

PUNISHMENTS AND INFRACTIONS OF DISCIPLINE.

Capital Punishment.—No executions took place during the year.

Floggings.—No floggings were administered during the year.

Corporal Punishment.—There is no statutory provision for the imposition of corporal punishment for breaches of discipline in either prisons or Borstals in New Zealand. No corporal punishment was administered, and no form of mechanical restraint was required to be used upon any refractory prisoner during the year.

Escapes.—During the year thirty-nine persons escaped, and all were recaptured. Twenty-two of these were from Borstal.

Under a system in which trust is an essential element a certain number of escapes is inevitable, but the number of escapes last year was slightly higher than the average. This was due to the misguided activities of a small intractable group of persistent escapees at the Invercargill Borstal. These lads on reception were entirely undisciplined and anti-social in their outlook, and were quite unresponsive to any socializing influences. From the outset they evinced no interest in anything but their plans to escape. It was ultimately found necessary, in the interests of the peaceful and ordered management of the institution, to separate this group and transfer the inmates to other prison farms.

The Superintendent of the Borstal states that many of those now finding themselves committed to Borstal show a lamentable lack of early training and discipline. With a large number of young offenders it is manifest their offences are due to adverse circumstances or to moral blindness and not to original sin, but with many recently received at Borstal their early environmental influences appear to have been so unfortunate and inimical to their moral well-being that they have developed an entirely warped mental outlook in which any worth-while idealism finds no place. These cases not only constitute a complex problem from an institutional point of view, but they also present a grave social problem. Whilst many of these young offenders are to be pitied rather than blamed for their anti-social attitude for the reason already indicated that often they have not had much chance in life, it is not in their best interests to humour them or to encourage self-pity, or to induce an idea of mental invalidism. What is more to be desired is an awakening of a consciousness of social obligations. The Borstal endeavours to do its part by subjecting them to a firm discipline that does not cramp self-reliance and initiative, but the root of the problem lies at an earlier stage.

As an indication of the general problem the following figures convey some idea of the material required to be dealt with. On the 31st December, 1938, there were 100 inmates at the Invercargill Borstal. Of these, only 14 were first offenders, 52 had previously been under the care of the Child Welfare Department, 34 had other previous convictions either by way of fine or probation, and 4 had been in the Borstal before. Approximately one-third of the total number were Maoris. The nature of the offences involved were—27 for wrongful conversion of cars, 52 for breaking and entering and theft, 4 for robbery with violence, 4 for assault, 4 for illegally being on premises with intent, 4 for sexual offences, and 5 for false pretences.

The fact that only 15 per cent. of those who pass through the Borstal again appear before the Courts is in itself fairly eloquent testimony of the efficacy of the methods employed at Borstal in an endeavour to deflect these young people from criminal careers to ways of useful citizenship, but how much better it would be if character-training commenced before they reached Borstal.

DEVELOPMENTS IN PENAL METHODS.

In view of the approach of the Centennial it may be an opportune time to outline some of the improvements that have been effected in prison-management. It would serve no useful purpose to contrast present-day methods with the primitive conditions of a hundred years ago, except to stress the change that has taken place in the basic approach to the problem whereby the retributive theory has given way to the idea of reclamation.

It is also interesting to note from entries in one of the principal Gaoler's journals in the "forties" of last century that all classes of prisoners, young and old, even including lunatics, were housed together. It is in the direction of classification that the greatest advances in penal administration have been made.

Although many other comparisons could be made, it is proposed to confine these references to improvements effected during the last decade and a half. The policy the Department has striven to follow has been one of cautious progressiveness. In dealing with offenders against society it has always been considered unwise to proceed too far in advance of public opinion. Thus the many improvements that have been made have not been effected dramatically, but by a steady evolutionary process of experimentation designed to keep the system in accord with developments overseas, and at the same time making due allowances and modifications to suit local requirements. It is proposed for the sake of orderliness and convenience to marshal the many matters adverted to in the following order, although in many cases it will be observed that the objectives aimed at overlap :—

- (1) Improved basis of classification of offenders.
- (2) Improvements designed to develop character and a sense of social responsibility.
- (3) Improvement of conditions in so far as the physical comfort and general health of prisoners is concerned.
- (4) Changes designed to add interest to the work carried out in prisons and make it of value vocationally.
- (5) Changes designed to reduce the cost to the taxpayer for the upkeep of prisoners.
- (6) Improvements in so far as relatives and dependants of prisoners are concerned.
- (7) After-care of released prisoners.