

1937.
NEW ZEALAND.

PRISONS DEPARTMENT:
PRISONS BOARD
(ANNUAL REPORT OF) FOR 1936.

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

MEMBERS OF THE BOARD.

Hon Sir JOHN REED, Kt., C.B.E. (President); Sir DONALD MCGAVIN, Kt., C.M.G., D.S.O., M.D. (Lond.), F.R.C.S. (Eng.); Hon. JOHN ALEXANDER, C.M.G., M.L.C.; B. L. DALLARD, Esq.; THEO. G. GRAY, Esq., M.B., M.P.C.; Mrs. A. I. FRAER, M.B.E.; and W. G. RIDDELL, Esq.

SIR,—

September, 1937.

I have the honour to forward herewith the report of the Prisons Board for the year 1936.

I have, &c.,

The Hon. the Minister of Justice.

J. R. REED, President.

REPORT OF THE PRISONS BOARD

FOR THE YEAR ENDED 31ST DECEMBER, 1936.

THE Board has to report that during the year it visited each of the prisons, prison camps, and Borstal institutions in the Dominion. It dealt with a total of 1,322 cases at fifteen meetings held in Wellington and at the various institutions.

The following summary gives details of the cases considered and the decisions arrived at :—

<i>Cases dealt with.</i>		<i>Board's Decisions.</i>	
Persons undergoing Borstal detention ..	367	Recommended for release on probation ..	595
Persons sentenced to reformatory detention	474	Deferred for further consideration ..	653
Persons sentenced to hard labour ..	367	Petitions declined	30
Habitual criminals	82	Recommended for discharge	30
Habitual offenders	1	Discharged from probation	8
Habitual criminals for remission of head sentence	6	Recommended remission of head sentence	6
Probationers under Crimes Amendment Act	14	Modification of terms of probation	..
Probationers under Offenders Probation Act	11		
	1,322		1,322

A brief review of the operations of the Board for the year 1936 shows that the satisfactory results reported in former years have been more than maintained. The percentage of those who respond and evidently "make good," as revealed by the statistics, is on the whole very gratifying.

Of the number released after undergoing terms of borstal detention and sentences of reformatory detention or imprisonment with hard labour, approximately 21 per cent. only have been reconvicted or failed to comply with the conditions of their release.

In dealing with persons undergoing the above-mentioned sentences the Board endeavours, unless the step is distinctly contra-indicated, to permit a substantial portion of the sentence to be served on license, regarding, as it does, the measure of conditional release as the final stage of treatment before the discharge becomes absolute.

Of the habitual criminals released on parole, 55 per cent. were returned to prison either for committing further offences or for non-compliance with the conditions of their license. Approximately 21 per cent. of those released remained in the Dominion and did not further offend. It is probable, of course, that of the remaining 24 per cent. a proportion of them may offend in other countries, but we know that many of them do not so offend, and that with changed environment they have been successful in rehabilitating themselves. It has been pointed out in previous reports that many of these men are heirs to criminal tendencies and have had the misfortune to live in an environment degrading in its influences.

In dealing with habitual criminals and offenders it is the duty of the Board to decide whether and when such prisoner can be recommended for release on probation with safety to the public and for his own good, he having a clear understanding that he will be returned to prison if the terms of the license are not strictly adhered to. Where a person has committed a number of offences none of which is of a dangerous character, and all of which are associated more or less with the adverse circumstances of his environment, he would, in a very large number of cases, have to serve what is virtually a life sentence had one to wait till all doubts of a possible relapse ceased to exist. After such a man has served a reasonable sentence, is reported to have shown definite signs of improvement, and has impressed the Board with his desire to go straight, the Board feels that an opportunity should be given him by conditional release, and has so acted.

Between the form of remission in operation prior to the inauguration of the Board and the subsequent system are two broad distinctions: in one case the actual date of discharge was more or less fixed, in the other it is left open; in the one, discharge from prison was absolute, in the other there is power to release on license. The fact that the prisoner may be conditionally released is regarded by the Board as a highly valuable and essential part of the scheme, a stage in the process of the treatment which provides a gradual widening of the environment, and allows a prisoner to get a firm footing before stepping into complete liberty.

The growth of the Board's work, since its inception in 1911, due primarily to legislation from time to time extending the Board's functions is indicated by the following figures:—

Year.	Cases considered.	Releases recommended.
1911	170	21
1912 (first complete year)	418	65
1916	424	165
1921	841	312
1926	1,138	379
1931	1,514	610
1936	1,322	633

The Board, when interrogating prisoners in the exercise of its functions and inquiring into their personal and family history, concluded that in some cases the prisoner was not entirely responsible for the acts committed, on account of mental defect or deficiency, though not so pronounced as to be certifiable as insane. Some of these unfortunates, who can only be classed as socially inefficient, were being provided for better in the prisons or under the conditions of open-air life and discipline at the reformatory institutions and camps than they would be at large in the community. Where the Board has entertained doubt as to the mental condition of an inmate in relation to his suitability for release it has had the ready co-operation of the Mental Hospitals Department and its experienced psychiatrists in furnishing reports and advice.

When visiting the prison farms and farm properties in course of development by the Department the members of the Board have been impressed with the beneficial effect of this work upon the inmates and of the manifest interest displayed by many of them. "Make men diligent and they will be honest" was the dictum of that great reformer, John Howard.

It is gratifying to note from the criminal statistics that the steady decline in recent years, in the number of distinct prisoners received, has continued. The current year's figures are 1,790, or 368 less than the number of distinct persons committed to prison in 1935. This represents approximately a 50-per-cent. drop in five years, the 1932 figures being 3,401.

The Board desires to pay a tribute to excellent service rendered by the members of the different after-care organizations and the numerous other public-spirited citizens who render invaluable practical assistance in the very necessary matters of employment and oversight of discharged prisoners.

Since the Board commenced to function in 1911 no less than 24,877 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 follows :—

REFORMATIVE DETENTION.

During the period from January, 1911, to December, 1936, 4,936 prisoners were sentenced to reformatory detention under the provisions of the Crimes Amendment Act, 1910. The number of cases that have been recommended for release or discharge is 3,893. In 641 cases prisoners were required to serve the full sentence imposed by the Court. Of the total number released after undergoing reformatory detention 26·82 per cent. have been returned to prison either for non-compliance with the conditions of the release or for committing further offences ; 2·69 per cent. left the Dominion or absconded ; 0·53 per cent. died or were transferred to mental hospitals ; leaving 69·96 per cent. who have not further offended and who may therefore reasonably be assumed to have become useful and law-abiding members of the community.

HARD LABOUR.

Since the passing of the Statute Law Amendment Act, 1917, which extended the scope of the Prisons Board to the consideration of cases of prisoners sentenced to terms of imprisonment involving hard labour, 5,299 cases have been considered by the Board up to December, 1936. In 2,131 cases the prisoners were released on probation or discharged prior to expiry of the full time on the recommendation of the Board. Of this number, 1,207 completed probation satisfactorily, 113 were recommitted for other offences, and 78 were still reporting on probation at the 31st December, 1936.

HABITUAL CRIMINALS.

During the period from January, 1911, to December, 1936, 568 habitual criminals were released on license on the recommendation of the Prisons Board. Of those so released, 55·46 per cent. were returned to prison either for committing further offences or for non-compliance with the conditions of probation. No offences are recorded against the remaining 44·54 per cent., and, allowing for those who have left the Dominion or died, this leaves 20·95 per cent. who remain in the Dominion and have not further offended.

BORSTAL CASES.

Since the coming into operation of the Prevention of Crime Act, 1924, 2,316 young persons have been detained under this Act, either by transference of youthful offenders from penal institutions or industrial schools, or by original commitments by the Court. There have been 2,173 inmates released on the recommendation of the Board, 1,974 being on probation and 199 on the expiration of their sentence. Of the total number released, 36 have been returned to the institution for non-compliance with the conditions of release, 175 were recommitted for further offences whilst on probation, and 370, or approximately 17 per cent. of the total released, have been sentenced for offences committed after discharge or on expiry of their period of probation.

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