

1910.  
NEW ZEALAND.

JUVENILE OFFENDERS

(REPORTS BY STIPENDIARY MAGISTRATES ON).

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

AUCKLAND.

The Magistrate's Office, Auckland, 17th March, 1910.

Juvenile Offenders.

IN reply to your memo. of the 25th ultimo, I have now the honour to forward a return, prepared by the Clerk of the Court, showing the number of juvenile offenders brought before the Police Court in the City of Auckland during the year ending 31st December, 1909.

The return shows (1) date of hearing, (2) names of offenders and in some cases their ages, (3) nature of offence, and (4) manner in which offender was dealt with.

In dealing with these offenders the procedure laid down in Part III of the Justices of the Peace Act, 1908, is strictly followed. In many cases the head teacher of the school where the offender is being educated attends and reports on his conduct, &c., and on some occasions friends or relatives of the children are also present and give evidence. The parents (if any) are notified, and generally attend the Court.

All cases are heard privately either in the small room (the Justices' Room) off the main Courtroom or in my own room.

C. C. KETTLE, S.M.

The Under-Secretary for Justice, Wellington.

Offence, &c.	Summoned or apprehended.		Admonished and discharged.		Ordered to come up for Sentence if called upon.		Fined.		Whipping.		Sent to Industrial School.		Dismissed.		Withdrawn.		Order.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Breach of by-law (driving vehicle round corner)	1	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..
Cruelty to animals ..	5	..	..	..	..	..	3	..	..	..	..	..	2	..	..	..	..	..
Damaging property ..	15	4	11	2	..	..	1	..	..	..	3	..	..	..	..	2	..	..
Having possession of firearms	6	..	5	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Housebreaking ..	7	..	1	..	..	..	..	..	6	..	..	..	..	..	..	..	..	..
Frequenting streets ..	..	2	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..
Idle and disorderly (no means)	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..
Placing matches in post-office box	3	..	..	..	..	..	..	..	..	..	..	..	3	..	..	..	..	..
Playing cricket in street ..	12	..	3	..	6	..	..	..	..	..	..	..	..	..	3	..	..	..
Receiving stolen property ..	..	1	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Stone-throwing ..	11	..	10	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..
Stowaway ..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..
Theft ..	42	13	31	10	1	1	..	..	6	..	3	2	1	..	..	..	..	..
Totals ..	103	21	61	13	8	1	6	..	12	..	6	4	6	..	3	3	1	..

WELLINGTON.

Magistrate's Court, Wellington, 3rd March, 1910.

YOUR memorandum of the 25th February to hand on the 28th February last, asking for a report upon the working of the Juvenile Court for the year ending 31st December last. I enclose herewith a return showing the information asked for.

The Juvenile Court is held at 9.30 a.m. in my private room whenever there is business to be dealt with. I am satisfied that the Court is an unqualified success. I am able to appeal to the children's feelings better in private than in the open Court. The children's parents are nearly always present, and good reason is given if they are not there. No representative of any society or organization attends the Juvenile Court: One hundred and twenty-six children were brought before the Court last year charged with 134 offences, &c. The return shows the number of convictions and the punishment awarded for each class of offence.

W. G. RIDDELL, Stipendiary Magistrate.

The Under-Secretary, Department of Justice, Wellington.

Offence, &c.	Summoned or apprehended.		Admonished and discharged.		Convicted and discharged.		Fined.		Whipping.		Sent to Industrial School.		Dismissed.		Withdrawn.		Order.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Abscinding from industrial school	2	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
Breaking and entering and theft	2	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	..
Dwelling with prostitutes or drunkards	8	10	..	..	..	..	..	..	..	..	8	10	..	..	..	..	..	..
Frequenting streets	3	..	..	..	..	..	..	..	..	..	3	..	..	..	..	..	..	..
Having possession of firearms	2	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..
Having no means of subsistence	13	13	..	..	..	..	..	..	..	..	13	13	..	..	..	..	..	..
Having no place of abode	1	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..
Indigent children	4	7	..	..	..	..	..	..	..	..	4	7	..	..	..	..	..	..
Obscene language	1	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..
Receiving stolen money	1	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Sleeping in open air	2	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
Smoking	1	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
Theft	40	1	2	..	14	1	..	..	23	..	1	..	..	..	..	..	..	..
Wilful damage	13	..	1	..	12	..	..	..	..	..	..	..	..	..	..	..	..	..
Uncontrollable children	2	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
Total	95	31	3	..	31	1	..	..	26	..	36	30	..	..	..	..	..	..

CHRISTCHURCH.

SIR,—

Magistrate's Office, Christchurch, 21st March, 1910.

I have the honour to acknowledge the receipt of your Memorandum No. 595, of the 25th February, 1910, in which you ask me to furnish a report upon the working of the Juvenile Courts during the year ended the 31st December, 1909.

Early in the year 1905, as the result of much thought and consideration, I decided to establish in this district a system of Children's Courts, having in view mainly the object of keeping the young people as far as possible from the contamination of the ordinary Police Courts and all that pertains thereto. I could only, of course, carry this on in a somewhat irregular way, and to obtain the necessary privacy I used to sit at unusual hours and places. My practice met with considerable success, and soon attracted attention throughout the Dominion. As the result the then Minister of Justice called upon me for a full report on the practice I was adopting. This I furnished, and the almost immediate outcome of it was the placing upon the statute-book of the Juvenile Offenders Act, 1906. This Act was framed on the exact lines of my practice, but gave it the full effect of law, and placed a most valuable and important power in the hands of the Magistrate by enabling him, where he thought it expedient, to order the parents of the offender to pay any costs or damages incurred by or through the offence, and making them enforceable under the Justices of the Peace Act. The value of this provision can scarcely be overestimated, for, looking to the fact that the great majority of children in this country who go astray do so through lack of parental control, a Magistrate is enabled to bring before the parents in a forceable and unmistakable way that the law holds them in a measure responsible for the shortcomings of their offspring.

The more I have to do with these Courts the more I become convinced that nothing but good results from them, and that their operation throughout the Dominion must have been of great benefit to the community. The good results can scarcely be summed up in concrete form, but that they are there cannot be denied. As a leading English newspaper said recently in connection with the recently established Children's Courts in London, "The object of these Courts is to preserve young children from the environment of ill-doing and from contamination by the criminal classes. And at Bow Street, presided over by Sir Albert De Rutzen, the Senior Police Magistrate of London, the chief thought inspired in the minds of those present was one of surprise that the reform had not been adopted before."

I do not make my Courts very formal. I try to get into as close touch with the children and their parents as the position will allow. In the semi-privacy of the Juvenile Court I am much better able to adapt myself to the circumstances than I could possibly be under the old and formal régime. I am able to speak to all concerned with much greater freedom and to so sheet home with greater force the lessons I wish to inculcate. Long experience assists me very materially in this respect. To the parents who fail to recognise their responsibilities and who are always ready to excuse in every way their children's shortcomings it is necessary at times to speak with no uncertain voice.

Although the cases when before the Court are reported in the daily Press, in no instance have I known the names of the juvenile offenders to be published. This has been a cordial recognition by the Press of the unique nature of the work and the necessity for carrying beyond the closed door of the Court the seal of practical privacy.

Some time ago an association was formed in Christchurch named the "Presbyterian Social Service Association," and when the promoters did me the honour to consult me as to certain proposed work in connection with the Juvenile Courts, I suggested that their agent should make a speciality of this work, and I pointed out that the system of Juvenile Courts was not doing all that it might do, for lack of the opportunity of getting into touch with the alleged offenders and their parents and their home environment before the cases came before me, and in following them up afterwards and as far as possible encouraging the resolution to abstain from evil. My sug-

gestion was acted on, and the Rev. Mr. Rule, being appointed the agent for the association, was specially detailed for the work. His services have been invaluable. He is notified of full details as soon as a case is reported. He forthwith gets into touch with the home, ascertains all particulars, and reports fully to me, giving me the results of his inquiries, &c., and his estimate of the true position, and then he attends the Court and assists me in every direction in which I may need and ask for assistance. He is an enthusiast in his work, and has special qualifications for it. He is now visiting Australia, carrying letters of introduction from me to a number of Magistrates with a view to seeing the working of any Courts over there that may bear some relation to ours.

Mr. Smail, an old and valued social worker, attends all my Courts and assists me greatly. His duties as lay evangelist are so numerous and exacting that he has not the time to give to these Courts that he would like, and to the work so efficiently done by Mr. Rule.

I beg to forward to you herewith, as asked for, a return showing the number of cases brought before the Court, the actual number of children brought up, the nature of the offences, and the manner in which the charges were disposed of.

This return is noticeable in this respect: that 88 boys were before the Court and 22 girls. Of the 88 boys, 13 were up before me for no fault of their own, but merely for the purpose of committal under section 17 of the Industrial Schools Act, 1908. Of the 22 girls, no less than 17 were also brought up under the same section, and the remaining 5 as uncontrollable under section 18 of the same Act. It will therefore be seen that no girls at all were brought before the Court for ordinary offences.

I have, &c.,

H. W. BISHOP, Stipendiary Magistrate.

The Under-Secretary, Department of Justice, Wellington.

Offence, &c.	Summoned or apprehended.		Admonished and discharged.		Convicted and discharged.		Fined.		Whipping.		Sent to Industrial School.		Dismissed.		Withdrawn.		Order.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Assault (indecent) ..	3	..	3	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Boy selling newspapers ..	3	..	1	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..
Boy under sixteen driving grocer's cart	1	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Behaviour provoking breach of peace	4	..	..	..	..	..	2	..	2	..	..	..	..	..	..	..	..	..
Breaking and entering ..	2	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..
Breaking windows ..	2	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..
Breach of by-laws ..	4	..	3	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..
Cycling at night without light	1	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Disorderly conduct in park	1	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..
Dwelling with drunkard ..	1	6	..	..	..	..	..	..	..	..	1	6	..	..	..	..	..	..
„ prostitutes ..	4	1	..	..	..	..	..	..	..	..	4	1	..	..	..	..	..	..
Frequenting streets ..	2	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..	..
Having no means of subsistence	1	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..
„ no place of abode ..	..	2	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	..
„ possession of firearms	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
Indigent parents, &c. ..	8	8	..	..	..	..	..	..	..	..	8	8	..	..	..	..	..	..
Mischief ..	18	..	14	..	..	..	..	..	..	..	..	..	4	..	..	..	12	..
Obscene language and writing	2	..	1	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..
Smoking ..	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
Theft ..	22	..	3	..	17	..	3	..	..	..	2	..	2	..	..	..	7	..
Throwing stones ..	3	..	3	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Uncontrollable children ..	3	5	..	..	..	..	..	..	..	..	3	5	..	..	..	..	..	..
Using catapult in public place	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..
Totals ..	88	22	30	..	19	..	6	..	2	..	22	22	14	..	..	..	19	..

#### DUNEDIN.

SIR,—

Magistrate's Court Office, Dunedin, 24th March, 1910.

In accordance with the request conveyed in your memorandum of the number and date quoted in the margin (No. 596, 25/2/10), I have the honour to report on the work of the Juvenile Court at Dunedin during the year 1909 as follows:—

There were 73 informations and complaints laid with respect to juvenile offenders in this Court during the year. These represent 91 charges against 77 boys and 4 charges against 4 girls, and 29 indigent children's cases (21 boys and 8 girls) under section 17 subsection 1 (a) of the Industrial Schools Act, 1908, making in all 112 cases against 98 boys and 12 cases against 12 girls. Of these, 2 cases, against 2 children, were heard by Mr. Young, S.M.; 2 cases, against 2 children, were heard by Mr. Kenrick; 19 cases, against 19 children, were heard by Mr. Cutten, S.M.; 27 cases, against 17 children, were heard by Mr. Bartholomew, S.M.; 74 cases, against 70 children, were heard by Mr. Widdowson, S.M. Particulars as to nature of offences and the manner in which the charges were disposed of are given in summary attached.

The practice followed by the Court in these cases is as follows: When a juvenile is to be brought before the Court a special report of the case is made by the police to the Magistrate, and the police also communicate at once with the Rev. E. A. Axelsen, Superintendent of the Presbyterian Social Service Association. I requested the police to notify Mr. Axelsen at once in each case, so that he could have as much time as possible to make inquiries. Mr. Axelsen then makes

full inquiry into the circumstances under which the alleged offence has been committed, the character, temperament, and disposition of the child, the character of the parents, and as to the home-life and surroundings of the child, and any other matters which may be of assistance to the Court; and the result of these inquiries he reports to the Magistrate, who is then in a position to know best how to deal with the child. When Mr. Axelsen is not available (which is very seldom) the inquiry referred to is made by Mr. Cumming, agent of the Patients' and Prisoners' Aid Society, who always acts for Mr. Axelsen in the latter's absence. It is invariably arranged that the child be brought to the Court by its parents or Mr. Axelsen. The child enters and leaves the Court by the private door, so as to not to meet any of the public, and, with the exception only of those persons referred to in section 125 of the Act, the public are excluded from the Court. At the hearing the child is invariably represented by one or other of its parents (if living), and, with the exception of infants under section 17 of the Industrial Schools Act, Mr. Axelsen, or, if absent, Mr. Cumming, is also present. The agent or representative of any other organization or institution interested in any particular case usually attends also. In some rare cases Mr. Axelsen has, by request, represented the parent when the latter has been ill or for some other cause has been unable to attend.

The work of the Court has, in my opinion, been a great success. Every opportunity and encouragement is given to a child for reformation, and in this Mr. Axelsen has been a very great assistance. I am glad to say that, during the year under review, of all the boys and girls who were brought before the Court, only two were second offenders, one boy having been previously admonished and discharged, and another boy having been previously fined. Mr. Axelsen also reports to me from time to time how boys over whom he is exercising supervision or who have been placed in his charge are progressing, and the results have been very satisfactory.

Mr. Axelsen appears to be specially gifted in managing and bringing good influence to bear upon juveniles, and possesses what are essential for that purpose, a sound judgment and the faculty of being able to get at the root of their trouble and gain their confidence. He is doing an excellent work among the boys and girls in this district. The Court is greatly indebted to him for his assistance. I might add that in many instances where the controlling influence of the parent or parents is weak, the parent, by advice of the Court, allows Mr. Axelsen to interest himself in the child, and in some cases the child has been placed by him or her for a time in Mr. Axelsen's Home, so that he can exercise closer supervision.

I may say that the Presbyterian Social Service Association referred to, although maintained by the Presbyterian portion of the community, is unsectarian with regard to the children it deals with, and its superintendent has the confidence of all classes of the community. I enclose a newspaper report on the institution, which explains its aims and objects. I also enclose a report by Mr. Gilkison on Juvenile Court work, which was recently presented to the Society for Prison Reform, and an editorial thereon, which may be of interest.

I have, &c.,

H. Y. WIDDOWSON, Stipendiary Magistrate.

The Under-Secretary, Department of Justice, Wellington.

Offence, &c.	Summoned or apprehended.		Admonished and discharged.		Ordered to come up for Sentence if called upon.		Fined.		Whipping.		Sent to Industrial School.		Dismissed.		Withdrawn.		Order.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Assault .. ..	6	..	..	..	..	..	..	..	..	..	..	..	6*	..	..	..	..	..
Breach of by-laws ..	4	1	4	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Breach of peace ..	6	..	..	..	..	..	..	..	..	..	..	..	6*	..	..	..	..	..
Breaking and entering and theft	10	..	..	..	..	..	1	..	3	..	..	..	1	..	5†	..	..	..
Cruelty to animals‡	2	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Discharging fireworks ..	4	..	3	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..
Indigent children ..	21	8	..	..	..	..	..	..	..	..	21	7	..	..	..	1	..	..
Mischief (i.e., wilful damage)	19	..	13	..	..	..	5	..	..	..	..	..	..	..	1	..	..	..
Putting filth into post-office box	2	..	..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..
Theft .. ..	36	3	23	2	3	..	..	..	3	..	5	1	..	..	..	..	..	..
Throwing stones ..	2	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Totals .. ..	112	12	47	3	3	..	9(d)	..	6	..	26	8	13	..	6	1	..	..

\* Six boys were together charged with assault and breach of the peace as alternative charges.  
† These five cases were withdrawn, and the minor charges of theft substituted.  
‡ Case of two boys charged with cruelty to a cat. Admonished and discharged after having been soundly thrashed by parents.

MEMO.—In twenty-eight cases in which offenders were admonished and discharged, the parents were ordered to pay costs or damages. The nine boys marked (d) were fined by Mr. Cutten, S.M., in January, 1909.

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