

1926.

NEW ZEALAND.

OFFENDERS PROBATION ACT, 1920

(REPORT ON OPERATIONS OF), FOR THE YEAR 1925-26.

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, 2nd August, 1926.

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 1925-26.

I have, &c.,

F. J. ROLLESTON,

Minister of Justice.

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

SIR,—

Office of the Chief Probation Officer, Wellington, 3rd August, 1926.

I have the honour to present the sixth separate annual report on the working of the probation system under the Offenders Probation Act, 1920, and the Crimes Amendment Act, together with the reports of the principal district Probation Officers for the year ended 31st March, 1926.

This report covers the fortieth year that the system of probation has been in operation in New Zealand. The original Act of 1886 restricted the application of probation to first offenders, and it was not until the passing of the Act of 1920 that the Courts were given powers of general application to all classes of offenders considered likely to benefit thereby. Despite this widened scope, owing to certain scepticism as to its efficacy, this system of treatment of offenders has not been availed of to the extent that the yearly increase in crime would appear to warrant. In this respect it is to be noted that the statistics for the four years ending 31st March, 1924, show that the number of persons admitted annually to probation increased by only 14 per cent., while the average prison population in the same period increased by 27 per cent. However, last year witnessed a considerable increase in the probation figures, and the ratio of increase is now approximately identical with that of the prison population.

In England—according to the latest official reports—since the passing of the Criminal Justice Administration Act, 1925, the system of probation has been widely extended, and has resulted in a considerable decrease in the prison population.

A review of the cases admitted to probation during the year discloses that of the total of 760 offenders granted conditional liberty in this manner, 84 per cent. represented offences against property, and only 8 per cent. offences against the person; 658 offenders were admitted to probation by the Courts, and 102 came under the provisions of the Act on account of having sentence deferred.

It is interesting to note that 33 per cent. of the offenders admitted to probation during the year were under the age of twenty years, and 39 per cent. were between the ages of twenty and thirty years. These figures go to show that the Courts in New Zealand largely follow the principle recognized in Britain and America, that the cases considered most suitable for probation are those of young offenders against property.

In determining the class of persons for release on probation two purposes should be kept in view—viz., the protection of the community, and the reclamation of the offender. Probation is not a panacea for all crime, and it should not be used indiscriminately even for all first offenders. It should be used only where an individual study of the delinquent shows that under proper supervision and guidance, through a definite period, he is likely to become law-abiding. It has been laid down by an authority that probation should not be used for “confirmed habitual offenders, drug addicts, dipsomaniacs, the feeble-minded, the psychopaths, the mentally unstable, and sex perverts.” It is also stated that “premeditated assaults for revenge or gain, criminal assaults on females, and crimes resulting in the corruption of children, are altogether outside the scope of the probation system. Probation is also discountenanced in the case of habitual drunkenness and professional prostitution long continued. The crimes for which probation is most extensively used are for offences against property, such as theft and embezzlement.”