

judged by a small percentage of failures, because it is only that section that attracts the notice of the Press? One might reasonably ask how the suitability of individual prisoners for probation is to be tested unless they are released from prison and so given a trial under our system of restricted liberty. If undue attention were paid by the Board to articles of the nature I have quoted there could be no probation system. Every man sentenced to imprisonment would have to remain in prison until his term had expired, and the hundreds of offenders who are now given an opportunity of "making good" under the enlightened system in force in New Zealand would, in a large percentage of cases, have no such opportunity at all, and would simply return to prison after a brief period of liberty, and help to swell the criminal statistics. It does not appear to be generally understood that a prisoner who is released on probation is not by any means a free man. He is under constant observation and supervision by the Probation Officers, whose instructions are to deal with every probationer firmly and impartially, and, while not being too insistent upon reporting him for minor breaches of the conditions of probation, to have no hesitation in doing so if he is not responding to the privilege of conditional liberty that has been granted him. A strongly adverse report to the Chief Probation Officer regarding the conduct of any probationer entails cancellation of his probationary license and his immediate return to prison. In all such cases the punitive provisions of the Crimes Amendment Act are drastically administered. The same rule is followed when probationers commit even fairly trivial offences against the law. Their licenses are forthwith cancelled, and, in addition to further punishment inflicted by the Courts, they are required to complete the terms to which they were originally sentenced.

On the recommendation of the Prisons Board 284 prisoners were released on probation during the year ended 31st December, 1922. Under the system that has been in force for some years past each prisoner is credited with a very small amount per week to provide a fund for his immediate necessities on release. If his industry or conduct is unsatisfactory he forfeits a part of the amount so credited. The payment of accumulated "earnings" to prisoners discharged or released on probation is made in instalments by the Probation Officers in the centres of population and in the country districts by the head office of the Department. For obvious reasons no probationer is paid his total earnings in a lump sum unless the sum is small or good reason is shown for the payment of the full amount. Prior to this rule being followed, it was found that many men squandered the whole of their money in the first fortnight after release, with the result that they were soon under arrest again for some offence arising out of drunkenness. The total of the "earnings" paid out during the past financial year was £5,097 19s. 10d. Of this amount £2,389 7s. 7d. was paid by controlling officers at the time of release, whilst £2,708 12s. 3d. was paid in instalments after release.

OFFENDERS PROBATION ACT.

The reports of the honorary Probation Officers show in detail the working of the Offenders Probation Act during the past year, and it will be observed that in no case is any doubt expressed as to its efficacy in the direction to which I have referred. As stated in previous reports, the success of the offenders-probation system depends, first, upon the exercise of careful discretion by the sentencing Judges and Magistrates in their selection of individuals who are likely to respond to the treatment given them, and, secondly, to the care and judgment exercised by the Probation Officers in carrying out their important duties of control and supervision. From time to time we have cases in which it is abundantly clear after the first month of probation that some offenders are quite unworthy of the privilege granted them. Some of the younger men even offend soon after being granted probation. The Act contains full provision for dealing with such cases. Having shown that they are only fit for prison, they are promptly sent there. They have had their chance, and have failed to take advantage of it. The percentage of failures is, however, very small, and under no system could 100 per cent. of successes be expected. The offenders-probation statistics for the year ended 31st December last show that 508 offenders were granted probation, while twenty-five others were ordered to come up for sentence when called upon. Of the total of 533 who received the benefits of the Offenders Probation Act only thirty-one failed to carry out the terms of their conditional release. The percentage of successes was therefore 95.27. The result of the year's working of the 1920 Act is most satisfactory. Under former conditions at least half of those who received conditional release under the different sections of the Act would probably have been committed to prison, and their chance of eventual rehabilitation considerably reduced. The increase in the criminal population in the prisons has already caused the administration some anxiety in regard to the question of adequate accommodation. With the added number that would inevitably have been committed if the 1920 Act had not been passed, the country would have had to face heavy expenditure in the provision of further buildings, increase in staffs, &c.

A feature of the Offenders Probation Act to which attention has previously been drawn is the provision by which offenders, as one of the conditions of their probation, are ordered to refund to persons defrauded the whole or part of the moneys wrongfully obtained and to pay Court costs. Repayments of this nature are usually made in monthly instalments covering the period of probation. Failure to pay such instalments constitutes a breach of conditions, and may be punished by committal on the original charge. From January, 1922, to the 31st March last (close of financial year) restitution-money and Court costs collected from probationers by all Probation Officers throughout the Dominion amounted to £2,286. For the calendar year 1922 the sum of £2,210 was similarly collected, making a total of £4,496 since the passing of the 1920 Act, and a grand total of £15,313 since the original First Offenders Probation Act was passed in 1886. Under a system providing imprisonment as the only punishment for offenders against the law not only would this substantial amount have remained unpaid, but the wholesome effect of this form of retributive justice would have been lost.

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