, 1910. The number of cases that have been recommended for release or discharge is 4,804. In 664 cases prisoners were required to serve the full sentence imposed by the Court. Of the total number released after undergoing reformatory detention, 24.86 per cent. have been returned to prison either for non-compliance with the conditions of the release or for committing further offences, 2.46 per cent. left the Dominion or absconded, 0.37 per cent. died or were transferred to mental hospitals, leaving 72.31 per cent. who have not further offended and who may therefore reasonably be assumed to have become useful and law-abiding members of the community.

Hard Labour.—Since the passing of the Statute Law Amendment Act, 1917, which extended the scope of the Prisons Board to the consideration of cases of prisoners sentenced to terms of imprisonment involving hard labour, 7,353 cases have been considered by the Board up to December, 1943. In 3,521 cases the prisoners were released on probation or discharged prior to expiry of the full time on the recommendation of the Board. Of this number, 2,194 completed probation satisfactorily, 209 were recommitted for other offences, and 89 were still reporting on probation at the 31st December, 1943.

Habitual Criminals.—During the period from January, 1911, to December, 1943, 704 habitual criminals were released on license on the recommendation of the Prisons Board. Of those so released, 57.38 per cent. were returned to prison either for committing further offences or for non-compliance with the conditions of probation. No offences are recorded against the remaining 42.62 per cent., and, allowing for those who have left the Dominion or died, this leaves 21.74 per cent. who remain in the Dominion and have not further offended.

Borstal Cases.—Since the coming into operation of the Prevention of Crime Act, 1924, 3,455 young persons have been detained under this Act, either by original commitments by the Court or by transference of youthful offenders from penal institutions or industrial schools. There have been 3,176 inmates released on the recommendation of the Board, 2,937 being on probation and 239 on the expiration of their sentence. Of the total number released, 69 have been returned to the institution for non-compliance with the conditions of release, 344 were recommitted for further offences whilst on probation, and 588, or approximately 18 per cent. of the total released, have been sentenced for offences committed after discharge or on expiry of their period of probation.

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