

Lengths of Sentences.

Except in the case of Borstal detention, where the sentence is imposed as much in the interest of the offender for the purpose of discipline and training as for the protection of society, the period of sentence is some criterion of the gravity of the nature of the crime involved, and judging by the comparatively small proportion of the total number who receive substantial sentences it may be concluded that the incidence of serious crime in New Zealand is not wide. Out of the 2,376 prisoners committed to prison, 1,725, or almost three-quarters of them, received sentences of six months or less. As pointed out in earlier reports, these mainly constitute a stage army of petty recidivists whose offences are largely more in the nature of nuisances than crimes. Included in this number are also no less than 164 debtors. It will be observed from the previous table that this army of old "lags" is steadily diminishing, the number of offenders over forty years of age being 878 for 1934, 937 for 1933, 1,207 for 1932.

The following table shows the duration of the sentences grouped for the purpose of comparison :—

Term of Sentences.	Number of Prisoners.	Percentage to Total Number Sentenced.
Under one month	927	39·1
One month and under three months ..	488	20·6
Three months and under six months ..	310	13·0
Six months and under twelve months ..	208	8·7
One year and under three years	321	13·5
Three years and under five years	93	3·9
Over five years	29	1·2
Totals	2,376	100·0

Homicides.

As shown by the foregoing tables, the number of persons sentenced to imprisonment during 1934 for offences against the person was 20 per cent. lower than for the previous year. The number of persons indicted for murder was one less than for the year 1933, and three less than for the year 1932. Only one person was sentenced to death in 1934, and the sentence was given effect to.

On account of the press publicity given to capital offences and the intense public interest aroused in connection with certain recent murder trials, an impression has been created in certain quarters that the crime of murder is on the increase in the Dominion. New Zealand is fortunate in having no criminal gangs such as those that prey on society with an utter disregard for the sanctity of human life in the larger cities of many countries abroad.

Homicidal cases in New Zealand are relatively sporadic happenings usually arising from disordered mental functioning, though not always to a degree sufficient to justify a defence within the meaning of the McNaghten rule; but most of them can be ascribed to sordid conditions, to incidents in miserable lives, domestic quarrels and brawls, drinking, fighting, and blows; a callousness arising from a long course of brutality and continued absence of restraint, all of which factors, having regard to the protection of society and the deterrent element, make it exceedingly difficult to determine in which cases the extreme penalty of the law should be allowed to take effect.

The following table sets out, in comparative form, the figures for the past ten years in respect of murder in New Zealand :—

—	1925.	1926.	1927.	1928.	1929.	1930.	1931.	1932.	1933.	1934.
Indicted for murder ..	3	8	6	1	3	4	7	8	6	5
No bill	1	1	1	..	..	..	1	1	..	1
Guilty	..	1	2	..	1	..	..	3	2	1
Found insane	2	6	3	..	1	1	2	1	1	2
Convicted	..	..	..	1	1	3	4	3	3	1
Sentenced to death	..	..	..	1	1	3	4	3	3	1
Death sentence commuted	..	..	..	1	1	2	3	3	..	..
Executed	..	..	..	..	..	1	1	..	3	1

It will be seen that between 1924 and 1930 there were no executions. In 1930, for the first time after a lapse of five years, the capital sentence was given effect to in one instance, and it is interesting to note that there were no less than 7 persons indicted for murder in the following year. An examination of the circumstances of each case shows that they were entirely adventitious happenings with diversified motives, and one cannot deduce from the figures whether hangings deter or whether murderers are imitative.

During the past twenty years 34 persons have been sentenced to death, and in 14 cases in that period has the sentence been carried out.