

to the treatment of crime. The attitude towards probation in New Zealand contrasts in a marked degree with that in England, where in recent years there has been a pronounced extension of the use of probation, and, according to official reports, with satisfactory results. There does not appear to have been any lessening of the deterrent influence. Indeed, it is noteworthy that the prison population in England shows a tendency to decline. This is attributed in no small measure to the extended use of probation and the more effective organization of the probation system.

A review of the cases admitted to probation in New Zealand during the year discloses that 83·39 per cent. represent offences against property, and only 7·20 per cent. offences against the person. This follows the general practice in other lands. It is recognized that for offences against property probation is particularly appropriate, as it enables a salutary condition to be imposed on the offender requiring reparation to be made. In this connection care is always taken, as far as possible, to ensure that the offender personally makes restitution.

During the year the amount collected from offenders by way of restitution—moneys was £3,537 16s. 3d., and costs amounting to £812 6s. 2d. were also collected, making a total of £4,350. Since the inception of the scheme a total of £34,345 has been collected from offenders and restored to its rightful owners. It will thus be seen that although the social advantages sufficiently commend the system as a constructive method of dealing with certain classes of offenders in preference to institutional treatment, the economic consideration, though secondary from a social standpoint, cannot be ignored. In this respect it may be mentioned that in addition to the restoration of the foregoing sum, the cost to the State for the institutional maintenance of 7,546 offenders has also been saved. The extent of this saving can be gauged better when it is noted that the average term of admission to probation is slightly over a year and a half, and, taking the average net annual cost per capita in a penal institution as £60, the saving to the taxpayer has been well over half a million sterling.

Sir John Anderson, permanent Under-Secretary of the Home Office, in a recent address on the working of the Probation Act, said the introduction of the Criminal Justice Act marked a new phase in the administration of justice. "The Home Office had 'put all its money' on probation, as was shown by the fact that in 1920 the total expenditure on it was £27,000, of which the Exchequer did not contribute one penny. The expenditure estimated in the present year was £91,000, of which the Exchequer would pay 50 per cent. They had been able to convince the Treasury that true economy would be secured by the extension of the system of probation."

Referring to the failures, the records show that only a small percentage committed breaches of their probationary conditions. Although the success of the probation system cannot be gauged altogether by the number who complete their term and fully comply with the conditions imposed, these figures are some criterion of the degree of seriousness placed on the matter of observance of the conditions stipulated by the Court, thereby indicating to some extent the disciplining effect of this method of treatment. There were 1,205 persons on probation at the commencement of the year under review; 764 were admitted to probation during the year, making a total of 1,969. Of this number only 146 failed to comply with requirements, necessitating action on the part of the Department for re-arrest, with the object of bringing these offenders before the Court again for alternative method of treatment.

The statistics show that the Courts in granting probation give preference to younger offenders. It will be noticed that of the total number admitted to probation during the year, 42·67 per cent. were under the age of twenty-one years, and 30·37 per cent. were between the ages of twenty-one and thirty years.

At one time institutional treatment, with particular stress on the punitive aspect, was regarded as the panacea of all social ills. In recent years there has been a marked change of opinion, and this largely accounts for the widely extended use that is being made of probation in England and elsewhere. It is recognized, especially so far as young offenders are concerned, that under probation the contaminating influences of prison are avoided, and also that more constructive work of a socializing nature can be accomplished through the careful supervision of a young offender in his normal surroundings, and through his participation in the every-day economic struggle, than in the artificial atmosphere of an institution with its dulling influence on initiative. It may be said that these considerations have regard only for the welfare of the offender, and pay too little heed to the rights of the community. Retributive justice belongs to a past age; and although the deterrent aspect must not be lost sight of—and this can be accomplished by making the probationary conditions exacting—it is a short-sighted policy that would subordinate the corrective consideration to the purely punitive. It must not be overlooked that the offender is a component part of the body politic, and if he is reformable it is in the best interests of society that he should be restored to his proper place as a responsible and useful unit of society.

A recent English report, which has been spoken of by the London *Times* as being one of the most notable official publications of recent years, dealing with the subject of the treatment of young offenders, states, *inter alia*,—

"There is no room for controversy as to the main object in view—namely, to restrain the young offender from straying further into criminal habits, and to restore him to normal standards of citizenship; the lesson that wrongdoing is followed by unpleasant consequences must be taught—but the Court pays more attention to the vital question of their future welfare."

The report further goes on to say,—

"Courts in the administration of justice have to consider the community as well as the individual, and must pay some regard to the feelings of the average citizen on the subject of the law-breaker. In certain cases these considerations may appear to conflict. Modern