

121. In the remaining 3,077 cases it was open for Appeal Boards to determine whether the appeal should be—

(a) Allowed, the appellant to come under the jurisdiction of the Special Tribunal. This determination was made in 606, or 19·7 per cent. of the cases heard;

(b) Dismissed, subject to non-combatant service. This decision affected 1,226, or 39·8 per cent. of the cases heard;

(c) Dismissed outright. This affected the largest number of cases, 1,245, or 40·5 per cent. of the total.

(iii) The Special Tribunal

122. The Special Tribunal, comprising three members working independently, was established in August, 1941. The Tribunal was empowered to deal with conscientious objectors whose appeals had been allowed, in order to ensure that no conscientious objector would be in a better financial position than if he had been serving in the Armed Forces, and that all performed work of national importance. As at 31st December, 1944, the Tribunal had under its jurisdiction 572 conscientious objectors whose appeals had been allowed. In 500 cases it had been necessary to make an Order for the appropriation of a portion of the income of the objector to reduce his income to the equivalent of what he would have received had he been a member of the Armed Forces.

123. With the establishment of Revision Authorities in June, 1945, to review the position of men held in defaulters' detention camps, men released on parole from defaulters' detention also came under the jurisdiction of the Special Tribunal. All defaulters released by the Revision Authorities were directed to full-time employment in work of national importance, in accordance with an undertaking given prior to release. The Tribunal ensured that such men were placed in no better financial position than the serviceman. (For a full statement of the reasons for setting up Revision Authorities, see the Department's report for 1945, page 24 *et seq.*)

124. Tables 13 and 14 of the Appendix give detailed information relating to cases coming under the jurisdiction of the Special Tribunal. Payments made into the Social Security Fund amounted to £6,502 for the year ended 31st March, 1946. This represents an average annual yield of £7 17s. 5d. from each order.

(All orders made by the Special Tribunal were revoked as at the end of June, 1946.)

(iv) Defaulters' Detention

125. **Changing Circumstances and the Effect upon Detention.**—The period under review in this report opened with the war still on and involved large numbers of New Zealand citizens still serving in the Forces in the various theatres of the war. It was inevitable, therefore, that the regulations as applied to military defaulters should continue while there was an obligation for men to serve. As it has worked out, however, it would appear that as far as defaulters are concerned, apart from the segregation aspect, the time factor, by reason of the indeterminate nature of the penalty, has weighed heavily upon the persons concerned, many having been under restraint since 1941 and some having been committed to detention when they are eligible for Territorial service at the age of eighteen or nineteen years. As the year advanced and important changes in the war situation took place, involving cessation of hostilities, there was an easement in the Dominion's man-power requirements overseas, and acceleration was given to the return of the men on service with the Forces. This vastly improved situation rendered practicable the more favourable consideration of the position of those defaulters who were over age, down-graded medically, or who had been detained for over four years. Towards the end of the period under review these circumstances resulted in the temporary release of men within these categories to enable them to be employed on work pursuant to the orders or directions of the Special Tribunal, in accordance with Regulation 44A (5) (b).