

1941.
NEW ZEALAND.

PRISONS BOARD.

(ANNUAL REPORT OF) FOR 1940.

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

MEMBERS OF THE BOARD.

Hon. Sir HUBERT OSTLER, Kt. (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.; THRO. G. GRAY, Esq., C.M.G., M.B., M.P.C.; and ERNEST EDRIDGE, Esq.

SIR,—

20th June, 1941.

I have the honour to forward herewith the report of the Prisons Board for the year 1940. I have, &c.,

The Hon. the Minister of Justice.

H. H. OSTLER,
President.

REPORT OF THE PRISONS BOARD.

FOR THE YEAR ENDED 31ST DECEMBER, 1940.

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 1,025 cases at fifteen 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 . . .	308	Recommended for release on probation . .	464
Persons sentenced to reformatory detention	336	Deferred for later consideration . . .	496
Persons sentenced to hard labour . . .	277	Petitions declined	21
Habitual criminals	57	Recommended for discharge	2
Habitual offenders	—	Discharged from probation	38
Habitual criminals for remission of head sentence	5	Recommended remission of head sentence	3
Probationers under Crimes Amendment Act	15	Modification of terms of probation . . .	1
Probationers under Offenders Probation Act	27		
	1,025		1,025

In view of the continued shortage of paper and the need for all-round economy only a brief review of the Board's operations during the past year is intended.

During the year under review the Board considered 1,025 cases, or 4 less than the previous year; and it recommended a remission of sentence in 544 cases, as compared with 458 in 1939.

Comparison of the statistics with those of former reports show that the operations of the Board for 1940 have been attended with satisfactory results. The percentage of successes—*i.e.*, the offenders who “make good”—is well maintained. Of the total number released after undergoing sentences of Borstal detention and reformatory detention or imprisonment with hard labour, 22 per cent. only have been reconvicted or failed to comply with the conditions of their release, while of the habitual criminals released on parole since the Board commenced to function in 1911, 56 per cent. have been returned to prison for non-compliance with the conditions of release or for further offences. It is pleasing to report, however, that during the past year the Board was able to recommend the complete discharge from probation of a further 11 habitual criminals who have made good. In other words, the stigma of habitual criminal was removed from these persons. It is only where the individual, after a number of years on probation from prison, has satisfied the authorities by continuous good conduct and industry that he has rehabilitated himself that the Board does make such a recommendation. The foregoing percentage results are identical with those obtaining in the preceding year.

The Board has observed a disturbing increase in the number of youthful offenders committed to the various prison institutions. This increase is confirmed by the statistics which show that the figures have steadily risen from 96 in 1936 to 203 in 1940, an increase of 111 per cent. A regrettable increase is also observed in the number of young Maori offenders, and particularly from one or two districts. The increase is at a rate quite out of proportion to the general population increase. From the information available to the Board and the nature of the offences this unsatisfactory condition of affairs is due, in the main, to a lack of discipline and respect for the rights and property of others, also a want of parental control and training. Shortage of suitable vocational opportunities when starting work cannot now be claimed as a contributing factor. On the contrary, the number of positions previously enjoyed by many of these offenders is confirmation of the adequate amount of employment offering for young people. In fact, the ease with which fresh billets may be obtained develops in some cases a rather reckless and irresponsible attitude, while the high initial wages obtaining in many unskilled and blind-alley occupations create a false appreciation of money value and wrong outlook generally.

During the year the Prisons Board has visited all the prison and Borstal institutions in the Dominion, and is of the opinion that valuable work of reformation is being accomplished. It has been particularly impressed with the obvious physical fitness and generally improved condition of the majority of the inmates.

As the result of close co-operation between the Prisons Department, the Mental Hospitals Department, and the Board, regular reports are furnished to the Board concerning the inmates' progress under institutional regime, together with reports and advice by Mental Specialists.

The Board wishes to pay a tribute to the members of the different after-care organizations and the many other public-spirited citizens who give such excellent honorary service in the different matters pertaining to the rehabilitation of inmates.

Since the Board commenced to function in 1911 no less than 28,872 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 follow :—

Reformatory Detention.

During the period from January, 1911, to December, 1940, 5,478 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 4,436. In 656 cases prisoners were required to serve the full sentence imposed by the Court. Of the total number released after undergoing reformatory detention 27·98 per cent. have been returned to prison either for non-compliance with the conditions of the release or for committing further offences, 2·81 per cent. left the Dominion or absconded, 0·47 per cent. died or were transferred to mental hospitals, leaving 68·74 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, 6,535 cases have been considered by the Board up to December, 1940. In 2,822 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, 1,761 completed probation satisfactorily, 167 were recommitted for other offences, and 65 were still reporting on probation at the 31st December, 1940.

Habitual Criminals.

During the period from January, 1911, to December, 1940, 660 habitual criminals were released on license on the recommendation of the Prisons Board. Of those so released, 56·51 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 43·49 per cent., and, allowing for those who have left the Dominion or died, this leaves 21·67 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, 2,838 young persons have been detained under this Act, either by original commitments by the Court or by transference of youthful offenders from penal institutions or industrial schools. There have been 2,632 inmates released on the recommendation of the Board, 2,415 being on probation and 217 on the expiration of their sentence. Of the total number released, 55 have been returned to the institution for non-compliance with the conditions of release, 240 were recommitted for further offences whilst on probation, and 484, or approximately 18 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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