

not insuperable. That the habitual criminals at present detained under cancellation of license have had several opportunities on probation explains the fact that the number released on the Board's recommendation exceeds by 45 per cent. the number "declared."

In the period from January, 1911, when the Crimes Amendment Act, 1910, first became effective, to December last 534 habitual criminals were released on license on the recommendation of the Prisons Board. Of those so released, 57 per cent. were returned to prison either for committing further offences or for non-compliance with the conditions of probation. No offences are recorded in New Zealand against the remaining 43 per cent.

The Secretary of the Board is required to prepare and place before the Board a full statement of the circumstances connected with each case that is brought up for consideration. In actual practice files are produced, giving summarized extracts from the depositions, the evidence, and the prisoner's history, and record, which contain the family history showing mental and criminal tendencies (if any), career of crime (if any), mode of life, conduct, and industry whilst in detention, response to previous treatment (if any), Magistrate's report, medical reports, Police reports, and reports and recommendations of officers in charge of prisons. The petitions of the prisoner and reports by relatives, friends, and interested social workers are also placed before the Board.

When reviewing cases, the Board takes into consideration the question of oversight and employment on release, in many cases directing the Secretary to write to interested persons likely to befriend or assist a prisoner and possibly prevent further lapse into crime. It is claimed that much of the success of the system is due to the care exercised in this direction. The Prisons Board regularly reviews cases and frequently cases are considered several times before release or discharge is agreed upon, the aim in each case being the rehabilitation of the offender without undue risk to the community.

The ready co-operation of the Director-General, Mental Hospitals Department, and his staff of trained psychiatrists, in conducting examinations of prisoners and inmates continues to be of very valuable assistance to the Board.

The principle of the indeterminate sentence is in practice along the above lines in a number of countries, in several of which the qualifying condition in respect of previous offences is non-existent, the Courts having regard to the offender's character and criminal predilections as indicated by the circumstances associated with the particular offence with which he is dealt with at the time.

In England provision is made for dealing with habitual offenders under the Prevention of Crime Act, 1908. Where a person over the age of sixteen, and who has at least three times previously been convicted on indictment of a crime, and admits, or is found by the jury to be an habitual criminal, the Court passes a sentence of penal servitude; but, in addition, if the Court is of opinion that by reason of the offender's criminal habits and mode of life it is expedient for the protection of the public that he should be kept in detention for a lengthened period of years, may pass a further sentence ordering him to be detained on the expiration of the sentence of penal servitude for a period not exceeding ten years nor less than five years. The provisions of the Act referred to are comparatively seldom availed of as it is considered by the authorities that the provisions relating to the charge of habitual criminality are too cumbersome.

The report of the Special Committee dealing with persistent offenders, and presented to the Imperial Parliament in 1932, animadverted upon the provisions of the Prevention of Crime Act in this respect, and stated that because of the cumbrous nature of the proceedings "many an offender whose record shows that society ought to be protected against his depredations has been excluded from a preventive detention sentence." To repair the weakness in this respect the Committee recommended that "the question whether the offender is of such a character that a sentence of prolonged detention would be preferable to any other sentence should be placed entirely within the discretion of the Court. Any other system would lead to anomalies."

During the year the Prisons Board has visited all the prisons and Borstal Institutions in the Dominion, and is of the opinion that valuable work of reformation is being accomplished. The statistics show that the number of distinct persons received into custody is the lowest since 1921 and that the ratio (13·76) per 10,000 of population is the lowest for very many years.

The practical value of the assistance given by many citizens in connection with the after-care of prisoners, both in the matter of finding employment and in assisting generally in their rehabilitation in the community, is appreciated by the Board.

The Board desires to place on record its deep sense of loss in the passing of a valued friend and colleague, Mr. D. G. A. Cooper, and the high regard and affection in which he was held by the members.

Since the Board commenced to function in 1911 no less than 23,555 cases have been considered by it. This includes prisoners undergoing sentences of reformatory detention, hard labour, habitual criminals, Borstal inmates, and probationers for discharge from probation or variation of terms thereof. Dealing with these cases under their particular headings the results have been as follow:—