

1941.
NEW ZEALAND.

OFFENDERS PROBATION

UNDER OFFENDERS PROBATION ACT, 1920, AND CRIMES AMENDMENT ACT, 1910
(REPORT ON OPERATION OF) FOR THE YEAR 1940.

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, 23rd July, 1941.

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 ended 31st December, 1940.

I have, &c.,

H. G. R. MASON,

Minister of Justice.

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

SIR,—

I have the honour to submit my annual report under the Offenders Probation Act and the Crimes Amendment Act for the year ended 31st December, 1940.

Owing to the shortage of paper the reports from the district Probation Officers are omitted this year, but the usual statistical tables relating to probation are appended.

Examination of the reports submitted by the district officers reveals that in the main probationers have reacted reasonably satisfactorily, the number who have relapsed being only slightly over 11 per cent. of the total dealt with.

It has long been recognized that indiscriminate recourse to imprisonment, which carries with it a severance of domestic ties and more often than not punishes the offender's dependants more severely than himself, is not in the best interests of the public. Probation, which aims at the rehabilitation of the offender without the stigma of imprisonment and enables the breadwinner to support his dependants whilst working out his own salvation, offers a constructive alternative in many cases. Unfortunately, the impression is fairly common that probation is "letting the offender off" or "creating a license for crime." Nothing is further from the truth. A probationary license frequently contains conditions limiting the hours of the offender's absence from his home, and prohibiting his association with undesirable persons, while the necessity to make restitution to the persons who suffered by reason of his offence obliges him to remain in regular employment. His movements are considerably restricted, his liberties curtailed, and his general conduct must conform to a more ordered and disciplined mode of living. For some offences probation is quite inappropriate. For example, many sex offenders are a public menace, and in their case segregation becomes essential. Similarly, offences showing deliberation or careful planning do not merit the more generous impulses of the law.

Docile observance of the conditions of probation in the same manner as studied good conduct in prison does not necessarily connote reclamation or rehabilitation. This is evidenced rather by a change of mental attitude involving a recognition of a social obligation and the development of a sense of responsibility. The acquisition of a more regular habit of employment, an earnest endeavour to make reparation to those wronged, and the desire to establish one's self-esteem by the adoption of a more decent standard of living are the pointers which indicate the real progress of a probationer, and it is in respect of these factors that the reports can be regarded as satisfactory.