

a specified number of times, and when so declared his detention is during the pleasure of the Governor. A person sentenced to reformatory detention is one who is guilty of an indictable offence rendering him liable to imprisonment. The Judge before whom any such person appears may, if he think fit, "having regard to the conduct, character, associations, or mental condition of such person, the nature of the offence, or any special circumstances of the case," with or without a prior term of imprisonment, sentence him to be detained for reformatory purposes for a specified period not exceeding ten years. In certain cases, after the like consideration, a Magistrate may impose a sentence of reformatory detention not exceeding three years.

The Board is of opinion that many of the habituals coming before it are not of a confirmed criminal character, and that a fair proportion of the prisoners sentenced to reformatory detention are not in any way distinguishable from the ordinary criminal, while some appear to have approached qualification if not to have already qualified to be classed as habituals. The Board views this with concern, especially with regard to the unpromising type being sentenced to reformatory detention. It has before expressed its sense of the impediments—almost inevitable impediments—to be met with in introducing a new system and bringing it into working-order, and finds itself in a position to appreciate the difficulty in which the Department must be, under the above conditions, in classifying prisoners under reformatory detention, and framing regulations applicable to their class as a whole.

Between the form of sentence imposed on prisoners coming and not coming under the survey of the Board are two broad distinctions: in one case the actual date of discharge is more or less fixed, in the other it is left open; in the one discharge from prison is absolute, in the other there is power to release on license. The fact that the prisoner may be conditionally released is regarded by the Board as a highly valuable and essential part of the scheme, a stage in the process of reformatory treatment which provides a gradual widening of the environment, and allows a prisoner to get a firm footing before stepping into complete liberty.

Hereunder is an average example of a probationary license; in the particular case there was good cause to believe that the committal of the offence was due to drink and gambling.

No. in Probation Book

NEW ZEALAND.

PROBATIONARY LICENSE FOR PERSON RELEASED FROM IMPRISONMENT.

Under the Crimes Amendment Act, 1910.

To X Y Z.

THIS IS TO CERTIFY that, pursuant to the provisions of the Crimes Amendment Act, 1910, you have been placed on probation, by direction of His Excellency the Governor, for a term from the date of your release to the 5th January, 1914, upon the following conditions, viz. :—

Firstly—You shall report yourself in person to Mr. L. M., Probation Officer at _____, the Probation Officer of the district in which you are going to reside, as soon as possible after your release, notifying him at the same time your address.

Secondly—That you shall report yourself in person to the said Probation Officer on the 1st day of every month at his office at a convenient hour, unless he shall hereafter authorize such reports to be made in writing.

Thirdly—That you shall reside—that is, sleep—at the address notified by you to the said Probation Officer, in order that you may at once be found if required for any legal purpose.

Fourthly—That you shall be of good behaviour and keep the peace towards all persons, and shall get your living by honest means, the nature and place of which you shall specify to the said Probation Officer for approval; that you shall abstain from any violation of the law, and shall not associate with notoriously bad characters, such as reputed thieves and prostitutes; that you shall not lead an idle and dissolute life without visible means of obtaining an honest livelihood.

Fifthly—You shall not change your address without the consent of the Probation Officer, to whom you shall give forty-eight hours' notice of any proposed change of address, and if, with the consent of the said Probation Officer, you remove to any place within the limits of a district of another Probation Officer, you shall report such removal in person to the said Probation Officer at least forty-eight hours prior to your departure from his district, notifying him at the same time your future address, and you shall produce this license and notify your arrival in person, together with your address and employment, to the Probation Officer of the new district, of whose name and address you will be informed, within twenty-four hours of your arrival in that district, and take your instructions from that officer as to your future reporting and other fulfilments of the conditions of this license.

Sixthly—You shall produce this license of conditional liberty to any Probation or Police Officer whenever you may be called upon to do so.

Special Conditions.

That you shall go forthwith to work on Mr. A. B.'s farm at _____, and shall not leave such employment without the consent of the Department of Justice.

That you shall take out a prohibition order against yourself.

That you shall not visit racecourses.

That you shall not gamble.

TAKE NOTICE.—"A probationary license granted under this Act may be at any time and for any reason cancelled by the Governor by Warrant under his hand, whether the conditions thereof have been fulfilled or not, and thereupon the person so released may be arrested without warrant by a constable or any other person and returned to the prison from which he was released, or to any other prison.

"If any person so released on probation commits any breach or non-observance of the conditions of his probationary license he shall be guilty of an offence punishable on summary conviction by a fine of twenty pounds or imprisonment for three months." (Sections 14 and 15 of the Crimes Amendment Act, 1910.)

_____, Minister of Justice.

Dated this 26th day of May, 1913.

In dealing with habitual criminals and offenders it is the duty of the Board to decide whether and when such prisoner can be recommended for release on probation with safety to the public and for his own good, he having a clear understanding that he will be returned to prison if the terms of the license are not strictly adhered to.

Where a prisoner has committed a number of offences, none of which is of a dangerous character, and all of which are associated more or less with the adverse circumstances of his