

applied, having regard to the interests of the offender and of the public. It is considered that in many cases as much can be done in the development of character through the careful supervision of the offender within the community where he is participating in the everyday economic struggle as in the atmosphere of an institution, no matter how well it is conducted. Nothing, however, is further from the truth than that probation is a panacea for all crime, or that for all first offences probation should be granted as a right. To do so would merely grant a licence for crime—a person tempted to commit an offence might reason that, even if he were caught, he would not be put away. The underlying idea is that if, having regard to the character of the offender and the nature of the offence, the deterrent aspect is given the consideration that it ought always to have and the protection of society is safeguarded, it is more effective to give an offender conditional liberty on probation than to place him in an institution.

SUMMARY PENALTIES ACT, 1939

12. The purpose of this Act, which came into force on 1st January, 1940, is to avoid as far as possible committals to prison for non-payment of fines and costs. Provision is made that where a person adjudged or ordered to pay any moneys is allowed time for payment or where payment is directed to be made by instalments, the Court may order that he be placed under the supervision of a Probation Officer until the sum is paid. Where the person so adjudged or ordered has not attained the age of twenty-one years, an order shall be made unless the Court is satisfied that it is undesirable or impracticable to place him under supervision. Probation Officers report that their services are being increasingly used as supervisors in these cases.

PAROLE

13. Under the Crimes Amendment Act, 1910, and the Prevention of Crime (Borstal Institutions Establishment) Act, 1924, provision is made for the release, on the recommendation of the Prisons and Parole Board, of prisoners and Borstal inmates before the full sentence has been served. Those so released automatically come under the control of Probation Officers, who, by counsel and advice, play an important part in assisting in the successful rehabilitation of a large percentage of the cases. Parole is not to be viewed as an unconditional shortening, by way of leniency, of the sentence of a well-behaved prisoner: it is part of a system which involves consideration of the offender's previous record and character and his prospects of making good, and the provision of machinery for shepherding the parolee during the transition period from life in an institution to life in the community.

14. During the year under review 523 persons were released on probation on the recommendation of the Prisons Board, 3 were recommitted for breaches of their licences, and 24, including 6 habitual criminals, had their licences cancelled on account of further offences. During the five-yearly period ended 31st December, 1949, 1,882 persons (excluding habitual criminals) were released on licence, and during that period 211, or 11·2 per cent., were returned to prison for failing to comply with the conditions of their licences or for further offences committed whilst on licence. Just over 25 per cent. were again convicted subsequent to discharge. Considering the nature of some of the material dealt with, this may be regarded as reasonably satisfactory.

GENERAL

15. As full-time Probation Officers are employed only in the four main cities and there are part-time officers in a few only of the larger centres, the majority of our Probation Officers are members of the Police Force. This may not be the ideal set-up, and is open to the comment that the prosecutor should not be the officer to submit the probation report to the Court. It is my duty to record that members of the Police