

1934.

NEW ZEALAND.

OFFENDERS PROBATION

UNDER OFFENDERS PROBATION ACT, 1920, AND CRIMES AMENDMENT ACT, 1910
(REPORT ON OPERATION OF), FOR THE YEAR 1933-34.

Presented to both Houses of the General Assembly by Command of His Excellency.

The Hon. the MINISTER OF JUSTICE to His EXCELLENCY the GOVERNOR-GENERAL.

SIR,—

Wellington, 30th August, 1934.

I have the honour to submit to Your Excellency the report of the Chief Probation Officer on the operations of the Offenders Probation Act for the year ended 31st December, 1933.

I have, &c.,
JOHN G. COBBE,
Minister of Justice.

The CHIEF PROBATION OFFICER to the Hon. the MINISTER OF JUSTICE.

SIR,—

I have the honour to present my annual report on the working of the probation system under the Offenders Probation Act, 1920, and the Crimes Amendment Act, 1910, for the year ended 31st December, 1933.

The statistical tables appended to the report summarize the results of the last year's operations, and I attach also an epitome of the reports of the principal District Probation Officers. The reports from the Probation Officers, despite the difficulties encountered during the year due to the prevailing economic conditions, all strike an enthusiastic note regarding the conduct of probationers and their satisfactory response to the conditions imposed upon them.

The total number of cases dealt with during the year was 2,201, which was 11 less than the number for the previous year. The number of fresh admissions to probation was 767, or 134 less than for the year 1932. This reduction does not indicate that probation has found less favour with the Courts as a means of dealing with offenders, but is due to the general diminution in the volume of crime for the past year. As the prison statistics show, the decline in commitments to prison has been proportionately greater than the falling-off in admissions to probation.

Of the total number of persons on probation, 174, or approximately 8 per cent. only, failed to conform to the requirements of their probationary licenses. This is exceedingly gratifying considering present-day conditions, which no doubt intensify the difficulties, particularly with respect to those cases where restoration is required to be made. Probation officers have indicated that in many cases this has involved a definite self-denial. The making of restitution in such circumstances is undoubtedly an indication of the redemptive influences that are brought to bear under probationary supervision. The total amount paid by probationers during the year was £2,375, representing £403 for costs of prosecution and £1,972 restitution to victims.

A total sum of £57,278 has been collected since the inception of the scheme on account of restitution moneys and costs of prosecutions. As stated in previous reports, this is a positive feature of probation as compared with imprisonment, where the victim receives nothing and the offender becomes a charge on the community.

Probation was first adopted in New Zealand in 1886, on the passing of the First Offenders Probation Act. Until the passing of the Offenders Probation Act, 1920, probation was applied exclusively to first offenders, but now it is open to the Courts to exercise a free discretion as to what cases shall be admitted to probation. Owing to the initial Act being limited to first offenders, probation popularly became recognized as the "first chance" given to first offenders, and in many quarters, particularly amongst the Maoris, it is regarded as nearly equivalent to "getting off," whereas, in actual fact, probation is considered to be one of the most rational methods of dealing with certain classes of offence. It is the most advanced departure from the classical school of criminology which regarded every person as being fully responsible for, and accountable to society for, all his actions. The free agency of man has given place to a recognition that he is a creature conditioned in multiple