

1932.

NEW ZEALAND.

OFFENDERS PROBATION

UNDER OFFENDERS PROBATION ACT, 1920, AND CRIMES AMENDMENT ACT, 1910
(REPORT ON OPERATION OF), FOR THE YEAR 1931-32.

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, 14th September, 1932.

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 ended 31st December, 1931.

I have, &c.,

JOHN G. COBBE,

Minister of Justice.

The CHIEF PROBATION OFFICER to the Hon. the MINISTER OF JUSTICE.

SIR,—

I have the honour to present my annual report on the working of the probation system under the Offenders Probation Act and the Crimes Amendment Act for the year ended 31st December, 1931.

Appended hereto also are statistical tables, together with an epitome of the reports from the principal District Probation Officers.

The system of placing certain offenders on probation first came into operation on the passing of the First Offenders Probation Act, 1886. Until the passing of the Offenders Probation Act, 1920, the probationary provisions were applied exclusively to first offenders, but since that date it has been left to the discretion of the Courts to admit any offender to probation, the theory being that if a person is found guilty of crime and is not really dangerous to the community, and if such person can be placed under authoritative supervision on conditions that enable him to earn wages to support himself and his family, and in certain circumstances make reparation, society may be better served by placing such offender on probation than by putting him in prison. In other words, before granting probation the Courts should be satisfied that the ends of justice and the interests of the public, as well as of the offender, will be served. From this it will be obvious that probation would not be appropriate to offences involving deliberation and brutality, or to habitual offenders, or to those whose crime is associated with mental deficiency, aberrational conduct, or perversion.

The reports from the Probation Officers and the statistical tables show that, despite the adverse economic conditions, the system has continued to be administered with success during the past year, both in respect of the conduct of those admitted to probation and in regard to the amount of restitution made.

The total number of cases dealt with during the year was much higher than usual—viz., 2,045— which number is made up of 896 new admissions and 1,149 who were on the register at the beginning of the year. Of the total probationers dealt with, only 142, or approximately 7 per cent., did not conform to the conditions imposed upon them. In regard to reparation, a total sum of £2,448 14s. 9d., representing restitution moneys and costs of prosecutions, was collected from probationers during the year. The foregoing results are particularly satisfactory, considering the conditions prevailing.

As a typical instance of the salutary conditions of probation, particularly in consequence of the statutory provision whereby probation is automatically extended until reparation by the Courts is made, it may be mentioned that during the year one probationer completed payment of restitution totalling £107 12s. 4d. These payments were spread over a period of ten and a half years, and the collection of the amount is no less a tribute to the perseverance of the probationer than it is to the patience and persistence of the Probation Officers who handled the case.

The unemployment problems have had their repercussions in the probation field—probationers have not been able to make reparation to the same extent as in past years; but, in addition to this, idleness makes for listlessness and moral laxity; and it has only been through considerable effort on the part of Probation Officers, Voluntary Probation Committees, and other social workers that the majority of probationers have been placed in work at all. In many cases relief work has been the only avenue of employment. The difficult conditions experienced last year have demonstrated beyond doubt the advantage of having organized the probation system on a basis whereby Voluntary Probation Committees would be available to assist Probation Officers in finding employment for their charges, and, where necessary, exercising personal supervision over probationers.

I should like to record my appreciation of the helpful co-operation of the large body of persons in various parts of the Dominion who are assisting the Department in this connection.

Summarized in the following table are the number admitted to probation last year, as compared with the previous four years.

Year.				Direct Admissions.	Sentence deferred.	Total.
1927	..	..	..	586	134	720
1928	..	..	..	615	154	769
1929	..	..	..	557	151	708
1930	..	..	..	650	162	812
1931	..	..	..	750	146	896

The increase, to some degree, is in conformity with the increase in crime, although last year a greater proportion of offenders was admitted to probation direct by the Courts than has been the case for many years. This is probably due to a gradual growing appreciation of the advantages, both socially and economically, of this form of treatment over penal segregation in appropriate cases. In view of the urgent need for economy at the present time, in considering the question of probation versus imprisonment, the practical possibilities of the former should be carefully considered in each case to avoid the cost of institutional treatment and also to obviate, if possible, the severance of the economic tie between an offender and his family. In the language of the physician it should be a case of "exhausting all therapeutic means before resorting to the knife."

The Crimes Amendment Act statistics show that 333 prisoners were released on probation during the year on the recommendation of the Prisons Board. Only twenty-four, including ten habitual criminals, were recommitted to prison for breaches of the conditions of their licenses. The placing of these discharges in employment and in other ways assisting them to rehabilitate themselves has proved a most difficult task. In a few cases it has not been possible to secure employment. It is thus remarkable that such a comparatively small percentage of those dealt with by the Board relapse into crime. Much of the credit for this state of affairs is due to the efforts of the large body of voluntary organizations and helpers who assist the Probation Officers in after-care work. The effectiveness of the present methods of parole and after care may be judged from the fact that during the five years ended 31st December last, 986 prisoners (excluding habitual criminals) were released on probation, and during the same period only seventy-five, or 7 per cent., were returned to prison for failing to comply with the conditions of their release, or for other offences whilst on probation, and only 23 per cent. have been convicted subsequent to discharge.

I desire again to place on record the Department's appreciation of the sympathetic co-operation of the Magistrates who have taken up the chairmanship of the Voluntary Probation Committees, and also to thank the individual members of the committees, the members of the Prisoners' Aid Society, and the officers of the Salvation Army, and the numerous other social workers who have so materially contributed to the success of the work by their assistance to Probation Officers and probationers during a particularly difficult period.

I am grateful to the members of my own staff for their loyal co-operation, and also to the Police officers and others who act as Probation Officers for their assistance in carrying out the probation work and their sympathetic attitude towards probationers.

B. L. DALLARD, Chief Probation Officer.

AN EPITOME OF REPORTS OF DISTRICT PROBATION OFFICERS.

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

Offenders Probation Act: Total dealt with, 336; total costs of prosecution and restitution-moneys collected, £355 8s. 9d.

The number of defaulters was 23, approximately 7 per cent. of the total dealt with. This result may be considered very satisfactory. If anything, conditions in respect of employment have been worse than in the past few years, and very many probationers, particularly the younger men, have had a very difficult time.

Viewing the past year's work it may be said that the conduct of the large majority of probationers was excellent. This is particularly borne out by the fact that during the recent disturbances in this centre not one probationer came under notice as a transgressor. This is gratifying, as it is during times when there is a loosening of restraint on the part of a section of the community that young men, particularly those out of employment, are apt to take advantage of the lawless conditions at the time prevailing.

Crimes Amendment Act: The average number reporting monthly under this heading was 66; 63 completed the probationary term, 2 were discharged by the Prisons Board, 5 left the Dominion, 11 were sentenced for fresh offences, and 5 had their licenses cancelled for various reasons. Failure to obtain employment had some bearing on the further lapses of these men.

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

Offenders Probation Act: Total dealt with, 233; total costs of prosecution and restitution-moneys collected, £264 10s. 6d.

There is nothing very outstanding during the year's operations to note other than the same difficult question of unemployment, and the same struggle by probationers to find the moneys ordered by the Court. The results, however, have not been altogether unfavourable. The lapses have been normal, a small proportion only failing to regard the conditions of probation seriously.

Crimes Amendment Act: The number dealt with under this heading was 142, practically the same as last year. The conduct generally of these probationers has been good, many making a real effort to face the world and live down their past record.

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

Offenders Probation Act: Total dealt with, 223; total costs of prosecution and restitution-moneys collected, £207 2s. 9d.

Due to the economic condition the past year has been a most difficult one. The number of defaulters was 20. Notwithstanding the number of defaulters, the conduct of the majority has been excellent. Several new accounts have been opened in the Post Office Savings-bank. The Court work has been particularly exacting on account of the large number of reports that have been required for those coming up for sentence. In spite of the difficult times we are passing through, our contact with the different social agencies in the city has been of the most helpful nature, and I am under a deep debt of gratitude to them.

Crimes Amendment Act: The number dealt with under this heading was 89, of whom 31 completed their term, 1 was discharged by the Prisons Board, 3 absconded, 7 had their licenses cancelled, and 2 were reconvicted, leaving 45 reporting at the end of the year.

Mr. J. GARBUTT, District Probation Officer, Dunedin.

Offenders Probation Act: Total dealt with, 135; total costs of prosecution and restitution-moneys collected, £93 14s. 5d.

If, instead of assisting to develop moral stability in those committed to our charge, the object of probation were merely to cater for material needs in the form of employment and the collection of restitution-moneys, then the past year with its economic chaos would, as indicated by the figures furnished, represent one of the worst on record. The real test, however, is whether and to what extent the subject has benefited morally during the period of control. This, I am convinced, can only be achieved by contact with social agencies fitting individual needs and creeds, and unless and until this is made a binding condition by the Courts little permanent benefit is likely to follow.

Sympathetic understanding is essential, but firmness in enforcing conditions is an ingredient which cannot profitably be left out of the treatment. There is still a lingering tendency to consider the offence in preference to the offender and to treat infractions of probation as trivial which, if allowed to continue, would render it futile and farcical.

Crimes Amendment Act: The total number dealt with was 64.

Releases from institutional restraint have found conditions on discharge exceptionally trying and one can readily understand their oft-quoted, if pathetic, remark that real punishment only commences on release from prison. In this connection our association with the executive of the local Prisoner's Aid Society continues to prove beneficial, and, interlocking as it does with all kindred branches of the social service, a very helpful spirit of reciprocal co-operation is brought about by this means.

Major GORDON, Probation Officer for Women, Auckland.

Offenders Probation Act: Total dealt with, 60; total costs of prosecution and restitution-moneys collected, £92 8s. 6d.

Of the probationers dealt with, 2 failed to appreciate the privileges of probation, and were committed to the Borstal. The result of the year's work is very encouraging, and my experience has been that the large majority of the young women respond to the interest taken in them.

Miss A. J. SIMPSON, Probation Officer for Women, Wellington.

Offenders Probation Act: Total dealt with, 54; total costs of prosecution and restitution-moneys collected, £35 3s. 10d.

In spite of the prevailing economic depression and consequent unemployment and distress, suitable situations were found for all the girls who came under our jurisdiction during the year. Many young probationers seem to be averse to employment in private houses as domestic servants, but raise no objection to working in restaurants or boarding-houses, where the more regular hours and the higher wages are probably the attractions. The prosecution of unemployed probationers for default in paying Court costs or restitution, would serve no useful purpose, and the only alternative is to delay action until the probationers concerned are in a position to pay.

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

Offenders Probation Act: Total dealt with, 60; total costs of prosecution and restitution-moneys collected, £27 9s. 6d.

Crimes Amendment Act: Number dealt with, 15.

It is gratifying indeed to be in a position to record that the conduct of those admitted to probation by the Courts has been very good, and in no case was it necessary to bring an offender before the Court for failing to comply with the conditions the opportunity conceded to them. With one exception, the conduct of those released from institutions has been satisfactory. It will be readily understood that the past year has been a very difficult one as regards employment, and practically the only work offering has been obtained under the various schemes of the Unemployment Board.

Mr. G. MCKESSAR, Probation Officer, Timaru.

Offenders Probation Act: Total dealt with, 36; total costs of prosecution and restitution-moneys collected, £22 19s. 2d.

In the main the probationers have conducted themselves very well indeed, and have carried out my instructions to the letter. The present depression does not tend to elevate the minds of those of uneven balance, and it is to the credit of these men that they are conducting themselves so well. My experience goes to show that the giving of probation is, wherever possible, much to be preferred to sending men to prison.

Mr. W. DINEEN, Probation Officer, New Plymouth.

Offenders Probation Act: Total dealt with, 55; total costs of prosecution and restitution-moneys collected, £38 19s. 6d.

Crimes Amendment Act: Number dealt with, 38.

It is gratifying to be able to report that those admitted to probation during the year have all done exceptionally well.

Mr. E. CHING, Probation Officer, Wanganui.

Offenders Probation Act: Total dealt with, 54; total costs of prosecution and restitution-moneys collected, £58 17s. 4d.

The present period of unemployment necessitates many of the probationers going into the country in search of work, and makes it difficult to keep them under one's eye, but on the whole the conduct has been very good. One probationer, who made no attempt to do right, was rearrested and sentenced on the original charge.

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

Offenders Probation Act: Total dealt with, 64; total costs of prosecution and restitution-moneys collected, £63 18s. 6d.

The past year has not been an easy one, but the results have been gratifying. I have tried where possible to get young probationers into the country, and have to thank various social organizations for their help in this.

Mr. T. STOCKER, Probation Officer, Napier.

Offenders Probation Act: Total dealt with, 57; total costs of prosecution and restitution-moneys collected, £98 6s. 4d.

It was found necessary to bring two probationers before the Court for failing to observe the conditions of their licenses, but in other cases a warning was all that was necessary to make them realize their obligations.

The past year has been a particularly difficult one on account of the prevailing unemployment, but notwithstanding that fact the amount collected by way of restitution and costs of prosecutions is very gratifying. The majority of the probationers are employed on relief works.

Crimes Amendment Act: At the end of the year there were 4 probationers under this heading on the register, all of whom were doing well.

STATISTICS.

OFFENDERS PROBATION ACT, 1920.

AGES AND TERMS OF PROBATION OF THE OFFENDERS ADMITTED TO PROBATION DURING THE YEAR 1931.

Age, in Years.	Six Months or under.	One Year.	Eighteen Months.	Two Years.	Three Years.	Four Years.	Five Years.	Total.
Under 20 years of age ..	7	76	5	99	22	2	..	211
20 and under 25 ..	13	87	2	103	21	1	..	227
25 " 30 ..	8	49	2	44	8	..	1	112
30 " 40 ..	7	45	2	47	8	..	..	109
40 " 50 ..	5	28	1	22	3	2	..	61
50 " 60 ..	4	12	..	10	..	..	..	26
60 " 70 ..	..	1	..	..	..	..	..	1
70 and over ..	..	..	..	3	..	..	..	3
Totals ..	44	298	12	328	62	5	1	750

SUMMARY OF CASES DEALT WITH DURING THE YEAR, 1931.

				Admitted to Probation.	Deferred Sentence.	Total.
Number reporting 1st January, 1931 ..	..	..	..	994	155	1,149
Admitted to probation during 1931 ..	..	..	..	750	146	896
Totals ..	..	..	..	1,744	301	2,045
Completed probation during 1931 ..	..	..	..	471	148	619
Discharged by Prisons Board ..	..	..	..	11	1	12
Deceased ..	..	..	..	2	..	2
Left the Dominion ..	..	..	..	4	..	4
Absconded and not traced (term expired) ..	..	..	..	22	4	26
Resentenced on original charge ..	..	..	..	29	6	35
Committed further offences ..	..	..	..	32	6	38
Totals ..	..	..	..	571	165	736
Number reporting 31st December, 1931 ..	..	..	..	1,173	136	1,309

BREACHES OF CONDITIONS OF RELEASE COMMITTED DURING 1931.

	Total.
Failed to report, &c.	62
Committed further offences	65
Absconded (still untraced)	15
	<hr/> 142

COSTS OF PROSECUTION AND RESTITUTION-MONEYS COLLECTED DURING THE YEAR ENDED 31ST MARCH, 1932.

	£	s.	d.
Amount of costs of prosecution-moneys collected by Probation Officers	480	18	11
Amount of restitution-moneys collected	1,967	15	10
Total	<hr/> £2,448	14	9

OFFENCES FOR WHICH OFFENDERS RECEIVED THE BENEFITS OF THE PROBATION ACT DURING THE YEAR ENDED 31ST DECEMBER, 1931.

Offence.	Admitted to Probation.	Deferred Sentence.	Total.
Theft	405	69	474
False pretences	89	24	113
Breaking, entering, and theft	44	5	49
Unlawful conversion of property	34	3	37
Mischief and wilful damage	28	8	36
Vagrancy	22	5	27
Forgery and uttering	16	3	19
Drunk in charge of vehicles	16	1	17
Receiving stolen property	13	1	14
Breach of probation	13	..	13
Common assault	8	5	13
Attempted suicide	6	6	12
Obscene and indecent language	7	3	10
Illegally on premises	6	1	7
Offences under Post and Telegraph Act	6	..	6
Indecent assault	5	1	6
Unlawful carnal knowledge	4	2	6
Arson	5	..	5
Breach of Bankruptcy Act	4	1	5
Aggravated assault	4	1	5
Cruelty to animals .. .. .	..	4	4
Sheep-stealing	3	..	3
Obscene exposure	3	..	3
Abandoning a child	2	..	2
Bigamy	1	1	2
Negligent driving	1	1	2
Released under section 15 (in lieu of bail)	1	..	1
Sly-grog selling	1	..	1
Threatening behaviour	1	..	1
Obstructing police	1	..	1
Casting offensive matter	1	..	1
Breach of prohibition order	1	1
Totals	750	146	896

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