

1937.

NEW ZEALAND.

OFFENDERS PROBATION

UNDER OFFENDERS PROBATION ACT, 1920, AND CRIMES AMENDMENT ACT, 1910
(REPORT ON OPERATION OF), FOR THE YEAR 1936.

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, 14th October, 1937.

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, 1936.

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, 1920, and the Crimes Amendment Act, 1910 and 1920, for the year ended 31st December, 1936.

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.

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 only to first offenders, but since the passing of the later Act this method of dealing with offenders has been more generally applied, the Courts exercising a free discretion as to what persons shall be admitted to probation.

The statute prescribes as a preliminary to consideration of probation that the Court may require a Probation Officer to make inquiry respecting the character, personal history, and any other special matter relating to an offender to assist it in deciding whether the case is one for probation. In reporting to the Court the Probation Officer is required to have regard to the best interests of the public and of the offender concerned.

Probation is generally regarded by most authorities as being inappropriate to offences involving deliberation and brutality. In other words, persons most likely to respond to this form of treatment are those classed as "accidental offenders." The interests of the community as a whole must invariably be paramount, and it may be in certain cases that a severer form of punishment is desirable as a deterrent to others, as in the case of crimes of common prevalence, but where such considerations do not arise probation should be seriously considered as a constructive alternative to imprisonment, especially in cases of adults, where the severance of domestic ties and the stigma on the family of an offender renders imprisonment an infinitely harsher means of punishment than is implied by the deprivation of the liberty of the person concerned.

With young offenders, bad environmental conditions and influences, and the need of discipline and training, are factors not to be overlooked, as separation from undesirable associations or the well-ordered regimen of a Borstal institution may mean the deflection of a young offender from the "slippery slope" that leads to a criminal career. Again, with the offenders who may be classed as "socially inefficient," custodial treatment is often best in their own interests unless suitable care and oversight in the community can be arranged.

!—H. 20B.