

Length of Sentence.—Hereunder is set out a table in comparative form showing the length of sentence imposed on offenders:—

Term of Sentence.	Number of Prisoners.				
	1943.	1944.	1945.	1946.	1947.
Under one month	430	367	364	425	349
One month and under three months ..	824	627	639	753	866
Three months and under six months ..	421	327	318	274	313
Six months and under twelve months ..	241	189	197	203	224
One year and under three years ..	475	456	449	458	496
Three years and under five years ..	60	78	64	79	84
Five years and over ..	31	31	18	15	14
Indefinite (including "defaulters") ..	..	24	26	6	5
Totals	2,482	2,099	2,065	2,213	2,351

It will be observed, as in previous years, that just over 50 per cent. of the total number of distinct persons sentenced to imprisonment were given terms of three months or less, and that 64 per cent. received terms of less than six months. There is a growing opinion amongst overseas authorities that unless the offence or circumstances associated with its committal are such that really call for imprisonment, it is better in many cases to have recourse to probation. Short sentences are disruptive and serve practically no purpose from a reformatory point of view, and, indeed, the deterrent purpose is very little served, for under modern prison conditions virtually the only punitive element is the loss of liberty.

At successive penitentiary congresses it has been stressed that the indeterminate sentence is the most effective safeguard of the community against persistent offenders. In New Zealand there is provision under the Crimes Act (section 29) whereby a Judge may declare as an habitual criminal a person convicted on at least two occasions of a sexual nature, or on four occasions for other indictable offences, and, further, section 30 provides that where a person has been convicted on six previous occasions of offences under the Police Offences Act involving at least three months' imprisonment the Magistrate may refer the case to a Judge in order that the accused may be declared to be an habitual offender. It is of interest to note that, notwithstanding that approximately 30 per cent. of the total receptions in our prisons are of the petty recidivist type who are not deterred, or in respect of whom society is not protected, by repeated short sentences, there has been no recourse by the Courts to section 30, at least during the past twenty years, and possibly longer.

Reformatory detention as prescribed under the Crimes Amendment Act, 1910, is a modified form of indeterminate sentence, but with the maximum fixed by the Courts. Section 3 of the Act quoted provides that on the conviction of any person on indictment the Judge, having regard to "the conduct, character, associations, or mental condition of such person, the nature of the offence, or any special circumstances," may impose up to ten years' detention for reformatory purposes, and section 4 provides that where a person has been convicted summarily of an offence rendering him liable to three or more months' imprisonment the Magistrate may impose detention for reformatory purposes for any period not exceeding three years. The actual term of detention which a prisoner is required to serve depends largely upon his own reactions as manifested by his industry and behaviour in prison and his satisfying the Prisons Board as to the likelihood that he will abstain from crime in the future. The Prisons Board has power to review a reformatory sentence at any time, and if it thinks fit, having regard to the public safety and the welfare of the prisoner, may recommend release on probationary licence or on discharge.