

LAW, CRIME, ETC.**THE LEGAL SYSTEM IN VICTORIA.**

The law of Victoria, in its basic principles and main provisions, is founded on the law of England. All laws in force in England in 1828 were, so far as they should be held to apply to the circumstances of Australia, by Imperial Statute made law in New South Wales (which then included Victoria); and, in case of any doubt as to their applicability, the Colonial Legislature was empowered to declare whether or not they did apply, or to establish any modification or limitation of them within the colony. The same Statute established a Legislature within New South Wales with power to make laws for that colony; and Supreme and other courts were constituted. On the separation of Port Phillip from New South Wales in 1851 the new colony of Victoria was invested with similar powers, which were widened on the establishment of responsible government in 1855. In order, therefore, to ascertain the law of Victoria as to any particular matter or point, considerable research is often involved. The first step is a search of the Victorian Statutes. If the matter is fully dealt with there, the labour is concluded; but, if it has never been dealt with by any Victorian Act, recourse must be had to the Statutes of New South Wales and the Imperial Statutes specially applicable to New South Wales passed between 1828 and 1851. If no law on the point is obtainable from these sources, the law of England in 1828 must be ascertained, which in most cases is found in the English text-books. Having found the apparent law from one of these sources, it is still necessary to search through series of law reports for decisions which may either modify or interpret the same.

LITIGATION AND LEGAL BUSINESS.

The Supreme Court of Victoria was first established in 1852, and its constitution and powers remain substantially unaltered by recent legislation, although the procedure was entirely remoulded by the "Judicature Act 1883" (now incorporated in the Supreme Court Act 1915). There were in 1929 seven Judges, viz., a Chief Justice and six Puisne Judges.

Supreme
Court civil
business.

The following is a statement of Supreme Court business during the last year of each of the six decennial periods ended 1920, and the last five years:—

SUPREME COURT CIVIL CASES, 1870 TO 1928.

Year.	Writs of Summons.		Causes Entered for Trial.	Causes Tried.	Verdicts for—		Amount Awarded.
	Number Issued.	Amount Claimed.			Plaintiff.	Defendant.	
1870 ..	5,583	£ 154,296	237	165	133	29	£ 29,298
1880 ..	5,065	185,131	221	161	133	28	47,401
1890 ..	6,619	687,503	535	297	229	65	68,592
1900 ..	825	137,983	161	106	62	31	101,896
1910 ..	743	60,182	129	85	37	16	7,984
1920 ..	632	74,288	132	80	39	17	9,036
1924 ..	946	383,399	171	94	41	16	13,623
1925 ..	992	229,398	182	71	27	18	35,187
1926 ..	1,074	227,253	224	73	46	10	21,566
1927 ..	1,288	244,320	250	112	48	14	34,560
1928 ..	1,087	264,332	253	124	53	33	16,432

Decline in Litigation.

There has been a considerable decline in litigation in the Supreme Court since 1890. In 1928 the writs issued were about one-sixth, the amount sued for was about one-third, and the causes which actually came to trial were about two-fifths of the corresponding numbers in 1890. The figures show that a very small proportion of writs result in actual trials, whilst a large number of trials are either abandoned before a verdict is given, postponed to the following year, or settled.

County Court business. County Courts have a jurisdiction both in equity and common law cases, limited to £500; also in cases remitted by the Supreme Court. The cause of action must have arisen within 100 miles of the court in which proceedings are taken, which court must not be more than ten miles further away from defendant's residence than some other County Court in which the plaintiff might have sued. In 1928 there were 103 sessions lasting 550 days and held in 38 places. Particulars of litigation in the last

year of each of the six decennial periods ended 1920 and in each of the last five years are as follows :—

COUNTY COURT CASES, 1870 TO 1928.

Year.	Number of Cases Tried.	Amount Sued For.	Amount Awarded.	Costs Awarded to—	
				Plaintiff.	Defendant.
		£	£	£	£
1870 ..	11,866	277,236	102,822	13,815	4,268
1880 ..	9,498	215,929	99,338	13,765	3,956
1890 ..	12,635	340,028	127,433	15,363	6,072
1900 ..	789	160,676	49,595	5,188	2,782
1910 ..	626	144,550	45,196	5,199	1,992
1920 ..	680	283,238	113,804	*	*
1924 ..	959	570,951	289,517	*	*
1925 ..	961	613,781	305,997	*	*
1926 ..	1,003	680,502	309,087	*	*
1927 ..	937	761,250	354,292	*	*
1928 ..	1,019	735,872	355,687	*	*

* No record.

The number of cases tried in 1928 was slightly below the average of recent years, but was only 8 per cent. of the number in 1890. The amounts sued for and awarded were, however, greater than the amounts for that year. The decline in the number of cases would seem to indicate that the public is less inclined than formerly to institute legal proceedings for the settlement of disputes; and that the County Court is not resorted to for the recovery of petty and trade debts to the same extent as in former years.

The number of requests for arbitration under the **Workers' Compensation—Arbitration cases.** Workers' Compensation Act during the year 1928 was 276. The aggregate amount of compensation claimed was £48,845, and the amount awarded, £45,729. These figures are not included in the above table.

Petty Sessions civil business. Courts of Petty Sessions were held at 229 places in Victoria in 1928 by stipendiary magistrates and honorary justices. Clerks of courts of ten years' standing, who have passed the prescribed examination, and barristers of five years' standing are eligible for appointment as police magistrates, but there is no legal training or knowledge of the law required as a condition precedent to the appointment of a person as an honorary justice of the peace. The jurisdiction in civil cases is limited to what may be called ordinary debts, damages for assault, and restitution of

goods, where the amount in dispute does not exceed £50. Particulars of such cases heard during a series of years are given hereunder :—

COURTS OF PETTY SESSIONS: CIVIL CASES, 1870 TO 1928.

Year.			Cases Heard.	Amount Claimed.	Amount Awarded.
1870	..	..	27,722	£ 190,242	£ 105,086
1880	..	..	19,983	75,684	50,764
1890	..	..	30,466	196,917	132,663
1900	..	..	17,577	95,890	80,960
1910	..	..	29,902	186,538	146,284
1920	..	..	33,300	218,408	153,198
1924	..	..	73,264	637,137	497,833
1925	..	..	82,589	727,013	552,788
1926	..	..	90,299	809,240	611,528
1927	..	..	97,993	851,029	653,548
1928	..	..	103,906	873,199	680,151

In addition to the ordinary cases above mentioned, and to the criminal jurisdiction hereafter mentioned, Courts of Petty Sessions deal with other business of a civil and quasi-criminal nature. During the year 1928, 319 appeals against municipal ratings, 30 Children's Maintenance Act cases, 823 ejection cases, 1,811 fraud summons cases against debtors, 2,116 garnishee cases, 12,231 cases relating to licences and certificates, 1,969 maintenance cases, 133 prohibition cases, and 2,197 miscellaneous cases were heard, and 242 persons alleged to be lunatics were examined.

A statement is given below of the number of writs received by the Sheriff in the last year of each of the six decennial periods ended 1920 and the last five years, from which it will be seen that the numbers in recent years have been much less than in 1890 :—

WRITS RECEIVED BY THE SHERIFF, 1870 TO 1928.

Year.	King's Writs against Person and Property.	Subjects' Writs against—		Total.	
		The Person.	Property.		
1870	35	75	2,146	2,256
1880	35	58	1,944	2,037
1890	13	21	2,282	2,316
1900	4	3	199	206
1910	4	166	170
1920	3	124	127
1924	3	6	353	362
1925	1	5	315	321
1926	4	8	350	362
1927	4	12	397	413
1928	3	12	315	330

High Court of Australia.

A statement showing the nature of this court and the powers vested in it appears in the *Year-Book* for 1916-17, page 433.

Intestate Estates.

The rules by which the property and effects, both real and personal, of persons dying intestate are by law distributed are given in the *Year-Book* for 1916-17, page 437.

INSOLVENCIES.

Insolvencies, &c.

The number of failures and the declared assets and liabilities during the last year of each of the six decennial periods ended 1920 and in each of the last five years are as follows :—

**INSOLVENCIES AND DEEDS OF ARRANGEMENT,
1870 TO 1928.**

Year.	Insolvencies.			Deeds of Arrangement.		
	Number.	Declared Liabilities.	Declared Assets.	Number.	Declared Liabilities.	Declared Assets.
		£	£		£	£
1870 ..	996	479,491	150,170	*	*	*
1880 ..	768	526,130	298,384	*	*	*
1890 ..	795	2,301,271	2,041,200	*	*	*
1900 ..	344	183,531	88,760	149	168,700	159,771
1910 ..	359	132,841	54,381	131	113,597	91,271
1920 ..	186	154,658	53,229	69	82,692	73,591
1924 ..	520	504,678	311,290	232	350,350	263,124
1925 ..	563	446,438	249,251	233	321,877	273,933
1926 ..	683	493,428	224,316	204	287,767	222,693
1927 ..	723	741,540	509,289	216	387,079	321,982
1928 ..	462	590,962	314,511	177	316,670	255,845

* Information not available.

The average yearly number of insolvencies and average declared liabilities are shown in this table for the five decennial periods ended with 1928 :—

Period.	Average Yearly Number.	Average declared liabilities. £
1879 to 1888	612	661,720
1889 to 1898*	833	2,213,592
1899 to 1908	445	244,538
1909 to 1918	358	226,517
1919 to 1928	438	396,845

* The failures resulting from the financial crisis of that period swelled these returns.

Insolvencies are of two kinds, voluntary and compulsory. The following table shows the number of petitions of each kind in the last five years :—

Year.	Voluntary.	Compulsory.	Total.
1924 ... ..	... 462	58	520
1925 ... ..	... 519	44	563
1926 ... ..	... 608	75	683
1927 ... ..	... 646	77	723
1928 ... ..	... 395	67	462

Occupations of Insolvents. In the next return will be found the occupations, in six classes, of those who became insolvent or compromised with their creditors during the last five years, also the number of breadwinners in each class at the census of 1921, and the proportion of the former to the latter. The total number of insolvents does not include 183 whose occupations were not stated :—

OCCUPATION OF INSOLVENTS, 1924 TO 1928.

Occupation Groups.	Number of Breadwinners, Census, 1921.	Average Yearly Number of Insolvents, 1924 to 1928.	Insolvents to every 10,000 Breadwinners.
Professional	60,585	26	4·29
Domestic	58,225	25	4·29
Commercial	108,011	267	24·72
Transport and Communication	53,332	53	9·94
Industrial	234,245	320	13·66
Primary Producers	147,438	75	5·09
Total	661,836*	766	11·57

* Exclusive of 7,617 persons of independent means.

The number of breadwinners of the domestic and professional classes who became insolvent was smaller, in proportion to their numbers in the community, than those of any other class, whilst a greater proportion of the commercial than of any other class found it necessary to file their schedules or compound with their creditors.

A table showing the occupations of insolvents in detail for the years 1912 to 1916 appears in the *Year-Book* for 1916-17, page 444.

DIVORCE.

The present law in regard to divorce is contained in the *Marriage Act* 1915, and a summary thereof is given in the *Year-Book* for 1916-17, page 445. The Act of 1915 was amended by Acts passed in 1919, 1921, and 1923, but the amendments relate to minor matters and do not affect the main features of the principal Act. The grounds upon which divorce might be granted were considerably extended by an Act passed in 1889.

Number of Divorces. Since jurisdiction was first conferred upon the Supreme Court of Victoria in matters matrimonial in 1861, 8,520 decrees for dissolution of marriage and 119 decrees for judicial separation have been granted. Of these, 8,172 and 48 respectively have been issued since 1890; so that, during the 30 years ended 1890, only 348 decrees for dissolution of marriage and 71 for judicial separation were issued, or an average per annum of about twelve of the former and two of the latter; whereas, since the Divorce Act of 1889 received the Royal Assent in 1890, no fewer than 215 decrees per annum for dissolution of marriage have been granted, while the decrees for judicial separation have decreased to about one per annum.

Divorces, Sex. The following table gives the number of petitions filed by husband and wife respectively, and the number of decrees granted for divorce, judicial separation, and nullity of marriage during the year 1928 :—

DIVORCES, 1928.

	Petitions filed by—			Decrees granted to—		
	Husband.	Wife.	Total.	Husband.	Wife.	Total.
Dissolution of Marriage	258	346	604	221	260	481
Judicial Separation ...	...	9	9	...	1	...
Nullity of Marriage ...	2	1	3	2	1	3
Total ...	260	356	616	223	261	484

Grounds of divorce. The grounds upon which divorces were granted during the year 1928 were as follows :—

Grounds on which Granted.	Dissolution of Marriage.		Judicial Separation.		Nullity of Marriage.	
	Husband.	Wife.	Husband.	Wife.	Husband.	Wife.
Adultery ...	75	64	...	...	...	...
Bigamy ...	...	...	...	...	2	...
Cruelty, repeated acts of ...	...	1	...	...	...	...
Desertion ...	137	179	...	...	...	...
Desertion and adultery ...	1	2	...	...	...	...
Drunkenness (habitual) ...	1	6	...	...	...	...
Drunkenness and cruelty ...	...	4	...	...	...	...
Impotence ...	...	...	...	...	...	1
Insanity ...	7	2	...	...	...	...
Sentences for crime ...	...	2	...	...	...	...
Total ...	221	260	...	...	2	1

Divorces, 1881 to 1928. The following is a statement of the number of petitions and decrees for dissolution of marriage and judicial separation in the State of Victoria during the last year of each of the five decennial periods ended 1921 and each of the last five years, also of the proportion of decrees per 100,000 married couples living :—

**DIVORCES AND JUDICIAL SEPARATIONS IN VICTORIA,
1881 TO 1928.**

Year.	Petitions for—		Decrees for—		Divorces and Separations per 100,000 Married Couples Living.
	Dissolution of Marriage	Judicial Separation.	Dissolution of Marriage.	Judicial Separation.	
1881	18	10	9	..	7
1891	153	1	99	..	57
1901	148	2	83	..	46
1911	262	2	211	..	99
1921	446	4	380	3	136
1924	533	5	399	2	133
1925	535	3	445	1	146
1926	576	9	466	2	151
1927	590	4	513	2	163
1928	604	9	481	..	150

The extension of the grounds upon which divorce might be obtained had the effect of greatly increasing the number of petitions and decrees.

In New South Wales, where the law in regard to divorce does not differ much from that in Victoria, there were, in 1927, 1,065 decrees for dissolution of marriage and judicial separation. The number of divorces and separations in that year per 100,000 married couples living was 241. The average annual number for the five-year period 1923-27, in proportion to a like number of married couples, was 245, as compared with an average of 148 for the same period in Victoria.

CRIME.

ADMINISTRATION OF THE CRIMINAL LAW.

In nearly all cases where the criminal law has been broken the alleged offender is brought at the very first opportunity before a Court of Petty Sessions, before two honorary justices or a police magistrate, or both, or in some cases a single magistrate, and the court, if the matter is one which comes within its summary jurisdiction, disposes of the case summarily. If the offence is an indictable one, the magistrates hold a preliminary investigation, and, if they are satisfied that a *prima facie* case has been made out by the prosecution, the accused is committed for trial to a superior court. There are two superior courts with criminal jurisdiction, viz., the Supreme Court, and a Court of General Sessions, which are held at various places throughout the

State. The latter court may deal with all cases of an indictable nature except such as are expressly excluded from its jurisdiction, viz., ten of the most serious crimes. A person may be brought before magistrates by three modes of procedure, viz., by an arrest by a police officer on warrant issued on a sworn information; or in a limited number of cases without warrant if the offence has been witnessed by the arresting constable; or by a summons. If at a coroner's inquest a verdict is returned of murder or manslaughter, the accused person is sent for trial to the Supreme Court without any investigation before magistrates. The Attorney-General or Solicitor-General also has the power of presenting any person for trial before a superior court without the necessity of a preliminary magisterial hearing; and upon the application of any person, properly supported by affidavit, a grand jury may be summoned, on the order of the Full Court, if the affidavit discloses that an indictable offence has been committed by a corporate body; or that such an offence has been committed by any person, and that some justice has refused to commit such person for trial; or in the case of a committal that no presentment has been made at the court at which the trial would in due course have taken place. The grand jury, which consists of 23 men, investigates the charge, and, if it is of opinion that a *prima facie* ground of action has been made out, the case is sent for trial. The cases which are presented under these latter forms of procedure are, however, very rare.

Indeterminate sentences. The Indeterminate Sentences Act came into force on 1st July, 1908. Its principal provisions are—

1. The adoption of the indeterminate sentence for (a) habitual criminals, and (b) certain classes of other offenders.
2. The appointment of an Indeterminate Sentences Board.
3. The establishment of reformatory prisons.
4. A system of probation applicable to adults as well as minors.

A Board was appointed on 18th August, 1908. Its present members are:—The Hon. S. Mauger (chairman), Dr. C. S. Godfrey, and Mr. W. R. Anderson, I.S.O., P.M., formerly Secretary to the Crown Law Department. The secretary is Mr. G. F. Dicker, Chief Secretary's Office, Melbourne.

The chief functions of the Board are to make visits of inspection monthly to each reformatory prison, to examine the conduct reports of the inmates and accounts of their earnings, to authorize promotion in grade, to approve of indulgences, and to make careful inquiries as to whether any persons detained in a reformatory prison are sufficiently reformed to be released on probation, and submit recommendations accordingly to the Chief Secretary; also generally to report on the working of the Indeterminate Sentences Act and the regulations. Other important powers were vested in the Board

under the provisions of the Amending Indeterminate Sentences Act of 1915, chief among which are :—

- (a) To parole a prisoner temporarily for the purpose of testing his reform ;
- (b) To impose conditions of release ;
- (c) To transfer prisoners from one reformatory prison to another ;
- (d) To hear charges of misconduct and impose punishment at a reformatory prison for the detention of persons not habitual criminals, the power formerly conferred on visiting justices in this regard being cancelled ;
- (e) To control the disbursement of a prisoner's earnings upon release ; and
- (f) To recommend to the Minister that he make an order permitting a prisoner detained in a reformatory prison to leave such prison temporarily—
 - (1) for the purpose of being treated in a hospital ; or
 - (2) to visit a relative believed to be dying ; or
 - (3) for any other reason which appears to the Board to be sufficient.

An important alteration under the Amending Act is the substitution of "Minister" for "Governor in Council" as the authority by whose direction a prisoner may be released on probation on the Board's recommendation. Regulations governing the treatment of declared habitual criminals, and of offenders not habituals, who are detained under indeterminate sentence in a reformatory prison, are now in operation.

In the early part of the financial year 1916-17 the Board brought into operation two valuable aids to the reformation of the inmates of the reformatory prisons, by the Government sanctioning the purchase of a farm in connexion with the Castlemaine Reformatory, and the establishment of a forestry settlement at French Island.

The equipment of the Castlemaine Reformatory was further improved in 1917 by the addition of the necessary plant and tools for imparting technical instruction to the inmates. A new workshop has since been erected and also a new schoolroom with modern equipment. The appointment to the staff of this reformatory in 1924 of a trained teacher from the Education Department to take charge of the school work has led to very satisfactory results. The inmates received class instruction in the forenoon and also tuition from seven to nine o'clock on five nights of each week. At the beginning of 1926 an instructor from the Education Department, trained in technical subjects, was also added to the staff, and to him is entrusted the practical training of the lads in the use of tools, framing, joining, &c. Much useful work has been accomplished, and a class for instruction in sheet metal work has recently been formed.

During 1926 a swimming pool was constructed, the work being carried out by the inmates themselves. Classes in life saving operations

and in First Aid to the injured are now held, and all inmates are put through a course of physical drill.

At the farm a number of improvements have been carried out and additional buildings erected. Accommodation is now provided for two married officers and their families, and for fifteen inmates. Poultry farming is carried on upon a fairly large scale, and additional land has been purchased for agricultural purposes.

At the Afforestation Camp, French Island, the industry of the prisoners has won the commendation of the officers of the Forests Commission. The land previously held by the Commission has recently been handed over to the Penal Department, and is being utilized for agricultural pursuits, as well as for afforestation (pines and wattles).

Some marked improvements have been effected at this camp within the last two or three years, and a considerable area of land, formerly a swamp, has been reclaimed and is now under crop. Several acres of suitable land have been set aside for the purpose of a nursery, and pine seedlings, which formerly were received from State nurseries, are now raised locally. The planting season usually extends from May to September in each year. During other months a number of the men are employed in cutting fire breaks and preparing for the next planting season, also in breaking up and ploughing other areas of land for cultivation. The men at this establishment are chosen from those under indeterminate detention at Pentridge. At no time are they under lock and key, and they enjoy a considerable amount of freedom, yet with few exceptions they have responded loyally to the trust placed in them. Any who fail to rise to the standard of conduct and industry required of them are immediately returned to Pentridge.

The number of prisoners under indeterminate detention on 30th June in each of the last five years was as follows:—

Name of Reformatory Prison.	Year ended 30th June.				
	1925.	1926.	1927.	1928.	1929.
Pentridge Reformatory Prison ..	51	54	59	76	97
Castlemaine Reformatory Prison ..	66	86	84	86	105
Reformatory for Females, Coburg ..	1	1	2	3	1
McLeod Settlement, French Island ..	37	39	38	42	42
Geelong Reformatory Prison ..	7	7	9	10	13
Beechworth Reformatory Prison ..	..	..	21	29	29
Metropolitan Gaol Reformatory Prison ..	..	..	..	..	1
Total	162	187	213	246	288

Probation officers to supervise first offenders released by the courts on recognizance under the provisions of the *Crimes Act 1915* are appointed by the Governor in Council on the recommendation of the Board. The position is honorary and a number of persons connected with religious and philanthropic organizations have been appointed to the office.

OFFENCES HEARD BY MAGISTRATES.

Arrests and
summonses
for various
offences.

The following are particulars of the different classes of offences dealt with by magistrates in 1928 :—

ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1928.

Nature of Offence.	Total.	Summarily Convicted, &c.		Discharged by Magistrates.		Committed for Trial.	
		M.	F.	M.	F.	M.	F.
Against the Person—							
Murder and attempts at	9	...	...	2	...	6	1
Manslaughter ...	8	...	...	1	...	7	...
Shooting at, wounding, &c. ...	46	...	...	15	1	29	1
Assaults ...	1,363	739	37	531	56	...	...
Others ...	189	18	2	46	4	112	7
Total ...	1,615	757	39	595	61	154	9
Against Property—							
Robbery, burglary, &c.	401	99	2	60	1	233	6
Larceny and similar offences ...	2,627	1,581	154	554	72	246	20
Wilful damage ...	408	270	11	118	9	...	...
Others ...	762	474	28	220	18	18	4
Total ...	4,198	2,424	195	952	100	497	30
Forgery and Offences against the Currency	27	...	...	1	1	25	...
Against Good Order—							
Drunkenness ...	9,635	5,587	654	3,044	350	...	...
Others ...	8,207	6,069	293	1,511	332	1	1
Total ...	17,842	11,656	947	4,555	682	1	1
Other Offences—							
Perjury ...	4	...	...	...	...	3	1
Breaches of—							
Defence Act ...	515	451	...	64	...	...	...
Education Act ...	9,034	6,937	1,278	663	156	...	...
Electoral Act ...	186	131	40	8	7	...	...
Licensing Act ...	4,811	3,250	453	865	243	...	...
Pure Food Act ...	623	435	45	130	13	...	...
Miscellaneous ...	21,707	17,792	1,035	2,648	222	10	...
Total ...	36,880	28,996	2,851	4,378	641	13	1
Grand Total ...	60,562	43,833	4,032	10,481	1,485	690	41

These particulars include the arrests and summonses disposed of in Children's Courts, which are detailed in the next table, other than arrests of neglected children.

Of the persons dealt with in the 42,003 summons cases, 35,382 were summarily convicted, 6,581 were discharged, and 40 were

committed for trial. Of the total persons dealt with (60,562), 47,865 were summarily convicted, 11,966 were discharged, and 731 were committed for trial.

The table which follows shows the number of arrests and summonses for various offences which were disposed of in Children's Courts during the year 1928:—

CHILDREN'S COURTS: ARRESTS AND SUMMONSES FOR VARIOUS OFFENCES, 1928.

Nature of Offence.	Number of Offences for which—				Others (Application to board out, &c.).		Total Offences.	
	Arrests were made.		Summonses were issued.		M.	F.	M.	F.
	M.	F.	M.	F.				
Against the Person—								
Assaults	24	..	35	2	..	..	59	2
Others	2	..	3	3	..	..	5	3
Total	26	..	38	5	..	..	64	5
Against Property—								
Larceny, &c.	679	20	964	21	..	..	1,643	41
Wilful Damage	23	3	184	2	..	..	207	5
Others	12	..	54	2	..	..	66	2
Total	714	23	1,202	25	..	..	1,916	48
Against Good Order—								
Drunkenness	5	..	1	..	..	..	6	..
Others	49	19	363	11	..	..	412	30
Total	54	19	364	11	..	..	418	30
Other Offences—								
Breach of Licensing Act .. ..	..	..	1	..	..	..	1	..
Miscellaneous	70	24	917	21	155	91	1,142	136
Total	70	24	918	21	155	91	1,143	136
Grand Total	864	66	2,522	62	155	91	3,541	219

The number of arrests and summons cases which were disposed of in the previous five years were:—3,487 in 1923, 3,428 in 1924, 3,514 in 1925, 4,031 in 1926, and 4,248 in 1927.

The arrests of neglected children, which in 1928 numbered 109, viz., 81 males and 28 females, have been included in this table to indicate the business done by Children's Courts, but they are eliminated from all other criminal tabulations.

Of the persons who were brought before magistrates during the last five years, 27 per cent. were arrested, and 73 per cent. summoned. The great increase in summons cases since 1906 is due principally to the number of prosecutions under the Licensing, Pure Foods, Commonwealth Electoral, and Defence

Arrests and
summons
cases.

Acts, and is also partially accounted for by more parents having been summoned for neglecting to send their children to school than in previous years—the compulsory clauses of the Amending Education Act requiring children to attend a greater number of times than formerly. Particulars for the last year of each of the five decennial periods ended with 1921, and for each of the last five years, are given in the subjoined table :—

ARRESTS AND SUMMONSES, 1881 TO 1928.

Year.	Arrested by the Police.	Brought before Magistrates on Summons.	Total.
1881	22,640	19,384	42,024
1891	31,971	24,525	56,496
1901	27,855	21,130	48,985
1911	19,398	25,128	44,526
1921	15,249	47,153	62,402
1924	17,786	50,708	68,494
1925	17,922	55,424	73,346
1926	18,853	56,703	75,556
1927	19,507	47,769	67,276
1928	18,559	42,003	60,562

Neglected children arrested. The arrests of neglected children, which are excluded from the above table and the tables which follow, numbered 108 in 1924, 104 in 1925, 67 in 1926, 132 in 1927, and 109 in 1928.

There has been a great falling off in the arrests in later years, as compared with earlier years, the principal reason being that children boarded out with their own mothers by the Children's Welfare Department are not now arrested by the police.

The following table shows for each of the last five years the number of offences for which persons were arrested or summoned, summarily convicted, discharged by magistrates, committed for trial, and convicted after commitment, also the number per 10,000 of the population :—

NUMBER OF ARRESTS AND SUMMONS CASES, 1924 TO 1928.

Year.	Total.	Summarily Convicted.	Discharged by Magistrates.	Committed for Trial.	Convicted after Commitment.
1924 ...	68,494	54,376	13,516	602	401
1925 ...	73,346	58,879	13,723	744	510
1926 ...	75,556	60,728	14,067	761	461
1927 ...	67,276	53,612	12,890	774	474
1928 ...	60,562	47,865	11,966	731	521
Number per 10,000 of Population.					
1924 ...	417.2	331.2	82.3	3.7	2.4
1925 ...	438.8	352.3	82.1	4.4	3.1
1926 ...	445.3	357.9	82.9	4.5	2.7
1927 ...	399.5	310.4	74.6	4.5	2.7
1928 ...	345.8	273.3	68.3	4.2	3.0

In regard to persons arrested, minor charges are excluded, and only that charge which throughout the hearing of the case was most prominent is taken account of; but, in summons cases, the unit is each separate charge or case, and the number of convictions, discharges, &c., is, therefore, greater than the number of persons concerned.

CRIME AND DRUNKENNESS.

The subjoined table shows, for a series of years, the number of persons arrested or summoned, also the number per 1,000 of the population, for the only classes of offence for which complete comparisons can be made:—

CRIME IN THE STATE OF VICTORIA, 1890 TO 1928.

Year.	Number of Persons Arrested or Summoned for—				
	Offences against the Person.	Offences against Property.	Drunkenness.	Other Offences.	Total.
1890	4,091	5,036	18,501	36,456	64,084
1895	2,344	3,336	11,143	20,843	37,666
1900	2,103	3,106	15,878	28,003	49,090
1910	1,663	3,052	12,719	34,626	52,060
1920	1,909	4,877	7,154	42,758	56,698
1924	1,767	3,626	9,814	53,287	68,494
1925	1,637	3,672	9,430	58,607	73,346
1926	1,748	3,841	10,150	59,817	75,556
1927	1,632	4,372	10,793	50,479	67,276
1928	1,615	4,198	9,635	45,114	60,562
	Number per 1,000 of the Population.				
1890	3.66	4.50	16.54	32.59	57.29
1895	1.98	2.82	9.41	17.60	31.81
1900	1.76	2.60	13.31	23.47	41.14
1910	1.30	2.38	9.92	27.00	40.60
1920	1.26	3.23	4.73	28.27	37.49
1924	1.08	2.21	5.98	32.45	41.72
1925	.98	2.20	5.64	35.06	43.88
1926	1.03	2.26	5.98	35.26	44.53
1927	.95	2.53	6.25	29.22	38.95
1928	.92	2.40	5.50	25.76	34.58

The most noticeable feature of the above table is the large decrease in the arrests for drunkenness in the last five years as compared with the years prior to 1920.

Almost all serious crimes are either offences against the person or offences against property. The first-named consist mainly of assault, but include murder, manslaughter, shooting, wounding, and all crimes of lust. Offences against property consist principally of larceny and similar offences; but include burglary, robbery, &c., cattle stealing, and wilful damage to property.

Other Offences. The only serious crimes included under "Other Offences" are forgery, counterfeiting, conspiracy, and perjury, and these are very few in number, there having been in Victoria in 1928 only 35 of such crimes out of a total of 45,114 in the category to which they belong. A large proportion of the cases under the heading "Other Offences" are merely breaches of various Acts of Parliament, by-laws, &c., which indicate no degree of criminal instinct or intent on the part of the person charged. There is also among them a large number of offences against good order, including insulting behaviour, vagrancy, &c.

If it be desired to compare the above figures with those relating to other States or countries several considerations must be taken into account. The first point necessary is that the criminal law in the places compared be substantially the same; the second, that it be administered with equal strictness; and the third, that proper allowances be made for differences in the age and sex constitution of the population. These considerations must also be taken into account in comparing crime in recent years with that in previous periods when there may have been differences in the law and when the population was very differently constituted in regard to sex and age.

SENTENCES PASSED.

The results of summary disposal of cases by magistrates during 1928 were as follows:—

SUMMARY DISPOSAL BY MAGISTRATES OF PERSONS ARRESTED, 1928.

Sentence.	Males.	Females.	Total.
Fines paid	5,229	326	5,555
Imprisonment for—			
Under 1 month	3,298	440	3,738
1 and under 6 months ...	1,405	124	1,529
6 and under 12 months ..	188	12	200
2 years	2	...	2
Ordered to find bail or sentence suspended on entering surety ...	497	72	569
Admonished	673	73	746
Sent to Industrial or Reformatory Schools	80	11	91
Otherwise dealt with	48.	5	53
Total sentenced	11,420	1,063	12,483
Discharged	4,688	697	5,385
Total summarily disposed of ...	16,108	1,760	17,868
Sentenced per 10,000 of population ...	131·1	12·1	71·3

Sentences in
superior
courts.

The following were the sentences of the arrested persons tried and convicted in superior courts during 1928:—

SENTENCES OF ARRESTED PERSONS TRIED AND CONVICTED, 1928.

Sentence.	Males.	Females.	Total.
Fines paid	1	...	1
Imprisonment for—			
Under 1 month	7	1	8
1 and under 6 months	72	3	75
6 " 12 "	156	3	159
1 year and under 4 years	73	...	73
4 years " 7 "	10	...	10
10 "	1	...	1
Death recorded	2	...	2
Ordered to find bail or sentence suspended on entering surety	101	9	110
Sent to Reformatory Prison	59	...	59
Total convicted	482	16	498
Acquitted	157	18	175
Not prosecuted	17	3	20
Convictions per 10,000 of population...	5.53	.18	2.84

In addition to being sent to gaol, two prisoners were ordered one whipping each with a birch.

Prisoners remaining for trial from the previous year and sentenced in the year mentioned are included in the above statement, but those awaiting trial at the end of the year are excluded.

In compiling the criminal statistics of the State each year a person arrested more than once is counted as a separate individual in respect of each arrest. It is possible to ascertain approximately the number of distinct persons passing through the hands of the police by making a close comparison of names, ages, birth-places, religions, occupations, &c., of the

Arrests of
distinct
individuals.

DISTINCT INDIVIDUALS ARRESTED, 1928.

Sex and Age of Persons Arrested.			Number of Arrests.	Number of Distinct Individuals Arrested.	Number of Times on which Distinct Individuals were Arrested.																		
					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
SEX.																							
Males	..	..	10,759	13,122	11,091	1,330	375	133	69	40	29	13	16	10	5	2	2	3	1	1	..	1	1
Females	..	..	1,800	1,232	1,011	117	34	20	15	13	4	5	4	2	1	1	2	1	..	1	1	..	..
Total	..	..	18,559	14,354	12,102	1,447	409	153	84	53	33	18	20	12	6	3	4	4	1	2	1	1	1
AGE.																							
Under 10 years	..	..	6	6	6	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
10 to 15	..	..	126	117	110	5	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
15 to 20	..	..	1,256	1,124	1,012	94	16	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
20 to 25	..	..	2,273	2,000	1,811	135	41	9	1	..	..	..	2	1	..	..	..	..	..	..	..	..	..
25 to 30	..	..	2,479	2,107	1,842	210	33	11	6	1	2	1	..	..	..	..	..	..	..	1	..	..	..
30 to 40	..	..	4,617	3,535	2,939	390	103	41	26	14	7	3	6	1	..	..	1	3	..	..	..	..	1
40 to 50	..	..	3,892	2,687	2,119	321	111	51	24	23	12	9	5	4	5	1	1	..	1	..	..	..	..
50 to 60	..	..	2,473	1,732	1,402	194	55	36	18	10	7	4	4	5	1	1	2	1	..	1	..	1	..
60 to 70	..	..	1,200	857	695	84	45	11	8	4	4	..	3	1	..	1	..	..	..	..	1	..	..
70 to 80	..	..	220	180	159	13	3	2	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..
80 years and over	..	..	17	9	7	1	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..

individuals dealt with. This has been done for 1928, in so far as the sex and age of the persons arrested are concerned, and the result is given in the following table:—

Individuals arrested more than once.

Of the total number of arrests, 18,559, only 14,354, or 77 per cent., were of distinct individuals. Of these, 12,102, or 84 per cent., were arrested only once; 1,447, or 10 per cent., twice; 409, or 3 per cent., three times; 153, or 1 per cent., four times; and 243, or 2 per cent., five times and over—one of these persons having been arrested seventeen, one eighteen, and one nineteen times. The table which follows gives a comparison of 1928 with 1907—a year in which an important Act relating to the obtaining and holding of licences came into force. From this it will be seen that there was a large decrease in the later year in the number of distinct persons arrested:—

DISTINCT PERSONS ARRESTED, 1907 AND 1928.

Year.	Distinct Persons Arrested.						Percentage Arrested.				
	Number.			Per 100,000 of the Population.			Once.	Twice.	Thrice.	Four Times.	More than Four Times.
	Males.	Females.	Total.	Males.	Females.	Total.					
1907 ...	14,519	2,297	16,816	2,410	369	1,372	83	10	3	2	2
1928 ...	13,122	1,232	14,354	1,507	140	820	84	10	3	1	2

Sexes of those arrested more than once.

The tendency of females to be arrested over and over again is greater than that of males, for, while only 15 per cent. of the males who fell into the hands of the police were arrested more than once in 1928, as many as 18 per cent. of the females were so arrested.

Distinct persons arrested more than once for drunkenness.

The distinct persons arrested for drunkenness during 1928 numbered 7,057, and, of these, 1,275, or 18 per cent., were arrested more than once, viz., 779 twice; 231 thrice; 108 four times; 55 five times; and 102 more than five times, of whom 2 were arrested seventeen times.

Drunkenness, 1907 and 1928.

The number of distinct persons arrested for drunkenness was 10,944 in the year 1907, and 7,057 in 1928. The proportions per 1,000 of the population were 8.93 and 4.03 respectively in the years mentioned, the decrease in the later year being equivalent to a reduction of 55 per cent.

Drunkards charged with other offences. Whilst the number of distinct persons arrested for drunkenness in 1928 was 7,057, the charges of drunkenness brought against them numbered 9,562; these persons were also charged with 1,529 other offences, so that the total number of charges of all kinds against drunkards was 11,091. Fifty-two per cent. of the arrests during 1928 consisted of persons who were charged with drunkenness.

Drunkenness, 1924 to 1928. The number of persons and the number per 1,000 of the population arrested or summoned for drunkenness during the last five years are given hereunder:—

PERSONS ARRESTED OR SUMMONED FOR DRUNKENNESS, 1924 TO 1928.

Year.	Number of Persons—			Number per 1,000 of Population.
	Arrested.	Summoned.	Total.	
1924 ...	9,713	101	9,814	5·98
1925 ...	9,318	112	9,430	5·64
1926 ...	10,066	84	10,150	5·98
1927 ...	10,655	138	10,793	6·25
1928 ...	9,562	73	9,635	5·50

Drunkenness—Comparison with previous years. The amount of drunkenness in proportion to population, as evidenced by arrests, being taken as 100 in 1874-8, the corresponding numbers for subsequent periods will show the increase or decrease by comparison. These numbers are given in the following statement:—

Period.	Index Number.	Period.	Index Number.
1874-78	100	1920	32
1879-85	88	1921	34
1886-92	106	1922	38
1893-97	65	1923	43
1898-1902	84	1924	40
1903-07	77	1925	38
1908-12	68	1926	41
1913-17	59	1927	42
1918	29	1928	37
1919	29		

A very considerable decrease in drunkenness is shown for the five years 1893-97, which was a period of general depression. In the five years following an increase occurred, but since that time the arrests for this offence have declined. In the middle of the year 1915 an Act was passed limiting the number of hours during which alcoholic liquors could be sold in hotels, and a further limitation was made in the following year. This probably accounts for the marked decrease in drunkenness in the last twelve years. The index numbers for that period are the lowest on record.

The accompanying table shows the number of persons under 20 years of age arrested for drunkenness, also the number arrested per 100,000 of the population under that age, from which it will be seen that very few young persons are arrested for this offence :—

ARRESTS OF PERSONS UNDER 20 YEARS OF AGE CHARGED WITH DRUNKENNESS, 1895 TO 1928.

Year.	Number.	Number per 100,000 of the Population under 20 years of age.
1895	185	35·60
1900	222	42·38
1910	128	24·19
1920	140	24·15
1924	159	25·24
1925	130	20·27
1926	142	21·81
1927	162	24·44
1928	137	20·39

One per cent. of the distinct individuals arrested in 1928 were entirely illiterate, 98 per cent. could read only, or read and write, and under 1 per cent. were possessed of superior or good education.

Education of persons arrested.

CONSUMPTION OF INTOXICATING LIQUOR.

The next table shows for a period of years the average yearly consumption of intoxicating liquors in Australia and New Zealand. It is not possible to give the Victorian consumption for a later year than 1909, as the Commonwealth Government discontinued keeping records of Inter-State trade in the following year.

AVERAGE CONSUMPTION OF SPIRITS, BEER, AND WINE IN AUSTRALIA AND NEW ZEALAND.

	Yearly Average Quantity Consumed. 1st July, 1923, to 30th June, 1923.			Consumption per Head		
	Spirits.	Beer.	Wine.	Spirits.	Beer.	Wine.
	gallons.	gallons.	gallons.	gallons.	gallons.	gallons.
Commonwealth of Australia ..	2,525,000	67,822,000	2,508,000	·42	11·34	·42
*Dominion of New Zealand ..	653,900	13,073,600	218,400	·49	9·69	·16

* Average for five years ended 31st December, 1927.

The quantities consumed per head in Australia and New Zealand during three quinquennial periods in the years 1909 to 1928, were as follows :—

	Australia.			New Zealand.		
	1909-13.*	1918-23.†	1923-28.†	1909-13.*	1919-23.*	1924-28.*
	gallons.	gallons.	gallons.	gallons.	gallons.	gallons.
Spirits	·82	·39	·42	·79	·60	·49
Beer	12·40	12·14	11·34	9·69	11·35	9·69
Wine	·42	·39	·42	·14	·15	·16

Average for five years ended—

* 31st December.

† 30th June.

With the assistance of the figures in the preceding table, it is possible to estimate for Australia and New Zealand, with some degree of accuracy, the approximate expenditure of the people on intoxicating liquors in a year. The following table shows the average yearly consumption over a period of years :—

**AUSTRALIAN AND NEW ZEALAND DRINK BILL.—
YEARLY AVERAGE.**

	Expenditure by the People on—					
	Spirits.	Beer.	Wine.	Total.		
				Amount.	Per Head.	Per Adult Individual.
	£	£	£	£	£ s. d.	£ s. d.
*Commonwealth of Australia ..	10,731,200	20,326,700	2,508,100	33,566,000	5 12 0	9 12 0
†Dominion of New Zealand ..	2,779,300	3,922,100	218,400	6,919,800	5 2 8	8 14 1

* Average for five years ended 30th June, 1928.

† Average for five years ended 31st December, 1928.

These figures show that the average yearly expenditure on drink in Australia during the five years ended 30th June, 1928, was £33,566,000, and that in New Zealand during the quinquennium 1923 to 1928 it was £6,919,800. The expenditure per head for the Commonwealth was £5 12s., and for New Zealand, £5 2s. 8d. The corresponding expenditures for the quinquennium 1909–13 were £3 10s. 2d., and £2 18s. 2d. per head, and for a similar period in the years 1918 to 1923, £4 8s. 9d., and £4 17s. 2d. per head.

LOCAL OPTION.

At the general elections for the State Legislative Assembly, held on 21st October, 1920, the provision in the *Licensing Act 1906* (incorporated in the Act of 1915), which required a poll of the electors to be taken on the question of the number (if any) of liquor licences to be held in the various licensing districts of the State, was submitted to the electors. The resolutions were :—

- A. That the number of licences existing in this district continue.
- B. That the number of licences existing in this district be reduced.
- C. That no licences be granted in this district.

If resolution C had been previously carried and was in force in the district, the following was to be submitted instead of the resolutions mentioned above :—

- D. That licences be restored in this district.

Resolution A or B was carried if a majority of the votes given was in favour of such resolution. Resolution C was carried if three-fifths at least in number of the votes given was in favour of that resolution, it being provided that, where less than such number was given, the votes recorded in favour of resolution C should be added to the votes given for resolution B. Resolution D was carried if three-fifths at least in number of the votes given was in favour of that resolution. Resolutions C and D could not be carried unless 30 per cent. or more of the number of electors on the electoral rolls for the district voted for the resolution.

In two licensing districts in the State, viz., Boroondara and Nunawading, resolution C was carried. Seven hotels in the former district and three in the latter had, therefore, to be closed. The amount of compensation awarded by the Licences Reduction Board was £12,100, or an average of £1,210 for each hotel.

Act of 1922. By an amending Licensing Act (No. 3259) assented to on 21st December, 1922, it is provided that a vote of the electors for the Legislative Assembly be taken on the licensing question once in every eighth year on a day to be fixed by proclamation of the Governor in Council, published in the *Government Gazette*, not being a day within three months before or after the day for a general election, the first of such polls to be taken in the year 1930.

At the first of such votes and at any subsequent vote, whenever licences exist, the following resolution only shall be submitted to the electors:—

Abolition.—That licences shall be abolished (Resolution I.).

If at any vote Resolution I. is carried the following resolution only shall be submitted to the electors at each subsequent vote until carried:—

Restoration.—That licences shall be restored (Resolution II.).

Hotels Closed, 1885-1905. During the period 1885 to 1905, 217 hotels were closed as the result of local option polls. The amount of compensation awarded was £212,771, or an average of £980 for each hotel. This sum was provided partly out of the Licensing Fund, and, when this was insufficient for the purpose, out of the general revenue.

Restricting the hours for the sale of intoxicants. In the year 1915 an Act was passed (No. 2584) which fixed the hours during which alcoholic liquors might be sold in hotels during the period of the war at from 9 o'clock in the morning until half-past 9 at night. By an Act passed in 1916 (No. 2827) the closing hour was fixed at 6 o'clock instead of 9.30. The latter provision was made permanent by Act No. 3028, passed on 19th December, 1919.

LICENCES REDUCTION BOARD.

Licences
Reduction
Board.

The Licences Reduction Board, provided for by the *Licensing Act* 1906, was appointed on 21st May, 1907. At the same time a Compensation Fund was instituted, which was raised by means of a percentage fee of £3 for every £100 of purchases of liquor, the owner of the premises being chargeable with two-thirds and the tenant with one-third of the fee. The duties of the Board are referred to in the *Year-Book* for 1915-16, page 476. Just before the close of the year 1916 an amending *Licensing Act* (No. 2855) was passed, by which the members of the Licences Reduction Board were constituted a Licensing Court for the whole State. The taking of a local option poll was postponed to the second general election after January, 1917, and the court was authorized in the meantime to close hotels to the extent of the Compensation Fund available, as if reduction had been carried in every Licensing District. No alteration was made in the provisions abolishing the statutory number of hotels for a district, so that the number existing on 1st January, 1917, is now the maximum number, a similar provision applying to spirit merchants' licences, grocers' licences, Australian wine licences, and club licences. The Mallee area was made the subject of special legislation, under which it is possible after a petition and a poll to obtain victuallers' licences in proclaimed areas containing at least 500 electors. These victuallers' licences are to be 12 miles apart, except at Mildura, where there can be three hotels. The whole system of licence-fees was re-cast, fixed fees in the retail liquor trade being abolished and percentage fees substituted. In the wholesale section there are now percentage fees for the sales to private customers, and fixed fees in respect of the balance of the trade. The percentage fee in the case of hotels has been fixed at 6 per cent. of the annual liquor purchases, the owner paying three-eighths, and the licensee five-eighths. This combines and takes the place of the old fixed fees, the 3 per cent. compensation fee, and the assessments for lost licence fees arising out of the closing of hotels. Spirit merchants and holders of grocers' licences and Australian wine licences pay 4 per cent. of the cost of liquors sold to non-licensed purchasers.

Provision was made by Act No. 2776 for an adjustment of rents owing to the reduction effected by the "9.30 Closing Act" in the number of hours allowed for selling liquor, and this provision was extended by Act No. 2855 so as to provide for adjustments by reason of the further restrictions imposed by Act No. 2827—the "6 o'clock Closing Act." The work of adjustment was entrusted to the Board. Under the provisions of these Acts over 700 applications were received from licensees for adjustment of rent and licence-fee rebates.

Up to 31st October, 1929, 1,698 hotels had been closed by the Board or had surrendered their licences. The total sum paid in compensation was £1,107,266, or an average of £652 each. Five hundred and fourteen of these hotels were located in the Greater Melbourne district;

the compensation paid in connexion with these totalled £553,792, making an average of £1,077 each. There were 1,184 hotels closed in country districts, whose owners and licensees received £553,474, or an average of £467 for each hotel.

Particulars of the hotels closed and compensation awarded in metropolitan and country districts in each year since the constitution of the Board are set forth in the following table:—

NUMBER OF HOTELS CLOSED AND COMPENSATION AWARDED, 1907 TO 31ST OCTOBER, 1929.

Year Ended—	Number of Hotels Closed.			Amounts Awarded Owners and Licensees.		
	Greater Melbourne.	Country.	Total.	Greater Melbourne.	Country.	Total.
31st December—				£	£	£
1907 ..	26	37	63	26,471	6,125	32,596
1908 ..	43	90	133	33,764	32,817	66,581
1909 ..	30	78	108	20,021	21,648	41,669
1910 ..	28	78	106	27,636	26,507	54,143
1911 ..	17	85	102	15,501	32,953	48,454
1912 ..	24	72	96	20,511	30,877	51,388
1913 ..	26	76	102	24,775	25,346	50,121
1914 ..	19	70	89	20,040	30,033	50,073
1915 ..	30	82	112	25,800	35,883	61,683
1916 ..	40	103	143	35,485	48,688	84,143
1917 ..	23	60	83	19,193	30,415	49,608
30th June—						
1918 ..	10	34	44	7,475	15,802	23,277
(six months)						
30th June—						
1919 ..	22	57	79	19,825	29,635	49,460
1920 ..	39	36	75	39,080	21,595	60,675
1921 ..	35*	57	92*	43,555	34,230	77,585
1922 ..	7	41	48	9,070	35,915	44,985
1923 ..	21	12	33	33,000	5,185	38,185
1924 ..	11	11	22	18,270	3,025	21,295
31st December—						
1925 ..	27	31	58	44,335	21,450	65,785
(18 months)						
1926 ..	31	17	48	59,700	17,715	77,415
1927 ..	4	26	30	8,100	22,345	30,445
1928 ..	1	19	20	2,385	18,540	20,925
31st October—						
1929 ..	..	12	12	..	6,775	6,775
Total ..	514	1,184	1,698	553,792	553,474	1,107,266

* Including ten hotels closed as the result of a Local Option poll held on 21st October, 1920.

In addition to the above closings, the following have been deprived of their licences, as a result of the local option poll held on 21st October, 1920:—5 spirit merchants, 4 grocers, 1 club, and 4 Australian wine licensees. The amount of compensation awarded was £550. Since 1922, 4 spirit merchants', 2 grocers', and 50 Australian

wine licences have been taken away, for which compensation to the amount of £10,333 has been awarded.

A section of the Board's work which has grown rapidly in extent and importance, is the improvement in the type of structure and in the class of accommodation of licensed houses.

Since 1922 plans have been passed by the Board for new and improved licensed premises, the estimated cost being £3,051,203, in the following districts:—

ESTIMATED COST OF NEW BUILDINGS AND OF IMPROVEMENTS TO LICENSED PREMISES, 1923 TO 1928.

Licensing District.	Amount.	Licensing District.	Amount.
	£		£
<i>Metropolitan.</i>			
Abbotsford	40,020	Dandenong	55,400
Albert Park	37,100	Dundas	16,460
Boroondara	38,900	Evelyn	28,350
Brighton	43,900	Geelong	115,762
Brunswick	45,205	Gippsland East	24,435
Carlton	55,140	Gippsland North	33,143
Clifton Hill	4,400	Gippsland South	8,810
Coburg	4,100	Gippsland West	29,633
Collingwood	32,010	Goulburn Valley	16,897
East Melbourne	218,565	Grant	1,000
Essendon	58,320	Gunbower	42,505
Fitzroy	88,499	Hampden	19,300
Flemington	59,960	Kara Kara and Borung	43,290
Footscray	19,300	Korong and Eaglehawk	33,630
Hawthorn	16,110	Lowan	78,130
Heidelberg	11,000	Maryborough and Daylesford	46,410
Jika Jika	39,433	Mildura	3,050
Kew	1,250	Mornington	72,485
Melbourne	552,800	Ouyen	16,550
North Melbourne	43,650	Polwarth	10,890
Port Melbourne	102,133	Port Fairy and Glenelg	18,600
Prahran	80,955	Rodney	22,510
Richmond	51,320	Stawell and Ararat	27,027
St. Kilda	73,260	Swan Hill	164,190
Toorak	15,750	Upper Goulburn	23,236
Williamstown	64,160	Upper Yarra	12,150
		Walhalla	59,290
Total Metropolitan	1,797,240	Wangaratta and Ovens	15,652
		Waranga	12,854
<i>Country.</i>			
Allandale	18,300	Warrenheip and Grenville	12,360
Ballarat	21,276	Warrnambool	10,326
Barwon	20,605	Wonthaggi	5,485
Benalla	13,982		
Benambra	13,360	Total Country	1,253,963
Bendigo	42,275		
Bulla and Dalhousie	35,485	Grand Total	3,051,203
Castlemaine and Maldon	8,870		

The return given hereunder shows the number of hotels, including roadside licences, in Victoria in 1885, 1906 and 1929, and the number of persons to each hotel in those years. The years 1885 and 1906 have been selected, because in those years important alterations were made in the liquor licensing laws:—

NUMBER OF HOTELS, 1885, 1906 AND 1929.

Year.	Estimated Population.	Number of Hotels.*	Persons to each Hotel.
1885	969,200	4,339	223
1906	1,244,470	3,520	354
1929 (31st October)	1,771,000	1,819	973
Increase, 1885 to 1929	801,800	...	750
Decrease, ,, ,, ... ..	...	2,520	...

* Including Roadside Licences.

While the population has increased by 83 per cent. since 1885, the number of hotels has decreased by 58 per cent., and the number of persons to an hotel is now 336 per cent. more than it was in that year. During the period 1885-1929, 227 hotels were closed as the result of local option polls, 1,698 were deprived of their licences by the Licences Reduction Board, or surrendered their licences to the Board, and 664 were closed voluntarily. During the period of twenty-three years, 1907 to 1929, 69 new licences were granted.

Racecourse
licences and
percentage
fees.

The *Lotteries Gaming and Betting Act* 1906 (now Section 152 of the *Police Offences Act* 1915) provides that all racecourses shall be licensed, for which a fee of £1 per annum is charged. It is stipulated that, in addition to this fee, there shall be paid annually a sum equal to 3 per cent. of the gross revenue derived from all sources. Where the gross revenue is less than £1,500, but more than £600, the annual sum payable is 2 per cent. of the revenue, and, where the gross revenue is £600 or less, no percentage is charged. The amounts paid into the Consolidated Revenue in licence fees and percentages on receipts during the last ten years were as follows:—

REVENUE FROM RACECOURSE LICENCES AND
PERCENTAGE FEES, 1920 TO 1929.

Year ended 30th June.	Amount.	Year ended 30th June.	Amount.
	£		£
1920	13,416	1925	21,714
1921	17,731	1926	23,270
1922	17,578	1927	24,148
1923	20,124	1928	25,036
1924	20,516	1929	24,952

GAOLS AND PRISONERS.

Gaols and
prisoners.

There are six gaols in Victoria, including the Pentridge Penal Establishment, and six reformatory prisons, also two police gaols which are used as receiving stations; the figures given below show that there is accommodation in the gaols for nearly twice the average number of prisoners in confinement. The following statement contains information for the year 1928 in regard to the accommodation for prisoners, the daily average number in confinement, the number received during the year, and the number in confinement at the end of the year:—

GAOL ACCOMMODATION AND PRISONERS, 1928.

Name of Institution.	Number of Prisoners.							
	For whom there is Accommodation.		Daily Average.		Total Received.		In Confinement, 31.12.28.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Pentridge ..	662	..	551	..	2,092	..	507	..
Pentridge Reformatory Prison..	68	..	75	..	147	..	80	..
Ballarat ..	62	18	16	..	233	4	17	..
Beechworth Reformatory Prison	78	..	28	..	20	..	30	..
Bendigo ..	116	28	16	..	253	9	17	..
Castlemaine Reformatory Prison	97	..	91	..	147	..	85	..
Coburg Reformatory Female Prison ..	..	10	..	3	..	2	..	3
Geelong ..	172	29	65	..	313	5	61	..
Geelong Reformatory Prison ..	15	..	10	..	5	..	7	..
McLeod Settlement Reformatory Prison ..	43	..	41	..	41	..	42	..
Metropolitan ..	111	123	109	33	4,503	585	105	35
Sale ..	30	5	4	..	75	1	2	..
Police Gaols ..	26	..	2	..	155	..	6	..
Total ..	1,480	213	1,008	36	7,984	606	959	38

Prisoners in
confinement,
1871 to 1928
—decrease.

A statement is given below of the average number of prisoners in detention in the gaols of the State in the last year of each of the decennial periods 1871 to 1921 inclusive, and in each of the last five years. From this it will be seen that there has been a considerable decrease in late years as compared with earlier periods. The rate per 10,000 of population, aged fifteen

years and over, was, in 1928, 4 per cent. less than in 1911, 42 per cent. less than in 1901, 67 per cent. less than in 1891, 72 per cent. less than in 1881, and 78 per cent. less than in 1871.

PRISONERS IN CONFINEMENT, 1871 TO 1928.

Year.	Average Number of Prisoners in Confinement.			Number per 10,000 of Population, aged 15 years and over.		
	Males.	Females.	Total.	Males.	Females.	Total.
1871 ...	1,345	274	1,619	54·77	15·46	38·30
1881 ...	1,294	304	1,598	45·25	12·35	30·03
1891 ...	1,550	350	1,900	38·78	10·07	25·43
1901 ...	951	200	1,151	23·92	5·06	14·53
1911 ...	713	100	813	15·73	2·16	8·87
1921 ...	741	54	795	14·56	·98	7·40
1924 ...	734	48	782	13·00	·82	6·79
1925 ...	850	45	895	14·74	·75	7·63
1926 ...	932	47	979	15·93	·78	8·22
1927 ...	949	50	999	15·92	·81	8·24
1928 ...	1,008	36	1,044	16·70	·59	8·49

Birthplaces, religions, and ages of prisoners.

The birthplaces, religions, and ages of prisoners constantly detained, as deduced from the numbers passing through the gaols, are shown below for the five decennial periods ended with 1921 and for 1928:—

BIRTHPLACES, RELIGIONS, AND AGES OF PRISONERS CONSTANTLY DETAINED, 1881 TO 1928.

—	1881.	1891.	1901.	1911.	1921.	1928.
Total	1,598	1,900	1,151	813	795	1,044
Birthplace—						
Australia and New Zealand	584	845	689	595	660	797
England and Wales	401	420	149	87	64	110
Scotland	105	129	56	26	18	48
Ireland	378	336	160	62	23	40
China	27	14	18	4	1	2
Others	103	156	79	39	29	47
Religion—						
Protestants	888	1,098	651	476	479	581
Roman Catholics	671	729	465	317	293	399
Jews	7	14	8	4	4	4
Buddhists, Confucians, &c..	27	14	12	1	..	..
Others	5	45	15	15	19	60
Age—						
Under 20 years	229	129	75	54	85	107
20 to 30 years	473	669	316	205	287	315
30 to 40 years	312	457	337	211	190	264
40 to 50 years	294	279	234	193	126	265
50 to 60 years	166	193	102	96	68	110
60 years and over	124	173	87	54	39	43

BIRTHPLACES, RELIGIONS, AND AGES OF PRISONERS
CONSTANTLY DETAINED, PER 10,000 OF POPULATION,
1881 TO 1928.*

	1881.	1891.	1901.	1911.	1921.	1928.
Birthplace—						
Australia and New Zealand	10·84	10·65	7·25	5·32	4·92	5·19
England and Wales	27·20	25·78	12·72	9·73	} 6·53	19·76
Scotland	21·81	25·46	15·66	9·78		
Ireland	43·58	39·39	26·01	14·95		
China	22·88	16·53	28·89	7·14	3·54	6·35
Others	35·34	39·24	25·80	11·64	11·13	15·79
Religion—						
Protestants	14·36	13·12	7·19	4·90	4·12	4·41
Roman Catholics	32·98	29·33	17·63	11·07	9·08	10·81
Jews	16·17	21·63	13·54	6·38	5·21	4·57
Buddhists, Confucians, &c.	24·20	20·75	21·95	6·18	..	..
Others	2·00	10·78	7·03	3·05	4·97	11·12
Age—						
Under 20 years	35·30	2·53	1·42	1·01	1·45	1·59
20 to 30 years	34·18	27·36	15·30	8·67	10·93	10·49
30 to 40 years	34·82	31·30	18·23	11·66	8·35	10·14
40 to 50 years	20·95	32·00	20·07	11·64	7·20	10·24
50 to 60 years	34·84	23·95	15·35	9·60	4·50	6·34
60 years and over	30·88	23·90	8·73	5·58	3·07	2·96

* The ratios refer to 10,000 persons in the community whose birthplaces, religions, or ages were as stated above.

POLICE PROTECTION.

The following table shows the numbers in the various grades of the police force in Victoria on the 31st December, 1928 :—

POLICE IN VICTORIA, 31ST DECEMBER, 1928.

Designation.	Number.		
	Metropolitan.	Country.	Total.
<i>Foot.</i>			
Chief Commissioner	1	...	1
Superintendents	5	8	13
Inspectors	10	5	15
Sub-Inspectors	19	5	24
Sergeants, First class	36	9	45
" Second class	38	11	49
Senior Constables	141	95	236
Constables	1,155	272	1,427
Total	1,405	405	1,810
<i>Detectives.</i>			
Sergeants, First Class	6	...	6
" Second Class	1	...	1
Senior Detectives	13	...	13
Detectives	27	1	28
Total	47	1	48
<i>Mounted.</i>			
Senior Constables	1	...	1
Constables	31	222	253
Total	32	222	254
Grand Total	1,484	628	2,112

The number of police in Victoria per 100,000 of the population and the corresponding proportions for other States, at the end of 1928, were as follows:—Victoria, 119·9; New South Wales, 140·8; Queensland, 134·3; South Australia, 138·3; Western Australia, 138·7; Tasmania, 112·7; and Northern Territory, 1,155·2.

The next table contains a statement of the amount and the amount per head of population expended in connexion with the police, and the penal establishments and gaols of Victoria, in the year 1871-2 and every tenth year

thereafter until 1921-22 inclusive, also in each of the five years ended with 1927-28 :—

EXPENDITURE ON POLICE AND GAOLS, 1871-2 TO 1927-28.

Year ended. 30th June.	Amount Expended (exclusive of Pensions) on—					Amount per Head of Population.
	Maintenance, &c.		Buildings.		Total.	
	Police.	Gaols and Penal Es- tablishments.	Police.	Gaols and Penal Es- tablishments.		
£	£	£	£	£	s. d.	
1872 ..	190,711	57,855	5,722	2,133	256,421	6 10
1882 ..	201,063	53,032	14,996	3,328	272,419	6 2
1892 ..	283,409	65,679	19,113	23,319	391,520	6 9
1902 ..	271,561	51,948	7,064	3,613	334,186	5 6
1912 ..	316,456	48,514	12,856	2,300	380,126	5 8
1922 ..	527,305	71,825	6,681	2,336	608,147	7 10
1924 ..	540,109*	85,963	20,997	15,159	662,228	8 2
1925 ..	602,222	92,635	20,109	7,097	722,063	8 9
1926 ..	622,509	101,794	24,566	14,747	763,616	9 1
1927 ..	678,812	106,059	31,637	8,338	824,846	9 8
1928 ..	681,814	106,978	39,292	4,523	832,607	9 7

* This does not include amounts paid to members of the Special Constabulary Force, which was employed temporarily after the Police strike of 1923.

The police perform a number of duties in addition to those connected with the maintenance of law and order. The actual cost to the community of the police protection afforded is, therefore, less than the expenditure shown in the above table for maintenance of the police force.

Executions. During the twenty-four years ended with 1928 there were only eight executions in Victoria, one of which took place in 1908, one in 1912, two in 1916, two in 1918, one in 1922, and one in 1924. Since the first settlement of Port Phillip in 1835, 176 criminals have been executed within the State, of whom only four were females.

The *Year-Book* for 1916-17 contains on page 490 a table showing the offences for which criminals were executed, also their birthplaces and religions, for the years 1842 to 1916.

Inquests. The number of inquiries into the causes of deaths of individuals during each of the last five years is given below:—

INQUESTS, 1924 TO 1928.

Cause of Death found to be due to—	1924.	1925.	1926.	1927.	1928.
External Causes—					
Accident	601	619	718	690	691
Homicide	7	11	10	8	10
Suicide	128	170	144	174	199
Execution	1	..	..	..	..
Doubtful	19	21	26	23	24
Disease or Natural Causes	688	603	599	619	624
Intemperance .. .. .	..	..	1	2	1
Unspecified or Doubtful Causes ..	4	3	5	3	2
Being "Still Born"	1	1	1	3	1
Total	1,449	1,428	1,504	1,522	1,552
Number per 10,000 of Population ..	8·82	8·54	8·86	8·81	8·86

Of the deaths from external causes during the last five years, 77 per cent. were due to accidental causes, 1 per cent. to homicide, and 19 per cent. to suicide; in 3 per cent. of the cases the nature or motive of the violence which caused death was doubtful.