

SESSION II.  
1921.  
NEW ZEALAND.

PRISONS DEPARTMENT:  
**PRISONS BOARD**  
(ANNUAL REPORT OF) FOR 1920.

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

MEMBERS OF BOARD :

Hon. Sir ROBERT STOUT, K.C.M.G. (President); Sir GEORGE FENWICK, Kt.; EDWIN HALL, Esq.; FRANK HAY, Esq., M.B.; C. B. JORDAN, Esq.; CHARLES E. MATTHEWS, Esq.; WILLIAM REECE, Esq.

SIR,—

Wellington, 11th August, 1921.

I have the honour to forward herewith the report of the Prisons Board for the year 1920. The President of the Board was granted leave to proceed to England. He presided at the meetings included in this report, but left before the report was completed. As the senior member I was asked to preside in Sir Robert Stout's absence, and have presided at meetings since April, 1921.

I have, &c.,  
GEORGE FENWICK,  
For President.

The Hon. the Minister of Justice, Wellington.

REPORT OF THE PRISONS BOARD FOR THE YEAR ENDING 31ST DECEMBER, 1920.

The Board has to report that during the year 1920 it dealt with a total of 648 cases, at meetings held at Wellington, Point Halswell, Waikeria, Auckland, New Plymouth, Addington, Paparua, and Invercargill. The following table sets out, under their respective statutory headings, the number of cases considered at each quarterly meeting, together with the decisions reached :—

Table A.

Quarterly Meeting.	Place of Meeting.	Cases considered of				Totals.	Decisions reached.				Totals.
		Habitual Criminals and Offenders.	Persons undergoing Reformatory Detention.	Hard-labour Prisoners.	Probationers for Discharge from Probation.		Recommended for Release on Probation.	Deferred.	Declined.	Recommended for Discharge from Prison or Probation.	
February ..	Paparua ..	4	26	4	..	34	16	16	2	..	34
	Addington ..	1	19	1	..	21	5	9	6	1	21
	Invercargill ..	4	145	7	9	165	38	94	18	15	165
May ..	Wellington ..	1	39	8	12	60	8	32	7	13	60
August ..	Wellington ..	2	26	5	11	44	8	25	1	10	44
November and December	Point Halswell ..	..	8	2	..	10	4	5	1	..	10
	Wellington ..	3	58	7	..	68	14	45	6	3	68
	New Plymouth ..	2	8	13	..	23	7	13	..	3	23
	Auckland ..	57	56	18	..	131	45	83	..	3	131
	Waikeria ..	..	82	9	..	91	23	66	..	2	91
	Wellington ..	..	..	1	..	1	..	..	..	1	1
		74	467	75	32	648	168	388	41	51	648

## GENERAL RESULTS OF PRISON BOARD'S WORK FROM 1911 TO 1920.

*Table B.—Reformative-detention Cases.*

Total number sentenced to reformative detention .. .. .	1,534
Released on recommendation of Board .. .. .	1,021
Discharged from reformatories on completion of full sentence .. .. .	96
Total number released .. .. .	1,117
Died whilst undergoing sentence .. .. .	20
Committed to mental hospitals, &c. .. .. .	12
Remaining in reformatories on 31st December, 1920 .. .. .	385
	417
	1,534
Total number released as above .. .. .	1,117
Of whom there were—	
Returned to reformatories for non-compliance with conditions of release .. .. .	55
Returned to reformatories for further offences .. .. .	63
Returned for offences committed after discharge or expiry of period of probation .. .. .	120
Total number returned .. .. .	238
Absconded and not traced .. .. .	22
Died .. .. .	6
Left Dominion to return to former domiciles .. .. .	23
Known to have been killed in action while on active service .. .. .	3
Returned to Weraroa .. .. .	1
Transferred to Rotorua Inebriates Institution .. .. .	1
Transferred to mental hospitals .. .. .	2
Transferred to Mount Magdala Home .. .. .	1
Transferred to Salvation Army Home .. .. .	1
Reporting on probation at 31st December, 1920 .. .. .	69
Number who have not offended since their discharge or expiration of period of probation and presumably doing well .. .. .	750
	879
	1,117

Of the total number released after undergoing reformative detention 21 per cent. have been returned to prison either for non-compliance with conditions of release or for committing further offences; 5 per cent. have died, absconded, &c.; leaving 74 per cent. who have not further offended.

Of the number returned to reformatories, 48 individuals were returned twice, 22 three times, 4 four times, 4 five times, and 1 six times.

Table C sets out the habitual criminals dealt with during the same period as that covered by Table B.

*Table C.—Habitual Criminals.*

Total number declared habitual criminals .. .. .	290
Of whom there were—	
Released on recommendation of Board .. .. .	234
Died while undergoing sentence .. .. .	3
Remaining in prison on 31st December, 1920 .. .. .	53
	290
Total number released as above .. .. .	234
Of whom there were—	
Returned to prison for non-compliance with conditions of release .. .. .	41
Returned to prison for further offences .. .. .	70
Returned to prison for offences committed after their discharge from probation .. .. .	11
Total number returned .. .. .	122
Absconded and not traced .. .. .	19
Died .. .. .	7
Left Dominion to return to former domiciles .. .. .	26
Transferred to mental hospital .. .. .	1
Reporting on probation at 31st December, 1920 .. .. .	26
Number who have not offended, so far as known, since their discharge from probation and presumably doing well .. .. .	33
	112
	234

Of the total number of habitual criminals released on probation 52 per cent. were returned to prison either for non-compliance with the conditions of probation or for committing further offences; 23 per cent. have left the Dominion, absconded, &c.; leaving 25 per cent. who have not further offended.

Of those returned to prison 18 returned twice, 8 returned three times, and 1 returned four times.

Since 1917 the Board has dealt with the following hard-labour cases :—

*Table D.—Hard-labour Cases.*

Total individual cases considered	..	..	..	..	..	..	224
Number discharged from prison on recommendation of Board	..	..	..	..	..	..	13
Number released on probation on recommendation of Board	..	..	..	..	..	..	40
Left the Dominion	..	..	..	..	..	..	5
Recommitted for other offences	..	..	..	..	..	..	1
Completed probation	..	..	..	..	..	..	22
Reporting on probation at 31st December, 1920	..	..	..	..	..	..	9

The following table shows the cases considered year by year by the Board since its inception :—

*Table E.*

Year.	Habitual Criminals and Offenders.	Reformative Detention.	Hard Labour.	Probationers for Discharge from Probation.	Totals.
1911	65	105	..	..	170
1912	159	259	..	..	418
1913	157	403	..	..	560
1914	117	332	..	..	449
1915	101	273	..	..	374
1916	102	322	..	..	424
1917	95	329	14	..	438
1918	87	201	92	..	380
1919	97	471	115	18	701
1920	74	467	75	32	648
Totals	1,054	3,162	296	50	4,562

From the above return it will be seen that the total number of cases dealt with in 1920 was less by 53 than that recorded for 1919, but this is accounted for by the fact that owing to the influenza epidemic in 1918 the Board was compelled to postpone its annual November visit to the North Island prison institutions until the early part of 1919, and to resume its usual routine by paying the same institutions another visit at the end of the year. This resulted in a large number of cases being considered during 1919 that under ordinary circumstances would have been dealt with in 1918, and had the effect of throwing out the annual comparisons for the years 1918, 1919, and 1920.

The Board has in its annual reports referred frequently to the gratifying results of the probation system as applied to reformatory-detention prisoners. It is now in a position to give the percentage over a term of ten years of offenders of this class who have respected the conditions of their release on probation. It is most satisfactory to know that over that period 74 per cent. have not come again into the hands of the authorities. Of the remainder, 21 per cent. have been returned to prison for breaking their probation obligations, and 5 per cent. died or have been accounted for otherwise.

Of the habitual criminals released on probation on the recommendation of the Board, the percentage of those who have been recommitted to prison continues to be much higher. Only 25 per cent. have not offended further, and, of the remainder, 52 per cent. were committed to prison again, and 23 per cent. have either left the Dominion or failed to report to the Probation Officer and have not been traced.

It is not a particularly cheering fact to place on record that 52 per cent. of those released during the ten-year period under review were returned to prison, while 23 per cent. have left the Dominion or absconded, leaving 25 per cent. only who, to the knowledge of the authorities, have not relapsed into criminal ways. It has been pointed out in previous reports that many of these men are heirs to criminal tendencies, and, moreover, have had the misfortune to live in an environment which, under the circumstances, could hardly have failed to lead to active crime. The Board, in the exercise of its discretion, has given them the opportunity to continue in the complexities of the world outside the prison gates the good record they had achieved within, and, after all, it is something to be thankful for that 25 per cent. of these unfortunate beings have, under generous treatment in terms of the New Zealand criminal law, kept out of prison after release on probation.

On the whole these figures must be considered satisfactory, and especially so with respect to the reformatory-detention prisoners. The members of the Board in their periodical visits to the Borstal Institution at Invercargill have not failed to observe the great pains taken by the officers there to make the inmates realize that their future lives are going to be sadly marred if they continue in a course of evil-doing. The regular and intelligent methods of educational instruction given and the no-less-important physical exercises, in which proficiency is very marked, go hand in hand in the rehabilitation of the characters of those who have taken the first downward step, and it is a pleasure to the Board to be able to testify to the steady improvement in the administrative methods of the Prisons Department as evidenced at the Invercargill institution under its control.

It is no less gratifying to the Board to witness the steady progress that is being made with the reformatory farm at Waikeria. It is manifest that the better class of adult prisoners who are sent to this institution must, under the useful instruction in farming operations which they receive, and the health-giving outdoor life they lead, become better men. They leave the institution with an acquired

knowledge of a class of work which enables them to speedily obtain employment, and there are many instances within the knowledge of the Department of men from Waikeria who have become useful members of society with but little chance of relapsing to evil ways of life.

The Board, when interrogating prisoners in the exercise of its functions and inquiring into their personal and family history, concluded that in some cases the prisoner was not entirely responsible for the acts committed, on account of mental defect or deficiency, though not so pronounced as to be classified as insanity. Some of these unfortunates were being provided for sufficiently well by the open-air life and work under discipline at the reformatory institutions, but some cases seemed to call for the observation, care, and treatment of alienists. More particularly is this so in the case of many sexual offenders, and with respect to that class the Board passed the following resolution :—

“Whereas an increasing number of sexual offences has been the subject of frequent and serious judicial comment, especially in cases where young children were the victims, or the very serious nature of the charge connoted a perversion dangerous to the moral well-being of society; and, as the experience of the Board in dealing with prisoners of this class accords, as far as it goes, with the now generally accepted opinion that, with certain exceptions, persons committing unnatural offences labour under physical disease or disability, or mental deficiency or disorder, or both, which accounts for the sexual perversion and the morbid character of the offence charged: It is resolved by the Prisons Board to strongly recommend to the Government an amendment of the Crimes Act under which such offenders could be dealt with scientifically—

- “(1.) Before sentence is pronounced, by furnishing expert medical or surgical reports or evidence;
- “(2.) By sanctioning an indeterminate sentence;
- “(3.) By segregating persons so sentenced and subjecting them, under proper safeguards, to any medical or surgical treatment which may be deemed necessary or expedient either for their own good or in the public interest.”

The work of the Board for the last two years has shown a heavy increase over all previous periods, and as a result of the legislation passed during last session and the consequent extension of the functions of the Board, its work in the future is likely to be still further considerably increased. The members of the Board have given very earnest attention to the important work entrusted to them, and they will assume the additional duties imposed upon them by the Crimes Amendment Act and the Offenders Probation Act of last year with the heartiest desire to assist the Legislature and the Prisons Department in their praiseworthy efforts to ameliorate the condition of the inmates of the Dominion prisons and reformatories and to improve its criminal statistics from year to year.

Wellington, 31st July, 1921.

GEORGE FENWICK,  
For President.

*Approximate Cost of Paper.*—Preparation, not given; printing (700 copies), £7 10s.

*Price 3d.]*

By Authority: MARCUS F. MARKS, Government Printer, Wellington.—1921.