

1931.
NEW ZEALAND.

PRISONS DEPARTMENT.
PRISONS BOARD
(ANNUAL REPORT OF) FOR 1930.

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

MEMBERS OF THE BOARD.

Hon. Mr. JUSTICE REED, C.B.E. (President); Sir DONALD MCGAVIN, Kt., C.M.G., M.D. (Lond.); D. G. A. COOPER, Esq., O.B.E.; JOHN ALEXANDER, Esq., C.M.G.; THEO. G. GRAY, Esq., M.B., M.P.C.; Mrs. C. A. FRAER; and B. L. DALLARD, Esq., Contoller-General of Prisons.

SIR,—
I have the honour to forward herewith the report of the Prisons Board for the year 1930.
The Hon. the Minister of Justice.

6th August, 1931.
I have, &c.,
J. R. REED, President.

REPORT OF THE PRISONS BOARD.
FOR THE YEAR ENDED 31ST DECEMBER, 1930.

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 1,260 cases at fifteen meetings held 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 ..	479	Recommended for release on probation ..	333
Persons sentenced to reformative detention ..	370	Deferred for further consideration ..	778
Persons sentenced to hard labour ..	313	Petitions declined	86
Habitual criminals	74	Recommended for discharge	48
Habitual offender	1	Discharged from probation	7
Habitual criminals for remission of head sentence	7	Recommended remission of head sentence ..	7
Probationers under Crimes Amendment Act ..	5	Modification of terms of probation ..	1
Probationers under Offenders Probation Act	11		
	1,260		1,260

It is the function of the Prisons Board, which is constituted under the Crimes Amendment Act, 1910, to make inquiry from time to time as to whether there is reasonable cause for belief that any habitual criminal or offender, or any person undergoing a sentence of imprisonment or reformative detention, is sufficiently reformed to be released on probation or discharged, or whether there are any other sufficient grounds for releasing or discharging such person, and in making any recommendation for release or discharge the Board is to have regard to the safety of the public or of any individual or class of persons, and to the welfare of the person whom it is proposed so to discharge or release on probation.

The regulations under the Crimes Amendment Act require that the Board shall, as far as possible, give every prisoner eligible for consideration an opportunity of appearing before it and stating his case personally when the Board visits each of the penal institutions once in each year. Persons undergoing sentences may make application to the Board in writing and the Board may consider any case at any time it deems fit.

The regulations also provide that habitual criminals and habitual offenders may make application to the Board in writing for consideration of their cases once only in every year, but the Board may consider any case oftener in special circumstances. No prisoner sentenced to imprisonment with hard labour shall apply to the Board for consideration of his case until he has served at least half the full term of his sentence, nor shall the Board consider a case until six months after the date of reception into prison. In regard to prisoners who have been sentenced to definite terms of imprisonment exceeding ten years, including those who have received life sentences or death sentences commuted to imprisonment for life, the period within which the Board shall first take any case into consideration shall be five years from the date of reception into prison.

Subsection (3) of section 10 of the Crimes Amendment Act provides that, subject to the regulations above mentioned, the Board may determine its own procedure. The Secretary of the Board is required to prepare and place before the Board a full statement of the circumstances connected with each case brought up for consideration. In actual practice it is customary for departmental files to

be produced, from which are summarized extracts from the depositions, the evidence, and the prisoner's history and record, which contains the family history, showing mental and criminal tendencies, career of crime, mode of life, conduct, and industry whilst in detention, response to previous treatment (if any), Magistrate's report, medical reports, police and probation reports, and reports and recommendations of institutional Superintendents. The petitions of the prisoners and any representations from relatives and friends and interested social workers are also placed before the Board. By arrangement with the Mental Hospitals Department, the Board in special cases where such a course is considered necessary obtains reports concerning the mental condition of prisoners who appear before it. Frequently the Board reviews a case several times before it ultimately recommends release.

Among other matters which the Board takes into consideration is the question of oversight and employment on release, in many cases directing the Secretary to write to interested persons likely to befriend and assist, and possibly prevent a further lapse into crime. Where there is evidence that the prisoner is addicted to drink or that his downfall has been due to drink it is usual to make the taking-out of a prohibition order a condition precedent to release. There is no doubt that the comparatively small percentage of failures is due to the care taken in respect of these matters, and in this connection the Board desires to pay tribute to the splendid social service rendered by the Prisoners' Aid Societies and other after-care organizations.

Since the Board commenced to function in 1911 no less than 16,125 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 their particular headings the results have been as follows :—

REFORMATIVE DETENTION.

During the period from January, 1911, to December, 1930, 3,742 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 3,298. In 576 cases prisoners were required to serve the full sentence imposed by the Court. Of the total number released after undergoing reformatory detention, 24·68 per cent. have been returned to prison either for non-compliance with the conditions of the release or for committing further offences, 2·73 per cent. left the Dominion or absconded, 0·55 per cent. died or were transferred to mental hospitals, leaving 72·04 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. These figures reflect creditably on the present system in vogue, particularly at the prison farms, for the reformation of offenders.

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, 2,918 cases have been considered by the Board up to December, 1930. In 1,090 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, 493 completed probation satisfactorily, 40 were recommitted for other offences, and 21 were still reporting on probation at the 31st December, 1930.

HABITUAL CRIMINALS.

During the period from January, 1911, to December, 1930, 478 persons were declared habitual criminals. Of these 449 were released on license on the recommendation of the Prisons Board. Of those so released 55·9 per cent. were returned to prison either for non-compliance with the conditions of probation or for committing further offences. No offences are recorded against the remaining 44·1 per cent., and, allowing for those who have died or left the Dominion, this leaves 20·50 per cent. who remain in the Dominion and have not further offended. This small percentage of successes cannot be regarded as altogether satisfactory. Realizing the futility of releasing again and again those who continue to make a practice of preying on society, regardless of the opportunities afforded them, the Board is now less inclined to extend leniency to persons who have been declared habituals once it has been found necessary to cancel their probationary licenses.

BORSTAL CASES.

Since the coming into operation of the Prevention of Crime Act, 1924, 1,256 young persons have been detained under this Act, either by transference of youthful offenders from penal institutions or industrial schools, or by original commitments by the Court. There have been 830 inmates released on the recommendation of the Board, 722 being on probation and 108 on the expiration of their sentence. Of the total number released 13 have been returned to the institution for non-compliance with the conditions of release, 53 were recommitted for further offences whilst on probation, and 104, or 12·5 per cent. of the total released, have been sentenced for offences committed after discharge or on expiry of their period of probation.

The finding of employment for young persons discharged from the Borstals has become an almost insuperable problem, notwithstanding the exceedingly fine efforts of several voluntary after-care organizations to place discharges in suitable positions. The Board is satisfied that work in the country, preferably on farms where lads will be away from the temptations of the towns, is the most satisfactory way of dealing with them, but owing to the depressed prices of primary produce it is becoming increasingly difficult for them to be so absorbed. Realizing the danger of releasing certain inmates unless they have a definite position to go to, the Board has in several cases made its recommendations for release subject to suitable employment or oversight first being found.

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