

The daily average shows an increase of 35, but as mentioned in previous reports the composition of the daily average depends on the length of sentence as well as the number of persons received. On account of the growing amount of crime against property, particularly by young offenders, the tendency during the past few years has been for the Courts to impose more salutary forms of punishment by way of substantial terms of reformatory and Borstal detention. The cumulative effect of this has been gradually to raise the daily average, although actually the total number of persons received during the year has been considerably less.

Two significant facts emerge from a study of the criminal statistics. Firstly, a large number of those sentenced to Borstal or to reformatory detention have previously been dealt with in the Children's Courts, or have been placed on probation, or sentenced to short terms by the higher Courts without success, and secondly, only a very small percentage of those released after a term of Borstal or reformatory detention again appear before the Courts. It is thus clear from the practical results achieved, which are the true tests of the efficacy of the methods, that the system of Borstal and reformatory detention are a deterrent, a reformatory, and an effective form of protection to society.

Apart from what may be regarded as more major offences, there continues to be what is termed the "stage army" of persons received for drunkenness, vagrancy, or other petty offences more in the nature of nuisances than crimes. Many of these offenders are hopeless degenerates, in whose own interests, as well as in the interests of the community, institutional treatment is desirable. It would be quite useless to consider probation for the majority comprising this class, nor is a practical solution of the problem to be found in the realm of psycho-therapy, although in many cases a substantial term of treatment on a farm colony would be, undoubtedly, a more effective measure. This class of offender considerably inflates the total prison statistics, a point which is clearly evidenced by the fact that the number sentenced to terms of less than seven days was 588, or 17·2 per cent of the total receptions, and the number sentenced to terms of less than six months was 71·2 per cent. of the total receptions.

When the treatment of these persistent offenders was the subject of consideration by a special Committee in England, certain medical witnesses suggested that the definition of "mental defective" should be extended to include all incorrigibles, whether they be what are known in New Zealand as "habitual criminals" (*i.e.*, those habitually persisting in more serious crimes), or "habitual offenders" (*i.e.*, persistent petty offenders). The Committee was of opinion that such a course would be undesirable and impracticable, and that it would not be in the public interest to permit criminals, by repetition of crimes, to qualify for preferential treatment and acquire the ameliorations of an institution for mental defectives. Each case must be dealt with individually according to its own particular circumstances. Where the criminal conduct is symptomatic of mental unbalance treatment in preference to punishment is more appropriate, but in many cases habitual criminals have an intelligence and cunning above the average, but they are inclined to apply it in short-run pursuits to affluence instead of in the more orthodox process of steady application and hard work.

Experience shows the necessity of further classification with a greater stress on mental makeup and the standard of social efficiency, but it is not practicable, from an administrative standpoint, to segregate into special groups all those ranging from the border-line of accepted standards of normality to the definitely subnormal group. So long as the definitely irresponsible defectives are removed for appropriate permanent custodial care, it is not wholly desirable that the higher grade shall be treated in any way likely to create a consciousness that they are regarded as a class apart, or that less is expected from them than from normal beings.

The special Committee referred to above states, *inter alia*: "The subnormal group will not be eliminated, and the difficulties connected with the reformation of its delinquent members will continue. Criminal problems are closely associated with other social problems, and we believe that recidivism associated with mental subnormality or inebriety must be dealt with empirically until social and medical science are more advanced than they are at present."

Escapes.—Nine prisoners and seven Borstal detainees escaped during the year, and all were recaptured. Four unsuccessful attempts to escape were made. The average number who escape, or attempt to escape, remains fairly constant from year to year. It must be recognized that many opportunities for escape exist under a system of penal treatment that provides for prisoners working out in the open, on or near prison farms and roadmaking camps, often not under immediate or direct supervision. It is recognized by all authorities on penology that it is only by reposing a measure of trust in the delinquent that a sense of responsibility can be developed. A careful selection is made of the prisoners who are placed in positions of trust, and when one considers the large number who respond, and the comparatively small percentage who betray the confidence reposed in them, the general results must be regarded as satisfactory.

It is interesting to note that even to this day certain penal administrations adhere to the old system of leg-irons to prevent escapes. No doubt a reversion to these devices, and a fuller use of bolts and bars, and a strengthening of the armed guards would lessen the number of escapes. This course would be distinctly retrogressive. It might result in the greater protection of society for the actual term of incarceration, but the psychological effect would be to create a more resentful and more dangerous menace to society when the persons subjected to such treatment are released again into the community.

Capital Punishment.—There were no cases of capital punishment during the year. Three persons received on the capital charge had their sentences commuted to imprisonment for life.

Health of Prisoners.

The general health of the prisoners during the year has been particularly good, the daily average on the sick list (29·7) is the lowest for a number of years. The regimen, the plain and wholesome diet, and the liberal vegetable ration in recent years have contributed to an improved standard of health in our penal establishments. Prisoners invariably put on weight and improve in general physique.