

1936.
NEW ZEALAND.

OFFENDERS PROBATION

UNDER OFFENDERS PROBATION ACT, 1920, AND CRIMES AMENDMENT ACT, 1910
(REPORT ON OPERATION OF), FOR THE YEAR 1935.

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, 18th August, 1936.

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, 1935.

I have, &c.,
H. G. R. MASON,
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 and the Crimes Amendment Act for the year ended 31st December, 1935.

Statistical tables showing the numbers dealt with, the nature of the offences, and the ages of the offenders concerned are also appended. The epitomized reports of the District Probation Officers are annexed hereto.

During the year Messrs. T. P. Mills and W. J. Campbell, Probation Officers at Wellington and Auckland respectively, retired, the former on account of failing health, and the latter on superannuation. Both of these gentlemen were well endowed with common-sense, sound judgment, and a sympathetic understanding of human nature, qualities which eminently fitted them for their duties as Probation Officers. These men were held in high esteem both by the Bench and by those who were placed under their care.

The reports from the districts disclose a satisfactory year's work, and with few exceptions those on license have responded to the probationary treatment. The majority were found employment and appear to have successfully rehabilitated themselves. The number of failures during the year was approximately 8 per cent. of the total dealt with. Although a slightly smaller number of persons were admitted to probation than during the previous year (759 for 1935, as compared with 821 for 1934), it is interesting to note that, as a probable reflex of the improved economic conditions, the restitution moneys collected (£3,383) exceeded the amount collected in the previous year by £469.

The total sum collected since the inception of the scheme under which the Courts can order restitution now amounts to £63,575, representing reparation to victims and legal costs incurred.

Probation may be defined as the suspension of final judgment in a case, but involving a judicial warning and the giving of the offender an opportunity of readjusting himself and making amends whilst living as a member of the community, subject to conditions which may be imposed by the Court, and under the supervision and friendly guidance of a Probation Officer. Probation has the mercenary virtue that it is cheap. There is no expense for institutional maintenance and, as indicated above, the Courts can impose a condition requiring restitution to be made. It has, however, a more important social virtue in that it prevents a severance of domestic and family ties, and avoids the stigma invariably associated with imprisonment, which prejudices an offender in his ultimate rehabilitation.

Although by comparison probation must be admitted to be a lenient form of treatment, it is quite wrong to assume that it is equivalent to being "let off." This deep-rooted misconception, no doubt arising from the genesis of the scheme, which originally applied to first offenders only, for offences more or less of a venial character, has been to some extent responsible for probation not being utilized as extensively as it might be. There is definitely a disciplinary purpose in probation, and usually strict compliance with the terms of the