

would be a greater punishment than a fine. The conditions of release have a restraining and deterring influence. On the principle that every prisoner is a loss as well as an expense to the State, the First Offenders' Probation Act would in this respect be effective and valuable, in that, while punishing, the penalty inflicted permits the offender to retain the conditions of family and social life, and to continue to maintain himself and his dependants.

The system now operating in the chief centres, of reporting to Probation Officers elsewhere than at the prison, should commend itself to every one. Probationers have expressed appreciation of the consideration thus shown to them. If the same consideration were extended to probationers in country districts the effectiveness of the Act would, in my opinion, be increased; and the virtue of the Act as a preventive agent would be enhanced if probationers were visited, advised, or otherwise assisted to recover themselves by one whom they could consult with, and who would be regarded as a friend rather than as an official.

The personal element is an important factor in the successful administration of the Act, and it is of more than temporary value.

NAPIER.

There were 3 male probationers on the register on the 1st January, 1916. Three males were received on transfer (2 under the Crimes Act and 1 under the First Offenders' Probation Act). Of this number, 3 were transferred to other districts, and 1 returned to custody for a breach of the conditions of his license and transferred, leaving 2 males on the register at the end of the year.

NEW PLYMOUTH.

There was 1 male reporting at the commencement of the year, and I received 1 transfer during the year: 1 was transferred to another district, and 1 completed his term unsatisfactorily, he having received fourteen days' hard labour for theft as a servant during the last month of his term, leaving none reporting on the 31st December, 1916.

WELLINGTON.

Previous to my appointment on the 1st June, 1916, I acted as Probation Officer under the Crimes Amendment Act for three years with a very different class of offender to those under review.

There were twelve first offenders on the register at the beginning of the period; eighteen were granted probation since, and five were transferred from other districts; seven completed their probation satisfactorily, five left with Expeditionary Forces, and one who was over military age as a member of the crew of a transport; eleven were transferred to other districts, leaving eleven on the register on the 31st March, thirty-five in all passing through my hands.

These do not demand the same attention as prisoners who are released on license by the Prisons Board. It is but rare that a reminder to report is sent out. Generally speaking, the exception is the man who has joined the Expeditionary Forces and who is under the misapprehension that military rule relieves him of all civil obligations. The conduct of probationers has been most satisfactory; the conditions have been observed, and the offender in every instance shows no desire to abuse the confidence placed in him. In one or two instances, in fact, young men who have been content with a very humble existence have roused themselves to study and qualified for better positions in life.

In Wellington the Magistrate's Court does not take full advantage of the Act. To my mind probation is infinitely preferable to even a short term of imprisonment—the herding with criminals is an exceedingly bad experience for any young man. When an accused person is convicted and ordered to come up for sentence when called upon he may be kept out of prison, but as a deterrent it is not nearly so effective as a definite term of probation. The Act, of course, does not provide for probation where a previous conviction has been recorded. Sometimes the only previous conviction may have occurred many years back, conduct being excellent in the meantime. If more rigorous conditions of liberty were imposed, with weekly or fortnightly intervals of reporting, this case, I think, would be better met. The ordinary man regards a conviction and "ordered to come up," &c., merely as a "let-off." If a man's character does not warrant probation, or if his crime is too serious, he may be let off in this way without the irksome conditions under the First Offenders' Probation Act. And therein is a weakness.

The system should, I think, be extended to juvenile offenders. There is a kind of informal probation in Wellington, but with no remedy if there should be a breach of the conditions imposed. The whole question, indeed, of the treatment of juvenile offenders needs revision. It seems wrong in principle and practice for boys of school age, especially those of twelve and under, to be brought before the Court unless for a series of charges or where apparently committal to an industrial school is necessary. Court procedure is not very good education for the youthful mind, and a very informal Bench would be preferable, consisting of the schoolmaster and a Justice of the Peace with some intelligence, with, say, the Probation Officer to advise, and the elimination of legal counsel. Probation could then be extended and terms imposed which would be binding.

While on the question of juvenile offences, it seems rather a pity that provision for birching is not applicable to offences that come under the category of mischief or obscenity. This method of punishment is undoubtedly the best way to meet these classes of offence, and if supplemented by a parent being mulcted in damages it will materially help the latter to reconsider the upbringing of his boy.

Altogether it impresses itself upon me very strongly that the Act, or certain provisions of the Act, could be extended to more than actual first offenders, with a wider use in the Magistrate's Court, where discretionary powers could be granted Magistrates, who should be men of sound common-sense and possessing a good knowledge of human nature.