

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE ON  
THE STATUTES AMENDMENT BILL]

*House of Representatives, 21 October 1955*

*Hon. Mr Marshall*

**CRIMINAL JUSTICE AMENDMENT**

ANALYSIS

Title.  
1. Short Title.

- 2. Consideration of reports before passing sentence of borstal training.
- 3. Corrective training and preventive detention.
- 4. Conditions of probation.

**A BILL INTITULED**

AN ACT to amend the Criminal Justice Act 1954. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority  
5 of the same, as follows:

1. This Act may be cited as the Criminal Justice Amendment Act 1955, and shall be read together with and deemed part of the Criminal Justice Act 1954 (hereinafter referred to as the principal Act). Short Title.  
1954, No. 50

10 2. (1) Section nineteen of the principal Act is hereby amended by inserting in subsection one, after the words "probation officer", the words "or by a child welfare officer appointed under the Child Welfare Act 1925". Consideration of reports before passing sentence of borstal training.

15 (2) Section nineteen of the principal Act is hereby further amended by adding to subsection four the following proviso: See Reprint of Statutes, Vol. III, p. 1091

20 "Provided that, if any such application is filed in a Court at a distance from the borstal institution where the offender is detained, a Judge or Magistrate may order that the application shall be transferred to and dealt with by a Judge or, as the case may require, a Magistrate's Court at a place nearer to the institution."

(3) Section nineteen of the principal Act is hereby further amended by omitting from subsection five the words "to whom the application is made", and substituting the words "by whom the application is heard".

Corrective  
training and  
preventive  
detention.  
See Reprint  
of Statutes,  
Vol. II, p. 250

3. (1) Section twenty-one of the principal Act is hereby amended by omitting from paragraph (b) of subsection one the words "punishable by imprisonment for terms exceeding three months", and substituting the words "each of which is either an offence punishable by imprisonment for a term exceeding three months or an offence involving dishonesty within the meaning of Part IX of the Crimes Act 1908".

(2) Section twenty-four of the principal Act is hereby amended by omitting from paragraph (c) of subsection one the words "punishable by imprisonment for terms exceeding three months", and substituting the words "each of which is either an offence punishable by imprisonment for a term exceeding three months or an offence involving dishonesty within the meaning of Part IX of the Crimes Act 1908".

Conditions of  
probation.

4. (1) Section thirty-eight of the principal Act is hereby amended by adding to subsection one the words "or under section thirty-one of the Penal Institutions Act 1954".

(2) Section thirty-eight of the principal Act is hereby further amended by inserting, after subsection one, the following subsection:

"(1A) In addition to the conditions specified in subsection one of this section, every release on probation under this Part of this Act shall be subject to the condition that the probationer shall report—

"(a) To the probation officer at the place stated in the probationary licence within twenty-four hours after the arrival of the probationer at that place; or

"(b) Where he does not proceed direct to that place immediately after his release on probation, to some other probation officer within forty-eight hours after his release on probation."