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PART CL.

THE PROBATION OF OFFENDERS.

BY THE RIGHT HON. SIR THOMAS MOLONY, BART

[Read before the Society on Monday, October 19th, 1925.]

As Chairman of the Home Office Committee on the treatment of young offenders, I attended with great interest the meetings of the International Prison Congress held in London last August. Forty-five countries sent representatives, and I was glad to see the Irish Free State numbered amongst them. The assembly was a remarkable one; men and women from all parts of the globe came together to discuss the fundamental question: How shall people be prevented from doing wrong, or, as it was referred to during the Congress, *la question pénitentiaire*. Sir Evelyn Ruggles-Brise, in his inaugural address, gave the keynote to the subsequent discussions when he said: "On an occasion like the present one is allowed to generalise and to generalise boldly, and I am inclined to affirm from my long experience in the discussion of *la question pénitentiaire* in many countries that the whole tendency of the international movement since 1872 has been a revolt, and a very strong and determined revolt, not only against the use and abuse of prisons as the one and only means of punishing offences against the law, but against the popular conception of prisons as gloomy strongholds, in which it is sufficient that a man should be locked up for so many weeks, or months, or years, if not literally 'branded,' as in old days, yet with a *flétrissure* or mark against his name, which would render almost impossible his reinstatement in honest life. Against such a conception of punishment, and of prisons, our International Congresses have been a strong and a living protest."

If I had time I would like to draw your attention to many earnest and remarkable speeches which were delivered at the Congress against the infliction of imprisonment for minor offences, and how it was pointed out with unanswerable force that short terms of imprisonment had no deterrent or refor-

mative effect, while they led to the loss of employment and gave a stigma which might never be removed. The question of alternatives was fully considered, and in the end the following resolution was submitted by the Sectional Meeting and afterwards unanimously adopted by the General Assembly :—

“ That this Section hopes that every endeavour will be made to substitute in suitable cases other awards in place of imprisonment. They suggest in particular that—

“ (1) The system of probation should be extended to the utmost extent.

“ (2) The power of Court to impose fines should be extended, and the machinery for payment of fines should be developed so as to eliminate as far as possible imprisonment in default of payment.”

What is the system of probation of which the Congress spoke? The best definition will, I think, be found in a most interesting book, “ Juvenile Courts and Probation,” by Bernard Flexner and Roger M. Baldwin. The learned authors say (pp. 80-82) :—

“ From a social point of view, probation may be said to be a process of educational guidance through friendly supervision. Mere surveillance is not probation. Probation is an intimate, personal relation which deals with all the factors of a child's life, particularly his home. Its chief function is to adjust the forces of the community to the child's life. Every social agency is called into play, the object being to surround the child with a network of favourable influences which will enable him to maintain normal habits of life. . . . This conception of probation as a vital, active force naturally carries with it the requirement that those who exercise this function—the probation officers—should be trained, sympathetic, experienced men and women. They must measure up to high standards of character, personality and ability; they must know child life, the problems of the family, local social conditions, and the use of social agencies. The probation officer must bring home to every child a feeling of the directing force of probation. The old type of loose and lifeless supervision which passed under the name of probation—permitting a boy to go for weeks without seeing his probation officer, to fail in his reports without being looked up—is being rapidly displaced by this positive conception of probation as a vital, adjusting, educational force.”

Bearing this conception of probation in mind, I will shortly state how the problems of probation have been dealt with in England, and you will then be able to form your own conclu-

sions as to how far these methods are applicable to Ireland or what modifications should be made to suit our peculiar problems, because it must be admitted that the type of young criminal in this country has entirely changed in recent years. This change is noted in the Report of the General Prisons Board recently (March, 1925) presented to the Minister of Justice. The Report says (p. 6):—

“We have within the last few years to deal with an entirely new class of criminal, composed of half-educated youths who would appear to have escaped early from parental control. They have grown up in lawless habits, and the streets and the cinema have been the main sources of their moral education. Full of new and unsatisfied desires, these youths have been dazzled by sensational reports in newspapers of large sums of money obtained by organised robbery, and they are seduced by the prospect of getting money easily without having to work for it honestly. There also is another fact which we have noticed. Formerly a series of convictions for minor offences preceded offences of a grave nature. Now the first offender starts off with the more serious form of crime, and, unlike his forerunners in crime, seems after committal more concerned with the comforts or otherwise of his detention than the disgrace which it involves.”

Ireland is, however, not singular in this respect. The same problem has been noticed in other countries although in varying degrees. In an interesting address delivered lately in Philadelphia by Rev. Dr. Linn Bowman, Director of Moral Welfare in the Eastern Penitentiary of Pennsylvania, he said: “Since the war a class of criminals has sprung up which is entirely different from the type of fifteen or twenty years ago. The old-time night prowler who jimmied his way into homes and who was satisfied with raiding the larder has disappeared. In his place has come the class of young men who turn to banditry in preference to work to give them the luxuries the modern world offers. Twenty years ago the average age of prison inmates was 41 and the majority of them were convicted for thieving. To-day the average age is 27. The average age of the convicts in Eastern Penitentiary is 26, and there are 322 boys under 21.” (Pennsylvania Prison Journal, July, 1925.)

While probation may be applied to adults with advantage in many cases, it is more adapted to young persons who from evil habits or bad associations have committed offences which bring them within the meshes of the criminal law. They are no doubt liable to punishment, but a wise judge prefers to reform rather than to punish, and this object can often be best

attained by placing the offender for a definite period under the care and protection of a man or woman whose special duty it is to assist the offender to find work, help him to keep it and encourage him to lead an honest and respectable life. In adopting methods of reformation rather than of punishment a judge is entitled to the whole-hearted co-operation of the State, because, as Sir Evelyn Ruggles-Brise stated at the Congress (Inaugural Address, p. 3), "no truth has been more clearly grasped by former Congresses, notably at Paris and Brussels in 1895 and 1900, than that of the State which took the best care of its children was likely to be the most free from crime."

For many years before 1907 it had been the practice in Ireland to allow certain offenders out on recognisance to come up for judgment if called on, and no difficulty had been experienced in attaching certain conditions to the recognisance although not authorised by express enactment. To America, however, is to be given credit for the first statutory enactment relating to probation. In 1878 the State of Massachusetts passed a Probation Act applicable to both juveniles and adults, which provided for the appointment of probation officers, with salaries payable out of public funds, and gave them very extensive powers. In England a beginning was made by the Summary Jurisdiction Act, 1879, and the Probation of First Offenders Act, 1887, but the first Act did not apply to Ireland and the second was of very little use. In 1891 a considerable advance was made in France by adopting the principle of a Conditional Connection *sursis a l'exécution de la peine*, which allowed the penalty to be suspended in the case of a first offence, and if there was no fresh conviction for five years the entry of the conviction was cancelled. It is stated in a recent leaflet published by the Archbishop of Canterbury's Advisory Board for Preventive and Rescue Work that this power has been used annually in France in 16,000 cases, and that in only 17 cases per thousand was the suspension of sentence forfeited. In the twenty years from 1887 to 1907 very little was done or indeed under the existing law could have been done towards developing the system of probation, but the Probation of Offenders Act, 1907, which applied to Ireland, effected a great reformation and provided a new official machinery for supervising on behalf of the Court the conduct of offenders released on probation. Section 1 (1) is as follows:—"Where any person is charged before a Court of Summary Jurisdiction with an offence punishable by such Court and the Court thinks that the charge is proved, but is of the opinion that, having regard to the character, antecedents, age, health or mental condition of

the person charged or the trivial nature of the offence or the extenuating circumstances under which the offence was committed, it is inexpedient to inflict any punishment or any other than a nominal punishment, or that it is expedient to release the offender on probation, the Court may, without proceeding to conviction, make an order either (1) dismissing the information or charge, (2) discharging the offender conditionally on his entering into a recognisance, with or without sureties, to be of good behaviour and to appear for conviction if called upon at any time during such period not exceeding three years as may be specified in the order."

In cases where a person has been convicted on indictment of any offence punishable with imprisonment, and where conditions are similar to the above, a similar order may be made. The Court may also, in addition to making a probation order, order the offender to pay damages for injury or compensation for loss within certain limits, and to pay reasonable costs of the proceedings, and, in the case of children or young persons, may order the parent or guardian to pay such costs or damages. A recognisance ordered to be entered into may contain a condition that the offender may be under the supervision of such person named during the period of the order, and such other conditions may be added as are considered necessary by the Court.

Provision is also made for the appointment by the appropriate authority of probation officers, subject to the control of Petty Sessional Courts for the Division for which they are appointed. Latitude is given to magistrates to name in any order a probation officer duly appointed or to select in special circumstances a person to undertake the supervision who is not a probation officer. The payment of officers may be by salary or case.

The duties of the probation officer, subject to the directions of the Court, are defined to be : To visit or receive reports from the probationer to see that he observes the conditions of the order, to report to the Court as to his behaviour, and to advise and befriend him, and, where necessary, to try and find employment.

In the year following the passing of the Act 8,023 persons were placed under the care of probation officers, 6,194 of whom had been charged with indictable offences and 1,829 with non-indictable offences; and as time went on the benefits of the Act were more clearly seen and appreciated. In 1914 the Criminal Justice Administration Act gave further powers. By Sec. 7 power is given to recognise and subsidise societies for the care of youthful offenders. Sec. 8 made it possible to add additional

conditions to the recognisances, such as residence, and Sec. 9 gave power to vary the times and conditions by increasing the period and by altering the conditions or adding new conditions. The law has not been altered since 1914, but there is at present before Parliament a Criminal Justice Bill which will greatly increase the usefulness by improving the machinery of probation. It is hoped that this Bill will soon be passed into law, because, as is stated in the Home Office Circular dated 13th February, 1925, "experience of the working of the Probation of Offenders Act, 1907, has shown beyond doubt that the probation system when properly applied to the Courts and adequately organised with well-qualified probation officers is a successful method of dealing with certain classes of offenders, especially younger offenders." In the same circular it is stated that there are three elements which are essential to success in probation work—

"First, it rests with the magistrates both to exercise a wise discretion in releasing on probation persons who are likely to profit by the method, and also to take a sympathetic interest in supervising the work of the probation officers. Secondly, probation officers must be selected who by their personal qualities and experience are likely to exercise a strong influence over the probationers committed to their care; and, thirdly, the probation officers must rally to their assistance all the social and religious agencies of the neighbourhood. To these essential elements must be added the co-operation of the local authorities in providing the financial assistance which is required. Fortunately as the expenditure consists almost entirely of the payment of the salaries and travelling expenses of the probation officers, the cost of the probation system is very small."

I propose to show you how the highest authorities concur in stating that the success of probation depends on these three essential elements. As regards the function of the magistrate, it could not be better stated than by Sir Evelyn Rugles-Brise, the President of the International Prison Commission (*The English Prison System*, p. 13):—

"Though probation is ancillary to the prison system and is closely allied to the actual administration of justice in the Courts of Law, its method and working must be of profound interest and importance to all who desire to find alternatives, consistent with the due assertion of the law to commitment to prison. This, as is so often said, should be the last and not the first resort. Custom, routine and the fatal ease, and the saving of trouble to all concerned, has in the past induced the tendency

to regard the warrant of commitment to prison as the ordinary and only expedient for satisfying the claims of justice. It is only of late years that the successful operation of probation, or *sursis a l'exécution de la peine* in foreign countries, and notably in some of the States of America, had awakened a lively and growing interest in this method of finding an alternative to imprisonment; and here we have to steer a wide and prudent course between the Scylla of harsh infliction of a *peine deshonorante*, which imprisonment for a few days really is, and the Charybdis of undue leniency. This is the function of the magistrate; on him depends a successful working of the system, and he must have a deciding voice as to its application."

In 1922 a Departmental Committee was appointed by the Home Secretary on the training, appointment and payment of probation officers, and their report contains a very important statement as to the value of probation and its limitations (p. 11):—

"The system has long passed the experimental stage, and has, we venture to think, taken a prominent and permanent place in our judicial system as in that of other countries. The underlying idea is the value of the influence which a man or woman of strong personality may exercise over one of weaker or immature character, who, owing to lack of discipline, bad associations or other circumstances, has been led to commit offences and is liable to fall into or persist in criminal habits. Experience has proved beyond doubt that the ordinary methods available to judicial authorities for dealing with offenders, such as fine and imprisonment, too often fail either as reformatory or preventive agencies. On the other hand, probation, when applied in suitable cases, has frequently proved successful in producing a real change in the moral attitude of persons brought before the Courts, restoring their self-respect and enabling them to take their places as decent and law-abiding citizens.

"The figures which have been produced to us showing the percentage of successful and unsuccessful cases are most encouraging, and afford the strongest possible argument for the value of the system.

"It does not follow that probation is a universal remedy for the prevention of crime. There are some offences which are too serious to admit of release on probation, and there are offenders who, owing to long association with crime or other circumstances, are unfit to benefit from an application of the system. Indeed, positive harm may be done by releasing on probation an offender to whom its application is entirely unsuitable. Whether a particular offender can with advantage be

put under a probation order must depend on the circumstances of each case, and the decision must be left to the judicial authorities. There seems, however, good reason to believe that the great benefits which may be derived from the use of the machinery provided by the Probation of Offenders Act are not always sufficiently known or appreciated by Courts in this country. It appears to us that every magistrate ought not only to be familiar with the procedure, but also to have constantly before his mind the possibility of using it; and the organisation of probation officers should be such as to admit of every Court exercising its duties under the Probation of Offenders Act to the fullest possible extent.

“We wish to draw special attention to the importance which was emphasised strongly in the evidence of using the probation system at the earliest possible stage in an offender’s career. Too often, both in the case of juveniles and adults, probation is only applied when other methods have failed, with the result that the probation officer starts his work with much diminished chances of success.

“On the other hand, where an offender has been placed on probation without success there may be a danger in repeating the progress for second and subsequent offences. As regards juvenile delinquents, the Departmental Committee on Reformatory and Industrial Schools, who reported in 1913 (Cd. 6838), drew attention to the fact that the work of reformatory and industrial schools had been rendered more difficult by an unwise use of the Probation Act, as boys and girls who have been put on probation not only for their first but also for second, third, or even fourth offences before they are committed to a school ‘become habituated to an undisciplined life, their characters have become formed and their reformation is more difficult.’ For these reasons the Committee deprecated the use of probation after the first period, except for special reasons. We agree that where a juvenile offender has failed to take advantage of an adequate period of probation, or when the home associations are bad, immediate committal to a reformatory or industrial school offers, as a rule, a better chance of a permanent cure.”

The duties and functions of probation officers will be found admirably stated in the Report of an Enquiry into Juvenile Delinquency made by the Scottish National Council of Juvenile Organisations in 1923 (p. 14):—

“Arising out of probation as established by law, we take devotion to duty and persistent effort for granted when we say that the first essential in a probation officer is personality. No

one sums up a man more quickly than the type of boy who is often and very rightly put on probation. Given the right type of probation officer there is hardly any limit to his influence. Before the case is heard in Court he should be given an opportunity both to acquaint himself with the circumstances and to report to the magistrate. Thereafter the boy is put on probation, *i.e.*, under the direct personal supervision of the probation officer. Authority is given to this supervision by the fact that the question of punishment remains, to be withdrawn or to be inflicted according as the boy's conduct is good or bad. The probation officer will gradually become acquainted with the whole story of the boy, with his home conditions, and with all the facts which led to his appearance in Court. He will do everything possible for the lad's general welfare. He will visit his home regularly. He will endeavour to find work if the offender has left school and is out of work, and to this end he must know how to create an interest among employers of labour. He will keep in view the fact of leisure, and will arrange that the boy becomes connected with and regularly attends a social agency for boys. In the end the boy will realise that in a man who unites firmness with sympathy he has found a friend strangely different from the rest of his acquaintances, that, to use an old phrase, there is one man who has a 'concern' for him, and a vital interest in whether he does right or wrong in the future. If a probation officer has an excessive number of cases and if he pays only an occasional visit to the home of the boy, supervision will become purely nominal, probation of little value, and a moral change unlikely. The ultimate success of probation is in direct proportion to the amount of time and effort, of moral influence and strong personality put into it."

The question of voluntary assistance has been the subject of much controversy in the past, but there is now practical unanimity as to its value and every desire to encourage it. The subject is dealt with at some length in the Report of the Departmental Committee on the training of probation officers and also in the Scottish Report previously referred to. The Departmental Committee say (p. 11)—

"It may be convenient to discuss here the position of voluntary assistance in probation work. Such assistance may take two forms—(1) Men and women may be employed without remuneration as probation officers either for the whole or part of their time. (2) Paid probation officers may obtain help from individuals and from societies, clubs, etc., in the work of supervising a probationer.

“ It appears from the evidence which we received on this subject that there is a sharp division of opinion among those experienced in probation as to the value and extent of the services which can be given by an unpaid probation officer. Many witnesses to whose opinion weight must be attached share the view, which appears to be widely held in America, that probation must be organised on a professional basis, and that volunteer officers cannot be relied on to accept—and, indeed, cannot properly be asked to accept—the legal responsibility imposed on them by a probation order. Those who hold this view point out that voluntary work of this kind is apt to be spasmodic, and men and women whose main interest lie elsewhere will not be able to maintain the keenness and devote the attention which the work requires.

“ On the other hand, it must be borne in mind that a great deal of excellent work has been done hitherto by unpaid probation officers, and in not a few cases men and women have been found who have been willing to give their whole time to probation work without receiving any remuneration. Many persons well qualified to express an opinion believe that there is a still wider scope for employing volunteers. One of the London magistrates holds this view strongly, and has given practical effect to it in organising probation at his Court. He stated in his evidence that the experiment which he inaugurated during the war of handing over the majority of his probationers to the care of volunteers gave excellent results. The employment of unpaid officers where men and women with suitable qualifications are available can of course be advocated on the ground of economy, but it may also be the means of obtaining the assistance of men and women with special qualifications who cannot give their whole time to the work and who will bring to it new ideas and freshness of mind which may prove helpful to the regular officers. Further, unpaid officers may in some cases be able to exercise greater influence because they are not connected directly with the Court, and by their disinterested motives may establish special bonds of sympathy with the probationers.”

The Scottish Report sums up the matter succinctly as follows (p. 14) :—

“ Speaking generally, the best results have not been obtained where probation is entrusted entirely to whole-time paid probation officers, for the reason that the number of cases on their hands is usually excessive. Nor have the best results been obtained where probation is entirely in the hands of

voluntary workers, for the reason that a definitely constructive policy is often lacking. Probation appears to have been most successful where there is a whole-time paid probation officer assisted by social workers of experience and where it is unconnected with the police or prison services."

I have hitherto dealt with the law and principles of probation. I will now say a few words about

- (a) The cost of probation.
- (b) The extent to which it has been used.
- (c) The results.
- (d) The future.

(a) The cost of probation is very small. The Departmental Committee found that in the years 1919-1920 the whole cost was £26,997 5s. 11d., and in reference to this they say (p. 21) :—

"Having regard to the important part played by probation in the reformation of offenders, the cost of the system to public funds, amounting to about £27,000 a year, is remarkably small. When it is considered that the average cost of maintaining a single boy or girl in a reformatory or industrial school is about £70 a year, and the cost of maintaining an offender in a Borstal institution or in a prison is considerably higher, it will be realised that every offender who can be released to the care of the probation officer means a great economy to the community."

The expenditure rose to £43,000 in 1923-1924 and £47,000 in 1924-1925. Up to 1923-1924 the entire expense was borne by the local authorities, but for that and subsequent years it is proposed to recoup the local authorities for half of the approved expenditure, and last year £21,000 was paid with this object out of moneys provided by Parliament. It must, however, be remembered that large sums in addition are spent on probation work each year by the London Police Court Mission and other voluntary societies estimated at between £50,000 and £60,000 a year.

(b) Probation has been used with increasing frequency in criminal courts, and the following table taken from the Home Office Report on the work of the Children's Branch (July, 1925) is of much interest.

PROBATION.

TABLE VII.—Persons tried for Criminal Offences in all Courts and in Juvenile Courts with Numbers placed on Probation from 1908 to 1924.

Year.	Persons tried in all Courts.			Persons tried in Juvenile Courts.		
	Total Number.	Number placed on Probation.	Per-centage.	Total Number.	Number placed on Probation.	Per-centage.
1908	757,080	8,023	1 06	} Particulars not available.		
1909	726,256	8,962	1.23			
1910	698,305	10,223	1.46		33,598	3,568
1911	697,463	9,521	1 37	32,977	3,454	10.47
1912	730,669	11,219	1.54	38,351	4,537	11 83
1913	743,559	11,071	1 49	37,520	4,465	11 90
1914	685,324	10,747	1 57	36,929	4,496	12.17
1915	587,979	10,676	1 82	43,981	5,719	13 00
1916	668,835	12,329	1 84	47,342	6,781	14 32
1917	508,763	12,505	2.46	51,323	6,548	12 76
1918	433,476	11,719	2 70	49,915	5,868	11 76
1919	546,588	9,655	1 77	40,473	4,188	10.35
1920	672,438	10,735	1 60	36,064	4,691	13 01
1921	585,073	10,293	1.76	30,253	4,147	13 71
1922	582,855	11,030	1.89	31,056	4,715	15.18
1923	603,370	12,666	2 10	28,769	5,488	18 94
1924	641,713	13,838	2.16	29,624	5,812	19 62

It is to be noted that of persons tried in juvenile courts there has been a steady increase in the percentage of persons placed on probation, rising from 10.62 in 1910 to 19.62 in 1924, while during the same period the percentage of all persons tried who were placed on probation rose from 1.46 to 2.16. These returns would, no doubt, have been more satisfactory were it not for the fact that in many districts up till recently there was a great reluctance to appoint probation officers, and that even now out of 1,031 Courts, 147 are still without a probation officer.

(c) With the increase in the number of persons on probation there has been a gratifying decrease in the number of young persons in prison, but it is still surprisingly large. In 1923-24 1,247 lads and 128 girls between the ages of 16 and 21, and who had not been previously convicted, were sent to prison; and from my personal investigations in prisons (Wandsworth, Holloway, Bristol, Liverpool) I cannot help thinking that many, and indeed most of these people, would have been much better

dealt with by a system of probation or conditional sentence. The opinion of the Governor of Wandsworth on this point is quoted with approval in the Home Office Report on the work of the Children's Branch (July, 1925, p. 14). He said—

“From the numbers of men placed in the Star Class and those sentenced to imprisonment in the Second Division, it would appear that there is ample scope for a wider use of the Probation Act. Practically all these men have not only come to prison for the first time, but have never previously been before a Court. From my experience of these cases, which have come before the Prisoners' Aid Society, I am strongly of opinion that a large proportion of them would have been much more suitably dealt with from every point of view by being placed on probation rather than being sent to prison for a few weeks. Probation would have meant a steadying and supervisory influence, probably for twelve months, and in most cases the man would have been able to follow his occupation, and the conviction would have provided the necessary lesson.”

The Home Office Report also contains a very interesting account of the results of probation in London and various cities, including Liverpool, Birmingham, Cardiff and Wolverhampton (pp. 16-22), but I have not time to say more about it than that it is a mass of useful information which can be procured from the Stationery Office for the modest sum of ninepence.

(d) Experience has suggested various improvements in the machinery of probation, and Part I. of the Criminal Justice Bill now before Parliament contains most useful provisions. I do not think it necessary to discuss these provisions in detail, but a summary is given in the Home Office Report (July, 1925, p. 15), and I take the liberty of re-producing it here.

“(a) The country will be divided into probation areas. Each Petty Sessional Division will form a separate probation area, but for the convenience of administration power is given to the Secretary of State to combine two or more divisions so as to form a single probation area. As in many cases, the most effective plan may be to combine for probation purposes all the divisions of a county or part of a county, an initiative is given to Courts of Quarter Sessions to prepare such schemes of combination and submit them to the Secretary of State for consideration.

“(b) One or more probation officers must be appointed for each probation area. This should tend to encourage the use of probation especially in those divisions where there is no probation officer at present. It does not necessarily mean that

where there are only a few cases in the year suitable for probation a Court must appoint a full-time probation officer. Sometimes it may be possible to employ a qualified man or woman who is engaged in other social work and willing to give part of his or her time to probation work, but probably the better plan will be for such Courts to be associated with neighbouring Courts under the system mentioned above so that they can share the services of the same officer. Probation work is admittedly difficult, calling for both training and experience so that the best results are likely to be obtained by those officers who devote their whole time to the work.

“(c) As great importance is attached to the local administration of probation work, the Justices, by means of Probation Committees, will be responsible for appointing the officers, paying their salaries and supervising their work, subject to rules made by the Secretary of State. In a probation area which consists of a single Petty Sessional Division all these duties will be exercised by the Probation Committee for the area, except that the probation officers will be appointed by the Justices acting for the division, unless by resolution they delegate the duty to the Committee.

“In a combined area the duty of appointment and payment will rest with the Probation Committee for the combined area, and the duty of supervising the work will rest with the Probation Committee of the several Petty Sessional Divisions comprised in the area.

“(d) The selection of probation officers will be left to the Justices or Probation Committee, subject to any regulations made by the Secretary of State. The Bill makes it clear that the agents of voluntary societies may continue to be appointed for the purpose. Missionary and probation work in Police Courts was initiated by voluntary societies, and in many cases the best interests of the work may be secured by a continuance of the policy of using their resources, so long as the Justices are satisfied that the society concerned is properly organised and that the men and women proposed for appointment are well qualified. In other areas the appointment of special officers not connected with any society may prove to be the best method.

“(e) The probation officers appointed for any particular area will be responsible for the supervision of persons placed on probation not only by Courts of Summary Jurisdiction but also by Courts of Assize.

“(f) The salaries and expenses of probation officers will

be defrayed by the local authorities out of whose funds the salaries of Clerk to the Justices are paid with the aid of a Government Grant."

It seems to me that these provisions when passed into law will improve the organisation and stimulate the development of the system of probation throughout the country, with untold benefit to many persons who, in less happy days, would have been sent to jail.

I have now at a length I did not anticipate, and must apologise for, given you an idea of the system of probation as worked in England. In Ireland the system has never had a fair chance, due to causes on which I need not dwell. Nobody knows better than I do the troubles and difficulties which have beset a law reformer in the past. Let us hope those troubles and difficulties have now disappeared, and that instead of complacent indifference we will find a keen desire to aid and encourage every method which leads to reform of the individual without recourse to the methods of punishment, so long regarded as the only remedies for social wrongs, and which, unfortunately, it is impossible for us, even now, to discard.

APPENDIX.

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- (3) Home Office Circulars, 21st April, 1910; 3rd October, 1912, and 13th February, 1925, on Probation. April, 1921, on Juvenile Courts, etc. 30th July, 1923, on After Care.
- (4) "The English Prison System" by Sir Evelyn Ruggles-Brise, K.C.B. (Macmillan, London, 1921.)
- (5) Report of the Departmental Committee on the Training, Appointment and Payment of Probation Officers, dated 30th January, 1922. (Cmd. 1601.)

- (6) Board of Education, Juvenile Organisations Committee Report on Juvenile Delinquency, 1920. (Stationery Office, London.)
- (7) Scottish National Council of Juvenile Organisations, Report of an Enquiry into Juvenile Delinquency, 1923. (Stationery Office, Edinburgh.)
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- (9) Criminal Statistics for England and Wales for 1923. (Stationery Office, London.)
- (10) "Juvenile Courts at Work," by Katherine F. Lenroot and Emma O. Lundberg. (Washington: Government Printing Office, 1925.)
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