

1927.

## NEW ZEALAND.

## OFFENDERS PROBATION

UNDER OFFENDERS PROBATION ACT, 1920, AND CRIMES AMENDMENT ACT, 1910,  
(REPORT ON OPERATIONS OF), FOR THE YEAR 1926-27.

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

The Hon. the MINISTER OF JUSTICE to His Excellency the GOVERNOR-GENERAL.  
SIR,— Wellington, 12th August, 1927.

I have the honour to submit to Your Excellency the report of the Chief Probation Officer on the operations of the Offenders Probation Act for the year 1926-27.

I have, &c.,  
F. J. ROLLESTON,  
Minister of Justice.

The CHIEF PROBATION OFFICER to the Hon. the MINISTER OF JUSTICE.  
SIR,— Office of the Chief Probation Officer, Wellington, 15th July, 1927.

I have the honour to present my annual report on the work of the probation system under the Offenders Probation Act, 1920, and the Crimes Amendment Act, together with the reports of the principal district Probation Officers, for the year ended 31st March, 1927.

It is satisfactory to note that each of the district Probation Officers comments favourably on the manner in which the majority of those admitted to probation have responded to this method of treatment. They report that the conduct of probationers has in most cases been satisfactory, the number of lapses being small. The district officers also point out that the prevailing financial stringency has made itself felt in their work, and has rendered more difficult the problem of securing compliance with orders of the Court in respect of restitution. It has been necessary in several cases to extend the time conditions, and to adjust the instalments to the earning-capacity and responsibility of offenders. The ready response to the suggestion made last year for assistance from voluntary helpers, particularly in regard to finding employment for probationers, has been of material assistance to the Department's field workers, and in no small measure has contributed to the successes achieved during the year.

The report covers the forty-first year that the system of probation has been in operation in New Zealand. The statistics appended hereto show that during the past year 764 persons were granted the benefits of the Offenders Probation Act; 656 (658) being admitted to probation by the Courts direct, and 108 (102) coming under the provisions of the Act on account of having sentence deferred. The figures for the previous year are shown in brackets. These show that the Courts in New Zealand now display considerable reserve in admitting offenders to probation.

Immediately following the passing of the Offenders Probation Act, 1920, which widened the scope of the original Act, making it applicable to other than first offenders, the numbers admitted yearly to probation showed a marked increase. They more than doubled in the first year after the coming into operation of the new Act. This extended use of the system gave rise to a certain amount of criticism, which was based largely on the widespread but erroneous idea that probation is almost equivalent to letting an offender off. There was also a fear, which exists even to-day, that probation lacked the requisite deterrent influence. The result has been that the number of offenders placed on probation annually during the past few years has remained fairly constant, this year actually showing a slight decline on the figures for the previous year. There is thus no justification at the present time for fearing any tendency on the part of the Courts in New Zealand towards indiscriminate leniency in granting the benefits of probation.

Touching on the criticism of the probation system, almost invariably underlying this is the demand for retributive justice, which evidences an ignorance of the trend of modern opinion in regard

to the treatment of crime. The attitude towards probation in New Zealand contrasts in a marked degree with that in England, where in recent years there has been a pronounced extension of the use of probation, and, according to official reports, with satisfactory results. There does not appear to have been any lessening of the deterrent influence. Indeed, it is noteworthy that the prison population in England shows a tendency to decline. This is attributed in no small measure to the extended use of probation and the more effective organization of the probation system.

A review of the cases admitted to probation in New Zealand during the year discloses that 83·39 per cent. represent offences against property, and only 7·20 per cent. offences against the person. This follows the general practice in other lands. It is recognized that for offences against property probation is particularly appropriate, as it enables a salutary condition to be imposed on the offender requiring reparation to be made. In this connection care is always taken, as far as possible, to ensure that the offender personally makes restitution.

During the year the amount collected from offenders by way of restitution—moneys was £3,537 16s. 3d., and costs amounting to £812 6s. 2d. were also collected, making a total of £4,350. Since the inception of the scheme a total of £34,345 has been collected from offenders and restored to its rightful owners. It will thus be seen that although the social advantages sufficiently commend the system as a constructive method of dealing with certain classes of offenders in preference to institutional treatment, the economic consideration, though secondary from a social standpoint, cannot be ignored. In this respect it may be mentioned that in addition to the restoration of the foregoing sum, the cost to the State for the institutional maintenance of 7,546 offenders has also been saved. The extent of this saving can be gauged better when it is noted that the average term of admission to probation is slightly over a year and a half, and, taking the average net annual cost per capita in a penal institution as £60, the saving to the taxpayer has been well over half a million sterling.

Sir John Anderson, permanent Under-Secretary of the Home Office, in a recent address on the working of the Probation Act, said the introduction of the Criminal Justice Act marked a new phase in the administration of justice. "The Home Office had 'put all its money' on probation, as was shown by the fact that in 1920 the total expenditure on it was £27,000, of which the Exchequer did not contribute one penny. The expenditure estimated in the present year was £91,000, of which the Exchequer would pay 50 per cent. They had been able to convince the Treasury that true economy would be secured by the extension of the system of probation."

Referring to the failures, the records show that only a small percentage committed breaches of their probationary conditions. Although the success of the probation system cannot be gauged altogether by the number who complete their term and fully comply with the conditions imposed, these figures are some criterion of the degree of seriousness placed on the matter of observance of the conditions stipulated by the Court, thereby indicating to some extent the disciplining effect of this method of treatment. There were 1,205 persons on probation at the commencement of the year under review; 764 were admitted to probation during the year, making a total of 1,969. Of this number only 146 failed to comply with requirements, necessitating action on the part of the Department for re-arrest, with the object of bringing these offenders before the Court again for alternative method of treatment.

The statistics show that the Courts in granting probation give preference to younger offenders. It will be noticed that of the total number admitted to probation during the year, 42·67 per cent. were under the age of twenty-one years, and 30·37 per cent. were between the ages of twenty-one and thirty years.

At one time institutional treatment, with particular stress on the punitive aspect, was regarded as the panacea of all social ills. In recent years there has been a marked change of opinion, and this largely accounts for the widely extended use that is being made of probation in England and elsewhere. It is recognized, especially so far as young offenders are concerned, that under probation the contaminating influences of prison are avoided, and also that more constructive work of a socializing nature can be accomplished through the careful supervision of a young offender in his normal surroundings, and through his participation in the every-day economic struggle, than in the artificial atmosphere of an institution with its dulling influence on initiative. It may be said that these considerations have regard only for the welfare of the offender, and pay too little heed to the rights of the community. Retributive justice belongs to a past age; and although the deterrent aspect must not be lost sight of—and this can be accomplished by making the probationary conditions exacting—it is a short-sighted policy that would subordinate the corrective consideration to the purely punitive. It must not be overlooked that the offender is a component part of the body politic, and if he is reformable it is in the best interests of society that he should be restored to his proper place as a responsible and useful unit of society.

A recent English report, which has been spoken of by the London *Times* as being one of the most notable official publications of recent years, dealing with the subject of the treatment of young offenders, states, *inter alia*,—

"There is no room for controversy as to the main object in view—namely, to restrain the young offender from straying further into criminal habits, and to restore him to normal standards of citizenship; the lesson that wrongdoing is followed by unpleasant consequences must be taught—but the Court pays more attention to the vital question of their future welfare."

The report further goes on to say,—

"Courts in the administration of justice have to consider the community as well as the individual, and must pay some regard to the feelings of the average citizen on the subject of the law-breaker. In certain cases these considerations may appear to conflict. Modern

theories of punishment have discarded the idea of revenge, but the individual citizen who has suffered, or has seen his friends or relatives suffer, at the hands of an offender is apt to hold the view that the Court should award a just punishment for the wrong done to him and his. He is likely to think, too, that to give such a punishment will be the best way to deter both the offender and others like him from doing similar wrongs in future. If the offender is merely placed on probation, the injured citizen may feel that justice has not been done, and that such a step will weaken the healthy fear of breaking the law which ought to exist in the minds of all. These are natural feelings, and it would be a mistake to take no account of them. Moreover, there may be substance in the criticism if release on probation is merely regarded by the offender as being "let off." The sufferer should be satisfied, and public interest should be safeguarded, by taking care that probation is made a reality, and by making the offender and the public understand that it is so. Both should know that probation is strictly a period of trial, and that if the offender fails he will be deprived of his liberty; and may be deprived of it, too, for a longer period than would have been the case had he been sentenced to imprisonment in the first instance."

It will be observed from the foregoing that an essential factor for the successful working of the probation system is that the supervision shall be real. Perfunctory probation brings the system into disrepute with the Courts and the public, and has a baneful influence on the wrongdoer. Another important point is the discrimination shown in granting probation; and this involves a concomitant responsibility on the Probation Officer in recommending probation. Although probation possesses many advantages over institutional treatment for certain cases, it is obviously not an appropriate method of dealing with all classes of offenders. The more generous impulses of the law are not intended for, and should not be applied to, offences which usually involve qualities of deliberation and brutality. It is also straining the system to apply probation to recidivists who have previously failed to take advantage of the opportunities afforded them under the Offenders Probation Act. There were only two cases in New Zealand during the year under review in which offenders had been admitted to probation for a third time, and thirty-one for a second term. Although frequent terms of probation to the same offender are not advocated, it does not necessarily follow that probation in such cases is not beneficial. In many cases where an offender is feebly inhibited, and without supervision would react in an anti-social manner, under probation such cases might be quite satisfactory. It would probably be in the interests of society and of these particular offenders if some form of indeterminate probation could be applied in cases of this kind.

It is of prime importance that a careful study should be made of the personality of the offender, and the circumstances surrounding the case, in order that special conditions may be imposed by the Court, appropriate to the particular needs of the offender. Although exhaustive inquiries may be made by a Probation Officer to enable him to make his report and recommendation to the Court prior to sentence being imposed, it is only by close and continuous observation during period of supervision that the Probation Officer, in many cases, is enabled properly to determine or diagnose a probationer's condition. It would be an advantage if the Probation Officer were empowered to extend the conditions imposed by the Court in certain cases where experience shows that a variation or added restrictions would be in the interests of both the offender and society.

It is interesting to note that the constructive purpose of probation was stressed in England right from the early inception of the scheme as a means of dealing with certain classes of delinquency, although it is only since 1914 that a forward step has been made to utilize the aid of voluntary social organizations. The probation idea was first conceived in England in 1820 when it was defined as "a system that implies the exercise of some supervision on behalf of the Court, some assistance which will help the probationer to keep straight during his period of 'proof'."

In New Zealand there are three forms of adult probation, two of which are in the nature of suspended sentence, where the Court, in lieu of passing a sentence of imprisonment, may, under the provisions of the Offenders Probation Act, place an offender on probation for a specific term, or, instead of passing sentence, may order an offender to come up for sentence when called upon. The third class is where an offender has served a period of detention, and has been released on license on the recommendation of the Prisons Board, under the Crimes Amendment Act, 1910. This is where an offender has been responsive to the socializing influences of an institution, and has satisfied the Prisons Board that he is likely to abstain from crime and lead a useful life. It will be observed from the foregoing that any form of probation, as properly understood, involves the granting of conditional liberty subject to appropriate supervision.

In considering the cases of probation under the Crimes Amendment Act it is to be noted that one of the many considerations upon which the Prisons Board bases its recommendations for parole is the record and character of the offender as established in the institution. While it by no means follows that a prisoner who is well conducted in an institution will invariably turn out the most law-abiding when released, in the majority of cases a careful and continuous study of a prisoner's behaviour in an institution enables a fairly accurate judgment of character to be formed, as well as providing a reasonably reliable basis for estimating the probable amenability to law on release. An offender's release on probation is contingent upon his satisfying the Board that he can with safety to society be granted conditional liberty. The purpose of probation in such cases is a period of trial. It enables the authorities to keep in touch with persons who have offended against the law; to help them to readjust themselves to life in free society again; to aid and befriend them, but to incarcerate them again if they show that they are a menace to society. It is somewhat incongruous, so far as our present system is concerned, that the good prisoner when released is required to undergo a period of compulsory supervision to aid him to re-establish himself in society, while the bad prisoner, who does

not earn a remission, and who probably has distinctly anti-social tendencies, serves his sentence but is then discharged unconditionally. In the Prevention of Crimes (Borstal Institution Establishment) Act, 1924, provision is made for supervision to run on for twelve months after the expiry of the term for which detention was ordered. I am of opinion that it would be an advantage in many respects if the Crimes Amendment Act were amended to make provision for a term of probation to be imposed, at the Prison Board's discretion, after the expiry of a sentence in any cases where the Board considers that a term of probationary supervision would be beneficial to the offender, and desirable in the interests of society.

Dealing with the Crimes Amendment Acts statistics for the past year, it is to be noted that during the year 208 cases were admitted to probation on the recommendation of the Prisons Board. Only twenty-one of these were recommitted to prison for breaches of their license. The success of the cases paroled may be judged from the fact that during the quinquennium ended 31st December last 1,094 prisoners who had been sentenced to terms of reformatory detention or hard labour were released on parole, and during the five years only 138, or 12.6 per cent., were recommitted for breaches of conditions of their probation or for other offences. During the same period 107 habitual criminals were released on parole, and fifty had to be recommitted for non-compliance with their probationary conditions.

Probation to be effective necessitates close and constant attention. This cannot be given to each probationer if the Probation Officer is required to attend to each individual case. In my report last year I pointed out that for probation work to be constructive it is essential that close and personal attention should be given to each case; and in order to accomplish this the Probation Officers should invite voluntary social workers to co-operate with them—as is done in England—to impart the “personal touch” which makes probation real. It was suggested that the Probation Officers should form associate committees of voluntary Probation Officers, who would undertake the individual personal supervision of each probationer allotted to them.

Following your approval of my recommendations, steps were taken during the past year to appoint full-time Probation Officers in each of the four centres. Although commendable work has been done by those gentlemen who have fulfilled the duties in the past as part-time officers, it was recognized that proper organization of the work necessitated the attention of officers whose full time could be devoted to the work. Mr. J. Garbutt has been appointed as full-time Probation Officer at Dunedin in lieu of the Rev. F. G. Cumming, who rendered splendid service to the Department, though handicapped by his heavy duties as secretary of other social-service organizations. Mr. W. H. Darby has been appointed at Christchurch in place of the Rev. Frank Rule, to whom the Department is also much indebted for many years of helpful work. Mr. Darby has also taken over the cases under the Crimes Amendment Act previously entrusted to Major Haines, of the Salvation Army. In Wellington Mr. T. P. Mills, who was previously acting in a part-time capacity, was reappointed on a full-time basis, taking over also the Crimes Amendment Act cases, previously under the care of Major Greenfield, of the Salvation Army. Miss A. J. Simpson has been appointed as Probation Officer for women, in place of Mrs. Brigadier Glover, of the Salvation Army. In Auckland no alteration has yet been made in the existing arrangements under which Mr. W. Campbell acts as Probation Officer with the assistance of Mr. J. Anderson. Mr. G. M. Silver has been appointed Field Organizer to assist in the formation of voluntary committees and to supervise the organizing of the probation work in the secondary towns. Good progress has already been made in the formation of committees. The ready response to requests for assistance in finding employment, and the willingness with which representative citizens in the main secondary towns have agreed to undertake this important public service, has been most encouraging, and augurs well for the future efficiency of the probation system. In each town in which committees have so far been formed the aim has been to secure the co-operation of all social and religious organizations. The Department is indebted to the Magistrates, who, in each town, have kindly consented to act as chairman of the voluntary committees. This procedure is along the lines of the English practice, and has the advantage that through the Magistrate the Court will be kept closely *au fait* with what probation actually means in his district. In this connection it is interesting to quote from a circular issued by the Home Secretary to Magistrates in England last year:—

“It may be said that there are three elements which are essential to success in probation work. First, it rests with the Magistrates both to exercise a wise discretion in releasing on probation persons who are likely to profit by the method and also to take a sympathetic interest in supervising the work of the Probation Officers; secondly, Probation Officers must be selected who by their personal qualities and experience are likely to exercise a strong influence over the probationers committed to their care; and, thirdly, the Probation Officers must rally to their assistance all the social and religious agencies of the neighbourhood.”

There has been a certain fear expressed that by utilizing social and religious agencies sectarian influence will become evident. This has not been experienced in other countries. It is not intended that voluntary associate Probation Officers will appear in Court. The question of determining and recommending to the Court where a case is suitable for probation will devolve upon the official Probation Officer.

Until the system is more thoroughly organized a fairly definite line of demarcation will be drawn between the question of after-care and the investigation work for the purpose of making reports to the Court under section 5 of the Offenders Probation Act. Voluntary Probation Officers will concentrate their care and attention on reclamation work. They will endeavour to place the probationers in suitable employment, and will exercise friendly oversight, and as far as possible, by

wise counsel and personal influence, retard tendencies towards anti-social conduct. The Probation Officer, subject to the advice and counsel of the chairman of his committee, will be responsible for the effective organization and working of his voluntary committee; he will maintain a general oversight over all probationers, and will act as liaison officer between the probationers and the Courts; but beyond this the personal work with each probationer will be entrusted to the voluntary Probation Officers whose main function will be to counsel, advise, and befriend—in other words, to make the system a positive and helpful force rather than a negative and repressive relationship.

The underlying principles of probation are aptly summed up by Dr. Muirhead, of the Birmingham University, as follows:—

“ Probation is a recognition in the field of crime and punishment—first, of the sensitiveness of unformed character to the influence of circumstances; second, of the responsibility of society itself for the direction of those influences; and third, the superiority in certain well-defined cases of the method of home oversight to any form of prison discipline as a means of improvement . . . The oversight without stigma of imprisonment, the replacement in normal circumstances, engagement in ordinary industry, the opportunity of applying individual care, the power of applying the wholesome discipline of making compensation where the offence is against property by small self-earned instalments, and, lastly, the saving to the community equivalent to the expense and support in an institution, place the advantages of the system in suitable cases beyond all question.”

I desire to place on record my appreciation of the ready assistance given at all times by the members of the staff of the Department, and would also take this opportunity of paying a tribute to the splendid work done by the honorary Probation Officers who have been displaced by the appointment of full-time officers already referred to.

B. L. DALLARD,  
Chief Probation Officer.

## REPORTS OF DISTRICT PROBATION OFFICERS.

W. J. CAMPBELL, District Probation Officer, Auckland.

I have the honour to submit my fifth annual report as Probation Officer of the Auckland District.

While the total numbers dealt with during the period under review show a slight decrease compared with those of the previous period—the difference in the totals dealt with being 22—the total remaining on register shows a considerable reduction—i.e., 75 probationers less. The reduction in the number admitted to probation can be attributed to several causes, chief of which has been that many cases which might be said to be in the probation category have been such that they could be met by fine, or by deferred sentence where it was not required that the offender should report to the Probation Officer.

Appended are the complete figures for the year ending 31st March, 1927:—

Probationers on register at 1st April, 1926	..	..	..	..	297
Probationers received from Auckland Courts	..	..	..	..	109
Probationers received on transfer from other districts	..	..	..	..	57
					166
Total dealt with	..	..	..	..	463
Of these there were—					
Probationers discharged by Prisons Board	..	..	..	..	4
Probationers completed probationary term	..	..	..	..	129
Probationers transferred to other districts	..	..	..	..	89
Probationers left the Dominion by permission	..	..	..	..	9
Probationers sentenced for other offences which the termination of the period of probation antedated	..	..	..	..	10
					241
Total remaining on register at 1st April, 1927	..	..	..	..	222

The total number of probationers who came before the Court again was 41. The 31 probationers who were sentenced or fined for minor offences and breaches of probation reverted to probationary conditions after release, and with a few exceptions, who had to be dealt with again, they continued to behave in a satisfactory manner. The number of defaulters, 41, is approximately 9 per cent. of the total number dealt with during the year. This result, while not fulfilling expectations, compares favourably with the results shown in previous years.

The amounts received as restitution and costs during the year were—Restitution, £995 3s. 10d.; costs of prosecution, £118 15s. 2d.: a total of £1,113 19s.

*Crimes Amendment Act Probationers.*—The average number reporting during the year was 37. In this category 35 probationers completed the term of probation, 3 were discharged from probation by the Prisons Board, 4 committed fresh offences and were sentenced to further terms of imprisonment, while 4 probationers had their licenses cancelled for failing to carry out the probationary conditions. With a few exceptions where the conduct of the probationer was not all that could be desired, those who completed the probationary term did so in a creditable manner. It is pleasing to record that, while the majority did well, there are outstanding cases where some of these men have done exceptionally well, and are now in good remunerative positions where ability and honesty are essential.

Mr. T. P. MILLS, District Probation Officer, Wellington.

During the year 222 probationers passed through my hands. At the beginning of the year there were 85 offenders, 94 were placed on probation, 43 were transferred from other districts. The removals were made up as follows: 65 completed the period of probation, 54 were transferred to other districts, 2 left the Dominion permanently, 2 were discharged by the Prisons Board, 4 were imprisoned, 3 were sent to Borstal institutions, leaving 92 on the register at the end of the year. There were 9 others punished for breaches of probation. These together with those imprisoned and sent to Borstal make a total of 16 who failed to respond to their conditions of probation. This is about  $7\frac{1}{2}$  per cent. of the total dealt with, which may be considered satisfactory. The larger majority of the probationers are endeavouring to make good, but with the present dearth of employment several are having a rather difficult experience.

Payments during the year have been comparatively satisfactory, £54 8s. 6d. having been received by way of costs, and £452 1s. 11d. in restitution.

Transfers to and from other districts are quite a feature of the year's experience. It is indicative of the general restlessness of a large proportion of probationers. Unemployment has something, of course, to do with the matter, and men will naturally seek other fields if work offers. It is noteworthy that in only two cases has a lapse been directly attributable to unemployment. The number of lapses could easily have been increased if the non-payment of restitution-moneys were deemed sufficient cause for prosecution, but under the foregoing circumstances such action would help neither the probationer nor his creditor. The man who persistently evades his responsibilities without real excuse is the one who deserves but scant consideration.

On the whole the year's work compares more than favourably with previous years, and it is more than pleasing to report that so many have made good.

*Crimes Amendment Act Probationers.*—There is little to report on these men, as they were only handed over to me during the last fortnight of the year. In all 26 probationers were received. With 3 exceptions they were all apparently making good endeavours to live honestly. One was transferred to another district and 1 satisfactorily completed the term of his probation, leaving 24 on the register at the end of the year.

Mr. W. H. DARBY, District Probation Officer, Christchurch.

During the short period I have been in charge results of the work of the Act seem to have been quite successful.

Offender probationers on the register on the 1st April, 1926, 104; received during the year, 76: total dealt with, 180. Of this number 23 were transferred to other districts, 48 completed their terms satisfactorily, 18 were sentenced for fresh offences, and 7 defaulted. There were 106 on the register at the end of the year.

The sum of £414 18s. 5d. was received as restitution, and £108 for costs of prosecution: total, £522 18s. 5d.

*Crimes Amendment Act Probationers.*—The number reporting at the end of the year was 33. Of the number of those released from prison on probationary license, 1 completed the term and 1 died whilst on probation.

Rev. F. G. CUMMING, Probation Officer, Dunedin.

I am again pleased to present a brief report of the probation work at this centre, and in doing so have no hesitation in stating that the past year has been in every way a very satisfactory one.

I am pleased to report that the Court here takes the kindest interest in the Probation Officer's work, and further uses him to the very best advantage. This sympathy shown and expressed is a real inspiration to any one who seeks to help the men or women who are in trouble. It is absolutely essential that the Probation Officer at all times should have the confidence and fullest respect of both Judges and Magistrates. Without this his position is hopeless and his work is a failure.

Summary for the year—First Offenders Act: Number of probationers dealt with during the year, 49; number of probationers at present reporting, 69. Amount of costs of prosecution recovered, £31 7s. 7d.; amount of restitution recovered, £190 2s. 3d.: total, £221 9s. 10d. Crimes Amendment Act: Number of probationers dealt with during the year, 10; number at present reporting, 9.

Two were sent to prison for short periods, 4 for reformatory detention, and 3 had their probationary period extended.

It will thus be seen that trouble was only caused by a very small percentage of the men under my control. It is very gratifying to the Probation Officer, as it must be to your Department, to see so many of these men making good under the direction and control of the Probation Officer. Of course, failures in some cases are bound to come, but, taking the whole working of the probation system, one must recognize, and do so with pleasure, the large number of both men and women who really make good. In my district I am able to look with profound pleasure at many who have become new men and have gained the respect and confidence not only of those who employ them but of the community as a whole.

The great key to success is to make these men feel that they can again become true citizens in the community. I am fully satisfied after long experience that no method of dealing with offenders can be satisfactory until complete restitution is not only demanded but paid. In this connection I have watched the struggle many have had to endure in making an effort to meet their liabilities, and further to gain the confidence of their employers and the respect of those they come in contact with. The more I see of the work of the probation system the more I become convinced of its

importance, and now that men are set apart to devote the whole of their time to this work it means much to the probationers as well as to the community in which they live.

I think the Department is to be commended upon the appointment that has been made to carry on this important work in this centre in the person of Mr. John Garbutt. I am satisfied he will make an ideal Probation Officer, and is already commanding the respect of those whom he seeks to help. Anything that can be done by my Department to help him I can assure you will be willingly and readily done.

Mr. C. G. L. POLLOCK, Probation Officer, Invercargill.

I have the honour to submit the following report on the operations of the Offenders Probation Act for the year ended the 31st March, 1927.

At the beginning of the year there were 26 males and 2 females on the register. During the year 26 males and 1 female were admitted to probation, and 2 males received on transfer from other districts, making a total of 54 males and 3 females dealt with during the period under review. This is 15 less than for the corresponding period last year. Ten males and 1 female satisfactorily completed the term of probation; 12 males and 1 female were transferred to other districts; while 1 male absconded and has not since been heard of; leaving 31 males and 1 female reporting at the end of this year.

Of those admitted to probation, 2 were for a period of one year, 10 for two years, 14 for three years, and 1 for five years. In 14 cases costs of prosecution amounting to £36 6s. were ordered to be paid, and in 15 cases restitution amounting to the sum of £159 5s. 5d. was ordered to be refunded. For the period under review the sum of £22 17s. 2d. was received under the former heading and lodged to the credit of the Public Account, while the sum of £115 12s., collected as restitution-moneys, was paid over in accordance with orders made by the Courts. The present financial stringency has its effect on the class with which we have to deal, for I have never experienced such a difficulty in having Court orders complied with. This must not be put down to wilful disobedience, however: it is due solely to economic conditions. In no instance was it necessary to bring offenders before the Court. It is a wise provision that permits of payments being made by such instalments as the Probation Officer arranges, for then due consideration can always be given to the earning-power and the responsibilities of offenders.

It is gratifying indeed to be able once again to record that the general conduct of those admitted to probation has been all that could be desired. The one exception is in the case of a young man who, immediately his case was disposed of, left town, ostensibly to seek work in the country, and has not since been heard of. He was a stranger to the district, with no ties, and of a nomadic disposition. The usual steps were taken to have him apprehended and brought before the Court to answer for his breach of parole. Of those who completed the probationary period it is pleasing to be in a position to report that, as far as is known, they are doing well and have settled down into respectable law-abiding citizens. It has been found very helpful in quite a number of instances to have the Court make it a special condition that the employment entered into is subject to the Probation Officer's approval. Experience teaches that the vocation followed, no less than the associates, plays a vital part in the rehabilitation of the delinquent. Where this is congenial and satisfactory good results can be looked for. It can be affirmed that a youth going adrift finds himself again more by the work he does than by the exhortation he receives.

This report would be incomplete if it failed to acknowledge the assistance received at the hands of the Court officials, members of the Police Department, and Mr. A. McLean, the Agent of the Patients and Prisoners' Aid Society.

*Crimes Amendment Act Probationers.*—At the beginning of the year there was 1 probationer reporting; 5 were received from the Borstal Institution, and 5 on transfer from other districts, making a total of 11 dealt with during the year, which is an increase of 3 on last year's figures. During the period under review 6 probationers were transferred to other districts; 1 who had left his employment without notice and committed a fresh offence received a further period of detention; while 1 other absconded and has not since been heard of, leaving 3 reporting at the end of the year.

With these two exceptions the behaviour of those released after serving a sentence has been satisfactory. In the case of the absconder, he was so unsatisfactory in another district that the Department directed his transfer to this district after suitable employment had been found for him. Drink was his chief trouble. It was thought that if he were given another chance away from his old associates he would make good. For some months he persevered, and it looked as if the desired result had been obtained, but he finally left his employment without warning, and has not been heard of again.

In former reports I have stressed the weighty bearing of employment and unemployment on the prospects of each probationer. Further experience only accentuates my conviction on this point. If any expedient could increase the chances of employment (especially employment which carries some hope that proved efficiency and probity will be recognized) the results of the probation system would be greatly enhanced. On the other hand, nothing more fatal to reformatory prospects could happen than that the doors to honest work should be shut in the faces of probationers. Frequently, firms and individuals, in a spirit of large charity, have responded to my plea on behalf of some probationer keen to work out his own redemption. That generous attitude is, however, not the prevailing one in the community at large. There is only too much ground for the bitter reflection of a former probationer who wrote to me, "A man's sentence really does not commence until he is discharged by the Prisons Board."

Mr. E. CHING, Probation Officer, Wanganui.

I respectfully beg to state that there have been placed on the register from all sources during the year 24 males and 4 females, as compared with the year 1925 when there were 29 males and 4 females. At the end of the year there were 26 males and 4 females on the register.

Generally speaking the probationers have done very well, and it can also be said that the granting of probation to them has been justifiable. Of course it must be expected that some would not merit the leniency granted to them, but they are very few.

Owing to such an amount of unemployment it has been hard to collect moneys, in many instances, as regularly as the Court orders, but I have found that with a little patience and encouragement they in almost every case pay up in the end. Generally speaking the employers of labour have been very good to me and have given work in almost all cases if they have had it to give, and have not in any way looked upon the probationer disparagingly. Of course, I have not been as successful as I would like to have been, but I cannot complain in that respect.

I am pleased to say that several ladies have done, and are doing, very good work with the female probationers, and I find it is a very fine thing for the female probationers to have some one to care for and encourage them, and it gives them heart to try to do better. It is very pleasing to know that ladies of this district are doing much more of this work than hitherto, and it is very encouraging to everybody concerned.

It is pleasing to have gentlemen such as Mr. Barton, S.M., taking an active interest in probation otherwise than in his official capacity, also gentlemen connected with societies such as the Y.M.C.A. and the St. Vincent de Paul Society. I must say that in my opinion probation should be extended, especially now that the public are looking on it in a proper light and are willing to lend a helping hand.

Mr. S. H. SPIERS, Probation Officer, Napier.

*Offenders Probation Act.*—There were 10 cases reporting under this Act at the commencement of the year, and 17 on the register at the end of the year. The majority of the above probationers have paid instalments of costs of prosecution and restitution when due, and generally carried out the conditions of their license in a satisfactory manner.

*Crimes Amendment Act.*—There were 7 cases under this Act. With the exception of 2 probationers, these have carried out the conditions of their release on license in a satisfactory manner.

Mr. H. N. RICHARDSON, Probation Officer, Gisborne.

I beg to forward annual report on probationers dealt with here during the year 1926.

*Offenders Probation Act.*—On the register, 1st January, 1926, 14; placed on probation during the year, 25; transferred from other districts, 5; total, 44. Transferred to other districts, 10; completed probation and discharged, 8; leaving 26 on the register at the end of the year.

*Crimes Amendment Act.*—On register 1st January, 1926, 1; released on probation during the year, 2; received from other districts, 1; total, 4. Completed and discharged, 3; leaving 1 reporting at the end of the year.

Those discharged during 1926 have given no further trouble, and are endeavouring to make good

## STATISTICS.

### OFFENDERS PROBATION ACT, 1920.

#### AGES AND TERMS OF PROBATION OF THE OFFENDERS ADMITTED TO PROBATION DURING THE YEAR 1926.

Age, in Years.		Six Months or under.	One Year.	Eighteen Months.	Two Years.	Three Years.	Four Years.	Five Years.	Total.
10 and under 15	..	..	5	..	2	..	..	.	7
15    "    20	..	13	90	2	72	59	4	3	243
20    "    25	..	5	52	3	61	32	..	2	155
25    "    30	..	4	22	1	39	18	1	3	88
30    "    40	..	3	47	5	38	16	..	1	110
40    "    50	..	..	10	..	19	8	..	..	37
50    "    60	..	1	5	..	4	2	..	..	12
60    "    70	..	..	3	..	..	1	..	..	4
Totals	..	26	234	11	235	136	5	9	656



## SUMMARY OF CASES DEALT WITH DURING THE YEAR 1926.

					Admitted to Probation.	Deferred Sentence.	Total.
Number reporting on 1st January, 1926	..	..	..	..	1,112	93	1,205
Admitted to probation during 1926	..	..	..	..	656	108	764
Totals	..	..	..	..	1,768	201	1,969
Completed probation during the year	..	..	..	..	549	95	644
Discharged by Prisons Board	..	..	..	..	16	..	16
Deceased	..	..	..	..	4	1	5
Left the Dominion	..	..	..	..	17	2	19
Committed to industrial schools, Salvation Army homes, &c.	..	..	..	..	5	..	5
Serving terms of imprisonment	..	..	..	..	46	4	50
Totals	..	..	..	..	637	102	739
Number reporting on 31st December, 1926	..	..	..	..	1,131	99	1,230

## BREACHES OF CONDITIONS OF RELEASE COMMITTED DURING 1926.

Failed to report, &c.	..	..	..	..	..	..	59
Committed further offences	..	..	..	..	..	..	69
Absconded and not traced	..	..	..	..	..	..	18
Total	..	..	..	..	..	..	146

## COSTS OF PROSECUTION AND RESTITUTION MONEYS COLLECTED DURING THE YEAR 1926.

					£	s.	d.
Amount of costs of prosecution-moneys collected by Probation Officers	..	..	..	..	812	6	2
Amount of restitution-moneys collected	..	..	..	..	3,537	16	3
Total	..	..	..	..	£4,350	2	5

## OFFENCES FOR WHICH OFFENDERS RECEIVED THE BENEFITS OF THE PROBATION ACT DURING THE YEAR ENDED 31ST DECEMBER, 1926.

					Admitted to Probation.	Deferred Sentence.	Total.
Theft	..	..	..	..	409	46	455
False pretences	..	..	..	..	61	9	70
Breaking, entering, and theft	..	..	..	..	46	..	46
Forgery	..	..	..	..	29	..	29
Unlawful conversion of property	..	..	..	..	17	5	22
Wilful damage	..	..	..	..	14	5	19
Vagrancy	..	..	..	..	12	6	18
Attempted suicide	..	..	..	..	1	16	17
Obscene language	..	..	..	..	9	5	14
Common assault	..	..	..	..	9	5	14
Receiving stolen property	..	..	..	..	8	..	8
Carnal knowledge	..	..	..	..	5	1	6
Illegally on premises	..	..	..	..	3	3	6
Indecent assault	..	..	..	..	5	..	5
Indecent exposure	..	..	..	..	4	..	4
Offences under Bankruptcy Act	..	..	..	..	4	..	4
Drunkenness	..	..	..	..	..	3	3
Concealment of birth	..	..	..	..	3	..	3
Disobedience of maintenance orders	..	..	..	..	..	2	2
Sheep and cattle stealing	..	..	..	..	2	..	2
Assault causing actual bodily harm	..	..	..	..	2	..	2
Refusing to pay railway fare	..	..	..	..	2	..	2
Reckless driving of vehicles	..	..	..	..	2	..	2
Unlawful use of an instrument	..	..	..	..	1	..	1
Permitting the use of an instrument	..	..	..	..	1	..	1
Arson	..	..	..	..	1	..	1
Grossly indecent act	..	..	..	..	1	..	1
Drunkenness whilst in charge of a vehicle	..	..	..	..	1	..	1
Cruelly ill-treating a child	..	..	..	..	1	..	1
Offensive behaviour	..	..	..	..	1	..	1
Abduction	..	..	..	..	1	..	1
Bookmaking	..	..	..	..	..	1	1
Ship-desertion	..	..	..	..	..	1	1
Released under section 15 (in lieu of bail)	..	..	..	..	1	..	1
Totals	..	..	..	..	656	108	764

CRIMES AMENDMENT ACT.  
PROBATION STATISTICS.

Year.	Admitted to Probation by Prisons Board.				Recommitted for Breaches of Conditions of Release and for other Offences during Period of Five Years.				Convicted subsequent to being discharged from Probation.			
	Habitual Criminals.	Hard Labour.	Reforma- tive Detention.	Total.	Habitual Criminals.	Hard Labour.	Reforma- tive Detention.	Total.	Habitual Criminals.	Hard Labour.	Reforma- tive Detention.	Total.
1922 ..	29	65	190	284	12	4	29	45	5	8	4	17
1923 ..	28	80	185	293	15	6	34	55	1	5	11	17
1924 ..	14	59	153	226	7	4	22	33	3	5	33	41
1925 ..	15	50	125	190	9	7	18	34	4	14	35	53
1926 ..	21	45	142	208	7	5	9	21	7	14	37	58
Total..	107	299	795	1,201	50	26	112	188	20	46	120	186

*Approximate Cost of Paper.*—Preparation, not given ; printing (700 copies), £11 10s.

By Authority : W. A. G. SKINNER, Government Printer, Wellington.—1927.

Price 6d.]