

# CRIMINAL JUSTICE AMENDMENT BILL

---

## EXPLANATORY NOTE

This Bill amends the Criminal Justice Act 1954.

### PART I

#### PERIODIC DETENTION OF YOUNG OFFENDERS

This Part of the Bill introduces a new method of dealing with young offenders who are convicted of offences punishable by imprisonment or are liable to imprisonment for non-payment of fines. The provisions apply to offenders who have attained the age of 15 years but have not attained the age of 21 years.

In such cases the Court may impose a sentence of periodic detention in a work centre. Offenders will be required to report periodically at a work centre and to perform such activities or such work either in the work centre or outside as the Warden directs.

*Clause 2* provides that *clauses 9 to 15* (relating to the sentence of periodic detention) are to come into force on a date to be fixed by Order in Council, and are to apply with respect to such Courts and to such offenders described by reference to age or sex or both as are from time to time specified by Order in Council.

*Clause 3* is an interpretation clause.

*Clause 4* provides for the establishment of work centres by the Minister of Justice.

*Clause 5* requires the separation in separate buildings of male and female offenders who are detained overnight in a work centre.

*Clause 6* provides for the appointment of a Warden and other officers and employees for every work centre.

*Clause 7* provides that the Warden shall be charged with the general administration of a work centre.

*Clause 8* provides that the Warden and any other officer of a work centre, while acting as such, shall have all the powers, authority, protection, and privileges of a constable.

*Clause 9* provides that where any person who has attained the age of 15 years but has not attained the age of 21 years is sentenced by any Court for any offence punishable by imprisonment the Court may sentence him to periodic detention for a term not exceeding 12 months.

*Clause 10* provides that when any offender who has attained the age of 15 years but has not attained the age of 21 years is liable to imprisonment for non-payment of a fine the Court may instead sentence him to periodic detention for a term not exceeding 12 months. This clause is to apply only in respect of fines imposed after this clause comes into force.

*Clause 11* provides that where a Court sentences any person to periodic detention, it may order that on the termination of his term of periodic detention he shall be on probation for a term not exceeding one year.

*Clause 12* deals with the conditions of probation.

*Clause 13* applies certain provisions of the principal Act to persons on probation under this Part of this Act.

*Clause 14* provides that a sentence of periodic detention is not to be imposed in any case where the offender has previously been sentenced to detention in a detention centre or to borstal training or to imprisonment for one month or more. It also provides that a sentence of periodic detention may not be made cumulative on another sentence of periodic detention or on any sentence of any other kind. Nor shall any sentence of any kind be cumulative on a sentence of periodic detention.

*Clause 15* provides that before an offender may be sentenced to periodic detention the Court must consider a report by a probation officer on his character and personal history and on any other relevant circumstances and the offender must have been examined by a medical practitioner who is to report to the Court on the result of the examination.

*Clause 16* defines the effect of a sentence of periodic detention. The offender must report for work at a specified work centre on a specified number of occasions in each week and place himself in the custody of the Warden. The number of occasions in each week on which the offender must report is to be fixed by the Court or by the Warden if the Court so directs. The periods of custody in any week need not be of the same duration, but no such period shall be longer than 60 hours. In special circumstances the Warden may excuse the offender from attendance on all or any of the occasions in any week. The Warden is to fix the actual times, which must be such as to avoid interference, as far as practicable, with the offender's attendance at any educational institution or his work or his genuine religious observances.

*Clause 17* provides that the offender will be in the legal custody of the Warden while he is detained in a work centre, while working outside the centre under the directions of the Warden, and while travelling between the work centre and any place where he has been so directed to work. He shall be subject to the control, directions, and supervision of the Warden at all times while he is in the legal custody of the Warden whether he is in or outside the work centre.

*Clause 18* specifies the work that offenders sentenced to periodic detention may be required to perform. They may be employed in such work, whether within the work centre or outside it, as the Warden directs. They may also be required to participate in other activities in the work centre.

Where an offender is directed to work outside the work centre, he may be employed in any hospital or charitable or educational institution, at the home of any old, infirm, or handicapped person, or at any institution for old, infirm, or handicapped persons, or on land of the Crown or of any public body, but must not be directed to do any work if it would result in his displacing any regular employee who would otherwise do the work.

For the purposes of the Workers' Compensation Act 1956 and of any other Act or rule of law, a person doing any work under this clause will be deemed to be an employee of the Crown, and for the purposes of the Workers' Compensation Act 1956 his weekly earnings shall be deemed to be an amount equal to his weekly earnings in his usual full-time employment or as assessed by the Secretary of Labour if he has no full-time employment, but he will not be entitled to receive any remuneration for the work done.

*Clause 19* enables the Court to vary or cancel a sentence of periodic detention on the application of the offender or the Warden on the ground that there has been a change of circumstances since the sentence was imposed or, if the Court considers that a continuation of the sentence is no longer necessary in the interests of the community or of the offender, the sentence may be cancelled on that ground.

*Clause 20* provides that where any person who serves a sentence of periodic detention is later brought before a Court for any offence a report on his conduct while undergoing that sentence may be made to the Court.

*Clause 21* provides for a penalty of three months' imprisonment or a fine of £50 for failing to report at a work centre or for disobeying instructions, or for committing certain other offences.

The clause also provides that it is an offence for any person without lawful justification or excuse to loiter about any work centre or any place where persons sentenced to periodic detention are employed and to fail to depart after being warned by a constable or an officer of the work centre.

*Clause 22* deals with the effect of subsequent convictions. Where any person who is subject to a sentence of periodic detention is sentenced to imprisonment, borstal training, or detention in a detention centre during the term of a sentence of periodic detention, the sentence of periodic detention shall be deemed to be terminated. In any other case where a person is convicted during such a term the Court may order the termination of the sentence of periodic detention.

*Clause 23* authorises the making of regulations for the purposes of this Part. Regulations may be made for the purpose of ensuring the good management and government of work centres and ensuring the discipline of offenders in work centres.

*Clause 24* makes a consequential amendment.

## PART II

### MISCELLANEOUS AMENDMENTS

*Clause 25* reduces from three years to two years the maximum period for which a person sentenced to borstal training may be detained in a borstal institution. *Subclause (2)* is a consequential amendment to section 25 (5) of the Penal Institutions Act 1954, which authorises the transfer to borstal institutions of inmates of institutions under the Child Welfare Act 1925.

*Clause 26: Subclause (1)* raises from five years to 10 years the minimum period to be served by a convicted murderer before he is entitled to have his case considered by the Prisons Parole Board.

*Subclause (2)* gives the Prisons Parole Board the option of visiting the prisons and hearing the offenders state their cases or of having the offenders brought before it for that purpose. At present it must visit the prisons for that purpose.

*Hon. Mr Hanan*

## CRIMINAL JUSTICE AMENDMENT

### ANALYSIS

Title	
1. Short Title	
<b>PART I</b>	
<b>PERIODIC DETENTION OF YOUNG OFFENDERS</b>	
2. Commencement of sections 9 to 15	11. Probation may follow periodic detention
3. Interpretation	12. Conditions of probation
4. Establishment of work centres	13. Application of provision of the principal Act
5. Separation of male and female offenders	14. Sentence of periodic detention not to be imposed in certain cases
6. Warden and other officers of work centres	15. Court to consider report of probation officer and medical report
7. Warden charged with general administration of work centre	16. Sentence of periodic detention
8. Protection of officers in discharge of duties	17. Legal custody of offender
9. Sentence of periodic detention where offender convicted of offence punishable by imprisonment	18. Work to be performed by offenders
10. Sentence of periodic detention where offender liable to imprisonment for non-payment of fine	19. Variation or cancellation of sentence of periodic detention
	20. Report on conduct of offender
	21. Offences
	22. Effect of subsequent convictions
	23. Regulations
	24. Consequential amendment
<b>PART II</b>	
<b>MISCELLANEOUS AMENDMENTS</b>	
	25. Period of borstal training
	26. Functions of Prisons Parole Board

### A BILL INTITULED

#### An Act to amend the Criminal Justice Act 1954

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

No. 70—1

**1. Short Title**—This Act may be cited as the Criminal Justice Amendment Act 1962, and shall be read together with and deemed part of the Criminal Justice Act 1954\* (hereinafter referred to as the principal Act).

## PART I

5

## PERIODIC DETENTION OF YOUNG OFFENDERS

**2. Commencement of sections 9 to 15**—Sections 9 to 15 of this Act shall come into force on a date appointed by the Governor-General, by Order in Council; and shall apply with respect to such Courts and to such offenders described by reference to their age or sex or both as are from time to time specified by the Governor-General, by Order in Council. 10

**3. Interpretation**—In this Part of this Act, unless the context otherwise requires,—

“Warden” means the Warden of any work centre appointed under section 6 of this Act: 15

“Work centre” means any work centre established under section 4 of this Act.

**4. Establishment of work centres**—(1) The Minister may from time to time, by notice in the *Gazette*, declare any land or building or any part of any land or building to be a work centre. 20

(2) The Minister may from time to time in like manner declare any land or building or any part of any land or building to be added to or excluded from any work centre. 25

(3) Any such notice as aforesaid may be in like manner revoked at any time.

(4) Every notice under this section shall take effect from the date thereof or from such other date as may be specified therein. 30

**5. Separation of male and female offenders**—In every work centre in which both male and female offenders are detained overnight, separate buildings shall be used for each.

**6. Warden and other officers of work centres**—(1) To every work centre there shall from time to time be appointed under the Public Service Act 1912 a Warden and such other officers and employees as may be required. 35

(2) In every work centre in which female offenders are received there shall be a sufficient number of female officers.

\*1957 Reprint, Vol. 3, p. 455

Amendments: 1960, No. 116; 1961, No. 45

**7. Warden charged with general administration of work centre—**(1) Subject to the provisions of the principal Act (including this Act) and to the control of the Secretary for Justice, every Warden of a work centre shall be charged with  
5 the general administration of the work centre.

(2) Any Warden may, subject to any regulations made under this Part of this Act and to any directions given by the Secretary for Justice, delegate to any other officer all or  
10 any of his powers under this Part of this Act, except the power to delegate under this section.

**8. Protection of officers in discharge of duties—**The Warden and every other officer of a work centre, while acting as such, shall have all the powers, authority, protection, and privileges of a constable.

15 **9. Sentence of periodic detention where offender convicted of offence punishable by imprisonment—**(1) Subject to the provisions of sections 14 and 15 of this Act, where any person who is not less than fifteen and is under twenty-one years  
20 of age is convicted of any offence punishable by imprisonment, the Court may, in its discretion, sentence him to periodic detention for such term as it thinks fit, not exceeding in any case twelve months.

(2) Where the Court sentences any person to periodic detention, it may also sentence him to pay any fine authorised  
25 by law, but shall not impose any other sentence.

(3) In this section the term "Court", in relation to a Magistrate's Court, means a Magistrate's Court presided over by a Magistrate.

30 **10. Sentence of periodic detention where offender liable to imprisonment for non-payment of fine—**(1) In any case where, pursuant to section 88 of the Summary Proceedings Act 1957, a warrant of commitment may be issued (whether  
35 in the first instance or following the issue of a warrant of distress) by reason of the non-payment of a fine imposed on any person who is not less than fifteen and is under twenty-one years of age when the matter comes before a Magistrate for consideration under the said section 88, the Magistrate  
40 may issue a summons to that person, in the prescribed form, or, whether or not a summons has been issued or served, may issue a warrant, in the prescribed form, to arrest that person and bring him before a Court.

(2) On the appearance of that person before a Court, the Court may, if it thinks fit, subject to the provisions of sections 14 and 15 of this Act, after considering the reports which a Magistrate would be required to consider if acting under the said section 88 and after taking into account any other fines owing by that person, sentence that person to periodic detention for such term as it thinks fit, not exceeding in any case twelve months. 5

(3) If the Court does not sentence that person to periodic detention the matter may be dealt with under the said section 88. 10

(4) A sentence of periodic detention may be imposed under this section notwithstanding that none of the offences in respect of which the fines were imposed was punishable by imprisonment. 15

(5) Where any person is sentenced to periodic detention under this section, those parts of the original sentences which dealt with the imposition of the fines that have been taken into account under subsection (2) of this section shall be deemed to be cancelled in respect of any part of those fines unpaid when the sentence of periodic detention was imposed. 20

(6) In this section the term "Court" means a Magistrate's Court presided over by a Magistrate.

(7) Every person who is required to attend before a Court pursuant to a summons or warrant issued under subsection (1) of this section shall be entitled to be represented before that Court by a barrister or a solicitor of the Supreme Court of New Zealand. 25

(8) Any member of the Police shall be entitled to appear before the Court and to make submissions as to whether or not the sentence of periodic detention should be imposed. 30

(9) Where a Court sentences any person to periodic detention under this section that person shall have the same right to appeal to the Supreme Court against the sentence as he would have had if the sentence had been imposed by a Magistrate's Court after his conviction on an information in such a Court: 35

Provided that where the Supreme Court quashes the sentence of periodic detention on any such appeal it shall at the same time direct that the case shall be remitted to a Magistrate to be dealt with under section 88 of the Summary Proceedings Act 1957. 40

(10) This section shall apply only in respect of fines imposed after the commencement of this section. 45

11. **Probation may follow periodic detention**—(1) Where a Court acting under section 9 or section 10 of this Act sentences any person to periodic detention, it may in its discretion order, as part of the sentence, that on the termination of his term of periodic detention he shall be on probation for a period not exceeding one year, and may,—

(a) Where it is acting under section 9 of this Act, impose all or any of the conditions which may be imposed under subsection (1) of section 8 of the principal Act, and the provisions of subsections (2) and (3) of that section shall apply accordingly; or

(b) Where it is acting under section 10 of this Act, impose all or any of the conditions which may be imposed under paragraphs (d) to (i) of subsection (1) of section 8 of the principal Act.

(2) Where a Court has ordered, under subsection (1) of this section, that any person shall be on probation the Registrar of the Court shall notify the Secretary for Justice and the probation officer in whose district the Court office is situated.

12. **Conditions of probation**—(1) Where a Court has ordered, under subsection (1) of section 11 of this Act, that any person shall be on probation, the conditions set out in section 7 of the principal Act, except paragraph (a) of that section, shall apply, in addition to any special conditions imposed under subsection (1) of section 11 of this Act.

(2) In addition to the conditions specified in subsection (1) of this section, any person on probation under this Act shall be subject to the condition that he shall report to a probation officer in the district in which he resides within forty-eight hours after the commencement of his term of probation.

(3) Every person on probation under this Act shall be under the supervision of a probation officer in whose district he resides for the time being, or such other probation officer as the Secretary for Justice may direct.

(4) The probation officer shall issue to every person on probation under this Act a probationary licence setting out the conditions which he is required to observe during the term of his probation.



**13. Application of provision of the principal Act—**Section 10 of the principal Act shall apply to every person on probation under this Part of this Act with all necessary modifications as if he had been released on probation on the day on which the term of his probation began, including the following specific modification, namely, that the term of probation shall not be extended beyond the end of one year from the date on which the term began. 5

**14. Sentence of periodic detention not to be imposed in certain cases—**(1) No Court shall sentence any person to periodic detention if it is shown to the Court that at any time previously he has been sentenced— 10

(a) To detention in a detention centre, or to borstal training; or

(b) To imprisonment for a term of one month or more. 15

(2) A sentence of periodic detention shall not be cumulative on any other sentence of periodic detention or on any sentence of any other kind.

(3) No sentence of any kind shall be cumulative on a sentence of periodic detention. 20

**15. Court to consider report of probation officer and medical report—**(1) No Court shall sentence any person to periodic detention until a report on his character and personal history and on any other relevant circumstances has been made by a probation officer and has been considered by the Court, and until a medical practitioner has examined him and reported to the Court on the result of the examination. 25

(2) No sentence of periodic detention shall be deemed to be invalid on the ground that a report by a probation officer was not made or was not considered by the Court or that such a report by a medical practitioner was not given. 30

(3) If any Court sentences any offender to periodic detention before both those reports have been made and considered under this section, the defendant or the prosecutor or any counsel or solicitor on behalf of the Crown may at any time apply to have the sentence reviewed; and for that purpose the provisions of subsections (4) to (6) of section 19 of the principal Act, as far as they are applicable and with the necessary modifications, shall apply as if the application had been made under that section. 35 40

16. **Sentence of periodic detention**—(1) Any person who is sentenced to periodic detention shall, during the term of the sentence, be required to report at a work centre on a specified number of occasions in each week, and on each such occasion  
5 to place himself in the custody of the Warden of that centre for a specified period.

(2) The Court imposing any such sentence shall, by order,—

10 (a) Specify the number of occasions in each week on which the offender is required to report, or direct him to report on such number of occasions in each week as may from time to time be specified by the Warden; and

15 (b) Specify the work centre at which he is required to report on each occasion; and

(c) Specify the day and time at which he is required to report on the first such occasion after the sentence is imposed; and

(d) Specify the duration of each period of custody.

20 (3) It shall not be necessary for all the periods of custody in any week to be of the same duration, but no such period shall be longer than sixty hours.

(4) The day and time at which a person sentenced to periodic detention is required to report at the work centre  
25 on every occasion after the first shall be fixed by the Warden, who shall have regard to any general directions given by the Court in imposing the sentence or, subsequently, by any Magistrate to whom an application is made by the offender.

30 (5) In special circumstances the Warden may excuse any such person from reporting on any occasion or occasions, or on every occasion, in any week.

(6) The times at which a person sentenced to periodic detention is required to report for that purpose, and the periods during which he is required to remain in custody, shall  
35 be such as to avoid interference, so far as practicable, with his attendance at any educational institution or his work or his genuine religious observances.

17. **Legal custody of offender**—(1) A person sentenced to periodic detention shall be in the legal custody of the Warden  
40 of a work centre throughout every period he is detained in that centre and at any time while he is working outside the centre in accordance with a direction given by the Warden pursuant to section 18 of this Act or is travelling between the work centre and any place where he has been so directed  
45 to work.

(2) Every such person shall be subject to the control, directions, and supervision of the Warden while he is in the legal custody of the Warden whether he is in the work centre or outside the work centre.

**18. Work to be performed by offenders—**(1) Every period 5  
during which any person sentenced to periodic detention is in  
custody under this Part of this Act shall be spent in par-  
ticipating in such activities (physical or mental), attending  
such classes or groups, or undergoing such instruction as the  
Warden considers conducive to that person's reformation 10  
and training.

(2) Any such person may, at any time during any period  
in which he is required to be in custody under this Part of  
this Act, be employed in such suitable work, whether within 15  
the work centre at which he is required to report or out-  
side it, as the Warden directs.

(3) The type of work to which any such person may be  
directed outside the work centre shall be work—

- (a) At any hospital or charitable or educational institution; 20  
or
- (b) At the home of any old, infirm, or handicapped per-  
son or at any institution for old, infirm, or handi-  
capped persons; or
- (c) On any land of which the Crown or any public body 25  
is the owner or lessee or occupier or which is ad-  
ministered by the Crown or any public body:

Provided that no person shall be directed to any work if in  
doing that work he would take the place of any person who  
would otherwise be employed on that work as a regular 30  
employee of the institution aforesaid or, as the case may be,  
of the old, infirm, or handicapped person or of the Crown or  
public body.

(4) Where any person is directed to work pursuant to this  
section—

- (a) He shall for the purposes of the Workers' Compensa- 35  
tion Act 1956 or of any other Act or of any rule of  
law be deemed to be a worker employed by the  
Crown; and
- (b) For the purposes of the first-mentioned Act his weekly 40  
earnings shall be deemed to be an amount  
equivalent to his weekly earnings in any full-time  
employment in which he is engaged at that time or,  
if he has no full-time employment, an amount  
which the Secretary of Labour considers in all the  
circumstances of the case would be a fair amount. 45

(5) A person directed to work pursuant to this section shall not be entitled to any remuneration in respect of that work.

**19. Variation or cancellation of sentence of periodic detention**—(1) Any sentence of periodic detention may at any time, on the application of the offender or of the Warden of the work centre at which he is required to report, be varied or cancelled by the Court.

(2) The Court to which application shall be made shall be—

10 (a) The Supreme Court if the sentence was imposed by the Supreme Court or by the Court of Appeal on appeal from the Supreme Court:

15 (b) Any Magistrate's Court presided over by a Magistrate if the sentence was imposed by a Magistrate's Court or by the Supreme Court on appeal from a Magistrate's Court.

(3) A sentence may be varied or cancelled under this section on the ground that there has been a change of circumstances since the sentence was imposed or, if the Court considers that a continuation of the sentence is no longer necessary in the interests of the community or of the offender, the sentence may be cancelled on that ground.

**20. Report on conduct of offender**—Where any person serves a sentence of periodic detention and is later brought before a Court for any other offence any probation officer or any Warden of a work centre or any other officer of the Department of Justice may make a report in writing to the Court on the conduct of that person while he was in legal custody under that sentence, and, where the report is made by a person other than the probation officer, the provisions of section 5 of the principal Act shall apply with the necessary modifications.

**21. Offences**—(1) Every person sentenced to periodic detention commits an offence, and is liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds or to both, who—

40 (a) Fails without reasonable excuse to report at a work centre as required by the order of the Court imposing the sentence or in accordance with instructions given to him under subsection (4) of section 16 of this Act or to report at any other place at which he is directed to report by the Warden pursuant to subsection (2) of section 18 of this Act:

- (b) Fails without reasonable excuse to obey any rules governing the work centre at which he is required to report or any directions of the Warden regarding the manner in which his time is to be spent while he is in the legal custody of the Warden: 5
  - (c) Leaves the work centre without reasonable excuse at any time when he should be there:
  - (d) Leaves without reasonable excuse any premises at which he has been directed to perform work outside the work centre at any time when he should be at those premises: 10
  - (e) Is idle or careless at work, refuses to work, or neglects or wilfully mismanages his work, while he is in the legal custody of the Warden:
  - (f) Uses or writes any abusive, insolent, insulting, threatening, profane, indecent, or obscene words while he is in the legal custody of the Warden: 15
  - (g) Behaves in an offensive, threatening, insolent, insulting, disorderly, or indecent manner while he is in the legal custody of the Warden. 20
- (2) Every person commits an offence, and is liable on summary conviction to a fine not exceeding fifty pounds, who without lawful justification or excuse loiters about any work centre or any place where persons sentenced to periodic detention are employed, and refuses or neglects to depart after being warned by any constable or by any officer of the work centre. 25

**22. Effect of subsequent convictions—**(1) Where any person who is subject to a sentence of periodic detention is sentenced to imprisonment, corrective training, borstal training, or detention in a detention centre during the term of that sentence of periodic detention, the sentence of periodic detention shall be deemed to be terminated. 30

(2) In any other case where any such person is convicted of an offence during the term of a sentence of periodic detention, the Court before which that person is convicted may, if it thinks fit, order that the sentence of periodic detention shall be terminated. 35

**23. Regulations—**The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes: 40

- (a) Prescribing the powers and duties of officers:

- (b) Ensuring the good management and government of work centres:
- 5 (c) Ensuring the discipline of persons received into work centres; and prescribing or regulating the classification, diet, instruction, and hours of work of such persons:
- 10 (d) Generally providing for such matters as are contemplated by or necessary for giving full effect to this Part of this Act and for the due administration thereof:
- (e) Prescribing fines not exceeding fifty pounds for the breach of any regulation made under this Act.

24. **Consequential amendment**—The principal Act is hereby amended by omitting from subsection (1) of section 43 15 the words “or preventive detention”, and substituting the words “preventive detention, or periodic detention”.

## PART II

### MISCELLANEOUS AMENDMENTS

25. **Period of borstal training**—(1) Section 20 of the 20 principal Act is hereby amended by omitting from the proviso the words “three years”, and substituting the words “two years”.

(2) Section 25 of the Penal Institutions Act 1954 is hereby 25 amended by omitting from the proviso to subsection (5) the words “three years”, and substituting the words “two years”.

(3) Notwithstanding anything in subsection (1) or subsection (2) of this section, every person who is detained in 30 a borstal institution at the commencement of this section, whether under a sentence of borstal training or after being transferred to a borstal institution under section 25 of the Penal Institutions Act 1954, shall, until his release or his discharge or his transfer back or return to an institution under the Child Welfare Act 1925, as the case may be, be liable 35 to be detained in a borstal institution as if this section had not been passed.

**26. Functions of Prisons Parole Board**—(1) Section 33A of the principal Act (as inserted by section 4 of the Criminal Justice Amendment Act 1961) is hereby amended by repealing paragraph (c) of subsection (2), and substituting the following paragraphs:

“(c) In the case of every offender undergoing imprisonment for life consequent upon his conviction for murder, as soon as may be practicable after the expiry of ten years from the date of his reception in the prison, and at least once in every period of twelve months thereafter: 5

“(d) In the case of every other offender undergoing imprisonment for life, as soon as may be practicable after the expiry of five years from the date of his reception in the prison, and at least once in every period of twelve months thereafter.” 10 15

(2) Section 33A of the principal Act (as inserted as aforesaid) is hereby further amended by repealing subsection (4), and substituting the following subsection:

“(4) Every offender who is entitled to have his case considered under subsection (2) of this section shall be given an opportunity of appearing before the Prisons Parole Board and stating his case in person at least once in every year, and for that purpose the Prisons Parole Board shall from time to time visit every institution where there are offenders undergoing corrective training, preventive detention, or imprisonment for life or shall have the offender brought before it.” 20 25