

1938.
NEW ZEALAND.

PRISONS BOARD

(ANNUAL REPORT OF) FOR 1937.

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

MEMBERS OF THE BOARD.

Hon. Sir JOHN REED, Kt., C.B.E. (President); Sir DONALD MCGAVIN, Kt., C.M.G., D.S.O., M.D. (Lond.), F.R.C.S. (Eng.); Hon. JOHN ALEXANDER, C.M.G., M.L.C.; B. L. DALLARD, Esq.; THEO. G. GRAY, Esq., C.M.G., M.B., M.P.C.; Mrs. A. I. FRAER, M.B.E.; and W. G. RIDDELL, Esq.

SIR,—

I have the honour to forward herewith the report of the Prisons Board for the year 1937.

The Hon. the Minister of Justice.

8th July, 1938.
I have, &c.,
J. R. REED, Acting-President.

REPORT OF THE PRISONS BOARD

FOR THE YEAR ENDED 31ST DECEMBER, 1937.

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 987 cases at fourteen meetings held in Wellington and 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 ..	283	Recommended for release on probation ..	469
Persons sentenced to reformative detention ..	291	Deferred for further consideration ..	459
Persons sentenced to hard labour ..	315	Petitions declined ..	20
Habitual criminals ..	64	Recommended for discharge ..	20
Habitual offenders ..	1	Discharged from probation ..	12
Habitual criminals for remission of head sentence ..	5	Recommended remission of head sentence ..	2
Probationers under Crimes Amendment Act ..	12	Modification of terms of probation ..	5
Probationers under Offenders Probation Act ..	18		
	987		987

The statistics when compared with those of former reports show that the operations of the Board for 1937 have been attended with satisfactory results.

During the year under review, 987 cases were considered by the Board, as compared with 1,322 in the previous year. The 1937 figures of cases considered are the lowest recorded since 1921, and are a definite reflection of the steady decline in the prison population in recent years.

From year to year the percentage of successes—i.e., the offenders who “make good”—remains fairly constant. The results, however, having regard to the nature of the material dealt with, are more satisfactory.

The prisoners who have been dealt with under the system of reformatory detention, it is observed, are naturally less inclined again to offend than those who have been declared habitual criminals. It is a source of satisfaction, however, that a reasonable number of the latter are able to rise above their unfortunate past and again become law-abiding and useful citizens.

The Board referred in a former report to the wisdom of its more recent policy of tightening up in the matter of the release of persistent offenders. The success of this policy is indicated by the figures, which show a steady improvement over the past six years. The number in this class who remained in New Zealand and refrained from further offending has risen from 17 per cent. in 1931 to 23 per cent. in 1937. To test in another way the result of granting probation to habituals it was found that out of every 100 habituals that have been released on probation since 1911, 55·4 were up to the end of 1936 returned to prison for various breaches of the law, and at the end of 1937 the number so returned was 54·2 per cent. If the past records (which are all definitely bad) of these habitual criminals be examined, however, the Board does not think that the result can be termed disappointing, as they almost invariably lack the will-power, capacity, or desire to abstain from wrongdoing, and so follow the line of least resistance.

The statistics relating to Borstal detention and sentences of reformatory detention or imprisonment with hard labour are in marked contrast to the above-mentioned figures. In the opinion of the Board it is a matter of considerable satisfaction that, of the total number released after undergoing sentences of Borstal detention and reformatory detention or imprisonment with hard labour, approximately 21 per cent. only have been reconvicted or failed to comply with the conditions of their license.

To effect complete reformation in every case must be the final objective of every system, but it will at once be obvious that the vagaries of human nature will always, to a certain degree, prove an insuperable difficulty—that, while every system must be judged by the distance that it carries us in our efforts, one that apparently effects a change for the better in 79 per cent. of the cases under its jurisdiction should, in the opinion of the Board, merit commendation from those whose responsibility it is to make adequate provision for the reformation of the offender.

The success obtained is, the Board believes, in a substantial measure due to the humanitarian methods obtaining—the open-air life, and the constructive work at the various institutions. The basis of all reformatory treatment must be labour, and the motto should be “*Nihil sine labore.*” The Board has therefore been pleased to observe during the course of its visits to the different institutions that the inmates are fully employed and engaged in, for the most part, both interesting and revenue-producing work.

The members of the Board in their periodical visits to the Borstal institutions have not failed to observe the great pains taken by the officers 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 institutions under its control.

The Prisons Board is in reality a “parole” Board. Its function is to make recommendations to the Governor-General and the Minister of Justice regarding the release on probation or discharge of sentenced offenders. In making such recommendations the Board has the power to impose such special conditions as it may deem fit, and releases are frequently subject to “employment,” “suitable after-care,” “the taking-out of a prohibition order, &c.”

The Board has the advantage, in all cases where such a course is considered expedient, of specialist reports and advice from time to time concerning the mental condition of persons subject to its jurisdiction, and is indebted to the Mental Hospitals Department for its ready co-operation in this all-important matter.

This report would be incomplete without reference to the members of the different after-care organizations and the many other citizens who give such excellent honorary service in the different matters pertaining to the rehabilitation of the prisoner.

Since the Board commenced to function in 1911 no less than 25,864 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, 1937, 5,054 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 4,065. In 647 cases prisoners were required to serve the full sentence imposed by the Court. Of the total number released after undergoing reformatory detention, 26·94 per cent. have been returned to prison either for non-compliance with the conditions of the release or for committing further offences; 2·63 per cent. left the Dominion or absconded; 0·50 per cent. died or were transferred to mental hospitals; leaving 69·93 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.

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, 5,614 cases have been considered by the Board up to December, 1937. In 2,309 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, 1,367 completed probation satisfactorily, 125 were recommitted for other offences, and 81 were still reporting on probation at the 31st December, 1937.

HABITUAL CRIMINALS.

During the period from January, 1911, to December, 1937, 599 habitual criminals were released on license on the recommendation of the Prisons Board. Of those so released, 54·26 per cent. were returned to prison either for committing further offences or for non-compliance with the conditions of probation. No offences are recorded against the remaining 45·74 per cent., and, allowing for those who have left the Dominion or died, this leaves 23·21 per cent. who remain in the Dominion and have not further offended.

BORSTAL CASES.

Since the coming into operation of the Prevention of Crime Act, 1924, 2,434 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 2,277 inmates released on the recommendation of the Board, 2,071 being on probation and 206 on the expiration of their sentence. Of the total number released, 39 have been returned to the institution for non-compliance with the conditions of release, 186 were recommitted for further offences whilst on probation, and 397, or approximately 17 per cent. of the total released, have been sentenced for offences committed after discharge or on expiry of their period of probation.

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