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CHAPTER 16

PUBLIC JUSTICE

Statistics of public justice are influenced by a number of factors which affect comparability from State to State and from year to year, e.g.:

- (a) differences in the jurisdiction of courts;
- (b) changes in the law in particular States and differences in the laws between States;
- (c) differences in the methods of compiling the figures (e.g. in respect of persons convicted for more than one offence);
- (d) the attitude to laws such as those connected with liquor, vagrancy, gaming, and traffic offences;
- (e) the strength and distribution of the police force;
- (f) the proportion of various types of crimes reported and solved.

The Australian legal system

Development of the system

The two major factors in the development of the Australian legal system have been its British origin and the Commonwealth Constitution of 1900. When the various parts of Australia were first settled by British colonists, the common law and statutes of England were brought with them by the settlers. When local law-making bodies were established, the law so brought in was gradually modified and augmented by local legislation, but the Imperial Parliament in London also continued to legislate (to a lesser and lesser extent) in respect of Australia. The Commonwealth Constitution of 1900, which is itself an Imperial Act, limited the legislative power of State Parliaments in some respects and created a federal legislature. Since the *Statute of Westminster Adoption Act 1942*, the Imperial Parliament can legislate for Australia only at Australia's request. The sources of Australian law of today are, therefore, found in Commonwealth and State legislation, in some Imperial legislation and in the common law. Three of the States (Queensland, Western Australia and Tasmania) have Criminal Codes, and separate consolidations of the Statutes of the Commonwealth and of all States except Western Australia (which has adopted a system of reprinting of individual statutes at intervals) have been brought out from time to time.

There are few constitutional or other legislative guarantees of individual rights and liberties in Australia. These rights are nevertheless protected, because a basic feature of the Australian system is the 'rule of law': no act, official or unofficial, however bona fide and apparently reasonable, which infringes the liberty or rights of an individual is justifiable unless it is authorised by law, and for any such unlawful act, by whatever authority commanded, the official or other person is personally liable in an action in the ordinary courts. In the case of subordinate legislation, and even in the case of Commonwealth or State Acts, the validity of the law itself may be challenged in the courts. The remedy for the protection of the personal liberty of the individual is the writ of habeas corpus, which requires the person named therein to be produced in the court.

Australian law adheres to the principle that judicial control must in general be exercised by ordinary courts. There is no integrated system of administrative tribunals, but there is a great variety of such tribunals of various descriptions. The ordinary courts exercise supervision over administrative tribunals either by way of statutory appeal or by the use of prerogative writs of mandamus, prohibition, or *certiorari*, by which the administrative tribunals can be enjoined to perform a duty or to abstain from excess of jurisdiction, or can have their decisions set aside.

Independence of the judiciary is an essential part of the Australian legal system. Security of tenure of superior court judges is guaranteed, mostly by the Constitutions of the Commonwealth and the States, and they can be removed from office only by resolution of both Houses of Parliament of the Commonwealth or the States, as the case may be, for proven misbehaviour or incapacity. Their independence is further secured by relatively high salaries which, in the case of High Court judges, cannot be reduced during their tenure of office, and liberal (mostly non-contributory) pensions for the judges or their widows.

Civil judgments given in the courts of any part of Australia can be enforced in any other part of Australia under the *Service and Execution of Process Act 1901-1963*. Since 1 January 1964 this applies also to fines imposed by courts of summary jurisdiction.

State and Territory courts

Civil jurisdiction. Lower civil courts (i.e. Magistrates' Courts, Courts of Petty Sessions, Local Courts, Small Debts Courts, Courts of Request, and Courts of General Sessions) are usually constituted or presided over by a stipendiary or special magistrate or a commissioner. In some limited instances justices of the peace may exercise the jurisdiction of the court. Local Courts are sometimes constituted by a judge. The powers of the magistrates in the various States and Territories are set out on pages 589–90. In most cases, unless the amount involved is very small, appeal may be made to a higher court against a magistrate's decision. In any case the Supreme Court has a supervisory power, by means of prerogative writs, to examine whether a lower court has properly exercised its jurisdiction. In the higher courts (i.e. District Courts, County Courts and the Supreme Courts) actions are usually tried by a single judge, sitting with or without a jury, from whose judgment appeal lies to the bench of the Supreme Court. In certain cases the appeal can be carried to the High Court of Australia. Appeals to the Privy Council are referred to on page 589.

Criminal jurisdiction. Criminal courts are of two kinds, namely, courts of summary jurisdiction and higher courts. Courts of summary jurisdiction, usually called Courts of Petty Sessions, may deal summarily with minor offences; higher courts, known as Courts of Sessions, Quarter Sessions or General Sessions (not to be confused with the lower court of civil jurisdiction of that name) and the Supreme Court, hear indictable offences. A court of summary jurisdiction consists of a stipendiary or police magistrate, or two or more justices of the peace; a higher court consists of a judge or chairman, sitting with a jury. The jury finds as to the facts of the case, and the judge determines the applicable law and, within the limits of the law, the punishment of the convicted person.

In the case of other than minor offences a preliminary hearing is held before a stipendiary magistrate or justice of the peace for the purpose of determining whether a prima facie case has been made out. If the magistrate or justice of the peace finds that there is a case to answer, the person charged is committed for trial at a higher court. A magistrate or justice of the peace has power to release on bail. There is an appeal to a higher court from the decision of a court of summary jurisdiction hearing a minor offence, and an appeal from a higher court to the full bench of the Supreme Court, or Court of Criminal Appeal. A further appeal may, with leave, be brought to the High Court of Australia.

Federal courts

The judicial power of the Commonwealth is vested in the High Court of Australia (the Federal Supreme Court), in the Federal courts created by Parliament (the Federal Court of Bankruptcy and the Commonwealth Industrial Court), and in the State courts invested by Parliament with Federal jurisdiction, both civil and criminal. The nature and extent of the judicial power of the Commonwealth are set out in Chapter III. (§§ 71–80) of the Commonwealth Constitution (see pages 15–16 of this Year Book). Particulars concerning the Federal Court of Bankruptcy are given on pages 608–10 of this chapter, and information regarding the Commonwealth Industrial Court, which was established under the *Conciliation and Arbitration Act 1904–1967*, is included in the chapter *Labour, Wages and Prices* (pages 276–7).

High Court of Australia

The High Court of Australia consists of a Chief Justice and six other Justices. Its principal seat is in Melbourne, but sittings are held in every State capital as occasion requires. The High Court has both original and appellate jurisdiction. Its original jurisdiction is usually exercised by a single Justice, appellate jurisdiction by at least three Justices.

The Constitution itself confers original jurisdiction on the High Court in all matters (i) arising under any treaty, (ii) affecting consuls or other representatives of other countries, (iii) in which the Commonwealth, or a person suing or being sued on behalf of the Commonwealth, is a party, (iv) between States, or between residents of different States, or between a State and a resident of another State, (v) in which a writ of mandamus or prohibition or an injunction is sought against an officer of the Commonwealth. In addition, Parliament may, under the Constitution, confer additional original jurisdiction on the High Court in certain classes of matters, and has in fact conferred original jurisdiction on the High Court in all matters arising under the Constitution or involving its interpretation and in trials of indictable offences against the laws of the Commonwealth. In matters (i) and (v) and in suits between the Commonwealth and a State or between States the jurisdiction of the High Court is exclusive of that of the State Courts, and in matters (other than trials of indictable offences) involving any question as to the limits *inter se* of the constitutional powers of the Commonwealth and those of the States the jurisdiction of the High Court is exclusive of that of the Supreme Courts of the States.

Under the Constitution the High Court has jurisdiction, with such exceptions and subject to such regulations as the Parliament permits, to hear and determine appeals from all judgments, decrees, orders, and sentences of (i) any Justice or Justices exercising the original jurisdiction of the High

Court, (ii) any other Federal Court or court exercising Federal jurisdiction and (iii) from the Supreme Court or other court of any State from which appeal lay to the Privy Council at the establishment of the Commonwealth. In respect of (iii) the Parliament has prescribed that, generally, appeal can be brought only by special leave of the High Court. However, in the case of judgments affecting the status of any person under the laws relating to aliens, marriage, bankruptcy or insolvency, or in respect of any sum or matter at issue, or involving any claim, demand or question regarding any property or civil right, of the value of \$3,000, appeal may be brought as of right from final judgments, and by leave of the High Court or the Supreme Court from interlocutory judgments.

By Acts of Parliament and by subordinate legislation the High Court has also been given appellate jurisdiction in respect of the courts of the Territories under the control of the Commonwealth. Provision is also made in various enactments for appeal to the High Court on points of law from administrative determinations, such as decisions of the Commissioner of Taxation, Taxation Boards of Review, the Commissioner of Patents, or the Registrar of Trade Marks. Such proceedings, although called appeals, are in reality proceedings in the original jurisdiction of the High Court.

Transactions of the High Court are shown on page 601.

Appeal to the Privy Council

There has been since Federation an appeal, by special leave of the Privy Council, from the High Court to the Privy Council, except in certain important types of constitutional disputes, involving questions of the powers of the Commonwealth vis-à-vis the States. In the latter type of case a certificate of the High Court, in effect granting leave to appeal, is necessary. There is also an appeal from the State Supreme Courts direct to the Privy Council.

In March 1968 the Federal Government introduced a Bill restricting appeals to the Privy Council. Under the Bill, no appeal can be taken to the Privy Council from the Supreme Court of any Territory or from any Federal court other than the High Court, and special leave of the Privy Council to appeal from the High Court may be asked only in matters that come to the High Court on appeal from the Supreme Court of a State exercising jurisdiction not derived from Commonwealth legislation and which do not raise in the High Court any questions of the application or interpretation of the Commonwealth Constitution or Commonwealth or Territory legislation.

Lower (magistrates') courts

Powers of magistrates

New South Wales. The powers of the magistrates with regard to offences punishable summarily depend in each case on the statute which creates the offence and gives them jurisdiction. A magistrate may, with the consent of the accused, deal summarily with certain indictable offences under the Commonwealth Crimes Act and offences involving \$500 or less under the State Crimes Act; offences under the Commonwealth Act and certain offences under the State Act may be disposed of summarily without such consent if the amount involved does not exceed \$100. Except in the case of a very few statutes, and excluding cumulative sentences, the power of sentence is limited to twelve months. Imprisonment in default of fine is regulated by a scale limiting the maximum period according to the sum ordered to be paid, but in no case exceeding twelve months. Actions for debt and damage within certain limits also come within magisterial jurisdiction. In cases of liquidated debts, and damages whether liquidated or unliquidated, the amount is limited to \$300 before a court constituted by a stipendiary magistrate. Where the amount claimed exceeds \$100 the Court must transfer the action to the District Court when the defendant gives notice that he objects to the action being heard and determined by a Court of Petty Sessions. Magistrates have power to entertain claims of up to \$1,000 under the Money Lenders and Infants Loans Act, 1941-1961. The amount in actions of debt or damages before one or more justices of the peace ranges up to \$60 in certain cases.

Victoria. The civil jurisdiction of magistrates is restricted as follows: (a) ordinary debts, to \$200; (b) any action in tort or contract, with the exception of a few torts such as breach of promise or illegal arrest (on which magistrates have no power to adjudicate), to \$600; and (c) any action in tort arising out of any accident in which a vehicle is involved, to \$1,000. No definite limit is fixed to the powers of the magistrates on the criminal side, and for some offences sentences of up to two years' imprisonment may be imposed. The proportion of long sentences is, however, comparatively small.

Queensland. Generally speaking, the maximum term of imprisonment which a magistrate or justice can impose is six months, but in certain cases sentences of twelve months may be imposed. Some examples are Sections 233, 344 and 455 of the Criminal Code (betting houses, aggravated assaults, and unlawfully using animals). There is provision for applying cumulative sentences. In civil matters, a magistrate has jurisdiction in actions involving an amount of not more than \$1,200.

South Australia. The power of special magistrates to impose fines and imprisonment is defined by the special Act creating the offence and conferring jurisdiction. In the case of minor indictable offences which are tried summarily, a maximum penalty of \$200 fine or two years' imprisonment is fixed by the Justices Act, 1921-1965. Magistrates also have power to hear certain civil actions in which the amount claimed is less than \$2,500.

Western Australia. The powers of magistrates and justices with regard to offences which are tried summarily are governed by the Act creating the offence and giving them jurisdiction. Imprisonment in default of payment of a fine is regulated by a scale limiting the period according to the amount of the fine but not to exceed six months. The civil jurisdiction of Local Courts is restricted in general to \$1,000. By consent of the parties, any action that might be brought in the Supreme Court may be dealt with in a Local Court. Justices may act in the case of illness or absence of the magistrate. Magistrates are coroners, and justices may be appointed as acting coroners. Magistrates have appellate jurisdiction under some statutes and in country districts act as Chairmen of the Session Courts. They may be appointed as Commissioners of the Supreme Court. On the goldfields the magistrate is also the warden.

Tasmania. Magistrates are empowered to hear and determine in Courts of Petty Sessions all offences when an enactment expressly or by implication provides that the matter is to be determined summarily, or by or before justices, or that any offence is to be punishable upon summary conviction. Stealing and certain allied crimes are deemed to be summary offences where the value of the property concerned does not exceed \$20. Where the value of the property exceeds \$20 but is not more than \$400 the defendant may elect summary trial or trial by jury. This right of election applies to certain other charges such as escape or rescue; facilitating the escape of a prisoner; rescuing goods legally seized; making a false declaration or statement, etc. In the case of a charge of forgery or uttering, a right of election exists provided the complaint is in respect of a cheque for not more than \$400. In the case of a charge of breaking into a building, other than a dwelling house, a defendant may elect to be tried summarily under certain conditions. No general limit is fixed in respect of sentences, the statute creating the offence almost invariably laying down the penalty. Where this is not the case, the *Contravention of Statutes Act* 1889 provides that a fine of \$100 may be imposed. Sentences of imprisonment which justices may impose vary with the nature of the offence, with a maximum of two years. The aggregate of terms of cumulative sentences may not exceed two years. The civil jurisdiction of magistrates is divided into two categories. A Commissioner of the Court of Requests, provided he is a legal practitioner, may hear actions for the recovery of debts up to \$1,500 or damages up to \$1,000. As Commissioners are invariably police magistrates, this jurisdiction is State-wide. Courts of General Sessions, constituted by at least two justices, exercise similar powers, but the jurisdiction cannot exceed \$100.

Northern Territory. Stipendiary and special magistrates constituting courts of summary jurisdiction try offences punishable summarily. The punishment that may be imposed depends on the law creating the offence. Where there is no magistrate available, the offence may be tried by two or more justices of the peace or, if all parties consent, by one justice. Proceedings for committal on indictable offences may be heard by either a magistrate or a justice of the peace. Certain indictable offences under the Territory law may be tried summarily by a magistrate or two justices of the peace, who may impose a fine of up to \$200 or imprisonment for up to two years. A stipendiary magistrate constituting a local court has a civil jurisdiction to hear and determine claims for not more than \$2,000. A local court constituted by two justices of the peace (every special magistrate is also a justice of the peace) has a civil jurisdiction to hear claims up to \$100.

Australian Capital Territory. Stipendiary and special magistrates have general jurisdiction to try offences punishable summarily and also where a person is made liable to a penalty or punishment and no other provision is made for trial. The punishment depends on the law which creates the offence. In addition to jurisdiction (possessed by stipendiary and special magistrates throughout Australia) to try summarily with the consent of the defendant offences indictable under the *Crimes Act* 1914-1966 (in which case the magistrate cannot impose a fine exceeding \$200 or imprisonment exceeding one year), under Territory law certain indictable offences may also be tried summarily by a magistrate, who may impose a fine not exceeding \$100 or imprisonment for up to one year. Magistrates also hear proceedings for committal on indictable offences. In civil proceedings, magistrates try actions for amounts up to \$400. Justices of the peace have no judicial functions.

First offenders

In all States and Territories statutes are in force for dealing with first offenders. Provisions are incorporated in the various Acts whereby courts may extend leniency to the offender by means such as: (i) dismissal of the charge without proceeding to a conviction; (ii) freeing the offender or suspending sentence with the requirement of a recognisance for good behaviour for a specified period; and (iii) by placing the offender under the supervision of a probation officer for a specified period.

Children's courts

Special provisions exist in all States and Territories for dealing with juvenile offenders in special courts. Particulars of the relevant legislation and the constitution and powers of these courts are given below.

New South Wales. Children's Courts, first established in 1905, now exercise jurisdiction under the Child Welfare Act, 1939-1967. Each court consists of a special magistrate with jurisdiction within a proclaimed area. Elsewhere the jurisdiction of a Court may be exercised by a special magistrate or two justices of the peace. Where practicable, Children's Courts are not held in ordinary court rooms, and persons not directly interested are excluded from any hearing.

The magistrates exercise all the powers of a Court of Petty Sessions in respect of offences committed by or against children under eighteen years of age. They also exercise jurisdiction in respect of neglected and uncontrollable children. Their functions are reformatory, not punitive; they may commit children to institutions, to the care of persons other than the parents, or to the care of the Minister.

Victoria. Under the *Children's Court Act* 1958, the jurisdiction of Children's Courts is restricted, with certain exceptions, to children up to 17 years of age. Two stipendiary special magistrates with jurisdiction throughout the State and, in addition, honorary special magistrates, operate in some metropolitan courts and provincial cities. At Country Courts to which no special magistrates are appointed, the local stipendiary magistrate usually constitutes the bench. The Children's Court may deal with all offences except homicide. However, consent to the jurisdiction of the Children's Court must be indicated by the child (or a parent if the child is under 15 years of age) before an indictable case may proceed.

The primary aim of the Children's Court is reformation and rehabilitation of the offender, and the Court, under Section 27 (3) of the *Children's Court Act* 1958, must 'firstly have regard to the welfare of the child'.

The probation system has been in use by the Children's Court since 1907, and there are now in Victoria a large number of honorary probation officers as well as six stipendiary probation officers. Problem cases are referred by the Court for investigation to a Children's Court Clinic, which is staffed by psychiatrists, psychologists and social workers.

Queensland. Children under the age of seventeen years who come before the Court are dealt with under *The Children's Services Act* of 1965. A Children's Court has jurisdiction to try or sentence a child charged with an indictable offence other than such an offence for which he would be liable, were he not a child, to imprisonment with hard labour for life. Children charged with simple offences or breaches of duty also appear before a Children's Court, as do children in respect of whom an application may be made to the Court for their committal to care and control (unruly children etc.) or admission to care and protection (neglected children etc.). The custody and or maintenance of a person under the age of twenty-one years may be sought by the mother or father of that person by application to a Children's Court.

The Children's Court in the metropolitan and near country areas is presided over by a specially appointed Children's Court magistrate. Proceedings are held *in camera*. A non-commissioned police officer is present to offer any observations he considers necessary and to assist the magistrate. An officer of the Department of Children's Services is also present. In country areas the Court is presided over by the local stipendiary magistrate, or in his absence, by two justices.

A child guilty of an offence shall not be imprisoned unless the Court is satisfied that he is so unruly that he should be detained in custody other than under the control of the Director of the Department of Children's Services, in which case it may order that he be imprisoned for a period not exceeding two years; if a child is convicted of an offence of a sexual nature committed on a child, the Court may make orders and deal with the child as if he were not a child and as if such Court were a Magistrate's Court; a child guilty of an offence may be committed to the care and control of the Director for a period not exceeding two years with or without conviction; upon conviction the Court may order that the Director exercise supervision over a child until eighteen years or for a period not exceeding two years (even though he may turn eighteen years in that period) or without conviction for a period not exceeding twelve months; the Court may fine the child in accordance with the Act under which he was charged; it may order the parent or guardian to enter into a recognisance with or without surety to exercise proper care, protection, and guardianship over the child; it may order the child, parent, or guardian to pay compensation, costs, or make restitution; the Court may admonish and discharge the child without convicting him.

South Australia. Persons under the age of eighteen years charged with offences are dealt with in Juvenile Courts, from which the public are excluded. The procedure and powers of the Court are laid down in the Juvenile Courts Act, 1965-1966, the Justices Act, 1921-1960, the Social Welfare

Act, 1926–1965, and the Offenders Probation Act, 1913–1963. Any Court of Summary Jurisdiction may be a Juvenile Court provided that it must be constituted by a special magistrate if one is available; and if it is constituted by two justices, they must be from a special panel of justices selected for the purpose. Any case may be referred by any other Juvenile Court to the Adelaide Juvenile Court. A Juvenile Court has power to deal finally with all offences except homicide, but in the case of indictable offences it may commit for trial in the Supreme Court. For offences punishable by fine, it may impose the fine provided, subject to a maximum of \$100. A juvenile may not be imprisoned; but if the Court is constituted by a special magistrate, he may be committed to a reformatory institution. The Court, however constituted, may place the defendant under the control of the Minister of Social Welfare and disqualify him from driving a motor vehicle.

Western Australia. Children's Courts deal with offenders under the age of eighteen years and hear cases of all offences against children. Special magistrates are appointed for Children's Courts and the Governor may appoint other persons to be members of a particular Children's Court. One member may sit and adjudicate with the special magistrate, but in the magistrate's absence at least two members must be present.

A Children's Court is deemed to be a court of summary jurisdiction and may exercise exclusive jurisdiction in respect of all offences except wilful murder, murder, manslaughter, or treason alleged to have been committed by children.

Adults charged with certain indictable offences against children may forego the right to trial by jury and agree to be dealt with summarily by Children's Courts. This power to exercise summary jurisdiction is designed to eliminate as far as possible the necessity for children to appear in open courts as witnesses in cases dealing with sex offences. A Children's Court may commit such offenders for sentence by the Supreme Court.

Tasmania. Under the provisions of the *Child Welfare Act 1960*, Children's Courts are established to deal with offenders under the age of seventeen years. Special magistrates may be appointed by the Governor to adjudicate in these Courts. A Children's Court may be constituted by one or more special magistrates or a police magistrate, or by a police magistrate and one or more special magistrates. When a police magistrate sits with a special magistrate or magistrates, he is the chairman of the court. In the absence of a special magistrate or a police magistrate any two justices may constitute a Children's Court.

A Children's Court is a court of summary jurisdiction; in the case of children under fourteen years of age it may hear and determine all indictable offences except murder, attempt to murder, manslaughter, and wounding with intent to do grievous bodily harm. When children over this age are charged with an indictable offence, they, or their parents on their behalf, may elect to be dealt with summarily by the Court instead of being tried by a jury, except when the offence is murder, attempt to murder, manslaughter, rape, wounding with intent to do grievous bodily harm, or robbery with violence.

Although all persons under twenty-one years are minors, offenders of seventeen years and over are dealt with in adult courts. When a charge is preferred jointly against a child fifteen or sixteen years of age and a person seventeen years of age or over it is heard in a Court of Petty Sessions. In such an event the 'child' is dealt with as if he were appearing in a Children's Court.

The public are excluded from Children's Courts, and it is an offence to publish a report of any proceedings in Children's Courts or the result of any such proceedings, or any matter that reveals the name, address, or school, or contains any particulars calculated to lead to the identification of a child involved in Children's Court proceedings, except as authorised by the Attorney-General.

Northern Territory. The *Child Welfare Ordinance 1958–1967* provides for the establishment of Children's Courts. These courts are constituted by a special magistrate. Where no Children's Court has been established for a particular area or where special circumstances require it, the jurisdiction of a Children's Court may be exercised by a court of summary jurisdiction constituted by a special magistrate.

A Children's Court has jurisdiction in respect of all offences committed by persons under seventeen years of age in respect of which proceedings may be taken in a court of summary jurisdiction. In dealing with such offences, the Court may, in cases other than homicide, impose a fine not exceeding one hundred dollars or, if the child is not under fourteen years of age, a sentence of imprisonment of not more than six months. In addition, the Court's powers include releasing an offender on probation, committing him to the care of a specified person (in which case the offender may be declared a State child), or committing him to an institution for a specified period.

Children's Courts also exercise jurisdiction in respect of destitute, neglected, incorrigible, or uncontrollable children.

Australian Capital Territory. The *Child Welfare Ordinance 1957-1966* provides that the Court of Petty Sessions constitutes the Children's Court when it is hearing proceedings involving persons under the age of eighteen years. Its proceedings are similar to those of an ordinary Court of Petty Sessions, except that persons not directly interested are excluded from the Court.

In addition to the power to deal with summary offences, the Children's Court has power to hear and determine summarily a charge for an indictable offence other than an offence punishable by death. In either case, the Court's powers include releasing an offender on probation, committing him to the care of a specified person, making him a government ward, or committing him to an institution for up to three years. The Children's Court also exercises jurisdiction in respect of neglected or uncontrollable children.

Proceedings at lower (magistrates') courts

Particulars of the differences in the jurisdiction of lower courts in the various States are given under Powers of Magistrates (pages 589-90). The proceedings of these courts are summarised in this paragraph. The statistics in the following tables are influenced by the factors affecting comparability listed at the beginning of this chapter (page 587).

Criminal proceedings—total cases. The total numbers of cases dealt with at magistrates' courts in each State and Territory for the years 1962 to 1966 are shown in the following table.

CASES AT MAGISTRATES' COURTS(a): OFFENCES CHARGED, STATES AND TERRITORIES, 1962 TO 1966(b)

State or Territory	1962	1963	1964	1965	1966
New South Wales	322,848	323,501	341,351	341,171	338,808
Victoria	270,857	290,332	303,096	323,644	307,465
Queensland(c)	79,772	87,737	97,878	113,568	111,743
South Australia(c)	61,276	67,707	64,799	71,842	83,390
Western Australia	57,768	60,086	60,510	67,244	66,863
Tasmania	30,415	34,728	31,702	36,535	37,624
Northern Territory(d)	4,350	5,886	6,581	7,519	7,961
Australian Capital Territory	4,795	6,435	7,797	7,845	9,025
Australia	832,081	876,412	913,714	969,368	962,879

(a) Includes Children's Courts, except for Northern Territory. (b) Excludes minor traffic offences settled without court appearance. (c) Year ended 30 June. (d) Excludes courts at Tennant Creek and Katherine.

Differences in the figures in the preceding table between States, and within a State over a period of time, are influenced by the large number of traffic offences and the arrangements which have been introduced at various times for dealing with them. Provision exists in the States and the Australian Capital Territory for settlement of parking and minor traffic offences by payment of fines without court appearance.

MINOR TRAFFIC OFFENCES SETTLED WITHOUT COURT APPEARANCES STATES AND A.C.T., 1962 TO 1966

State or Territory	1962	1963	1964	1965	1966
New South Wales	443,689	389,395	381,058	400,459	464,122
Victoria	132,144	170,590	181,479	(a)229,478	(a)313,529
Queensland(b)	75,322	79,237	101,276	115,446	209,417
South Australia(b)	191,592	183,684	198,943	121,535	240,359
Western Australia	42,582	43,970	49,488	51,167	64,842
Tasmania	33,217	34,394	38,555	40,917	50,914
Australian Capital Territory . . . . .	..	..	(c)1,419	5,145	3,949
Total	918,546	901,270	952,218	964,147	1,347,132

(a) Includes fines paid direct to the Police Department: 1965, 18,380; 1966, 52,063. Legislation to enable this came into force on 9 August 1965. (b) Year ended 30 June. (c) From 14 September 1964.

Criminal proceedings—cases in which convictions were made. Of the cases dealt with in magistrates' courts, the following tables show the number in which convictions were made.

**CASES AT MAGISTRATES' COURTS(a) IN WHICH CONVICTIONS WERE MADE, BY
CLASS OF OFFENCE: STATES AND TERRITORIES, 1966(b)**

<i>Class of offence</i>	<i>N.S.W.</i>	<i>Vic.</i>	<i>Old (c)(d)</i>	<i>S.A. (c)</i>	<i>W.A.</i>	<i>Tas.</i>	<i>N.T. (e)</i>	<i>A.C.T.</i>	<i>Aust.</i>
Against the person	3,575	3,562	821	519	868	378	217	100	10,040
Against property	30,593	21,972	6,074	4,542	8,482	2,686	360	649	75,358
Forgery and offences against the currency	743	270	5	24	7	221	70	12	1,352
Against good order	91,734	32,761	31,864	10,240	12,897	1,518	4,874	615	186,503
Other	173,135	221,066	59,450	56,679	41,235	27,611	1,881	6,417	587,474
Total	299,780	279,631	98,214	72,004	63,489	32,414	7,402	7,793	860,727

(a) Includes Children's Courts except for Northern Territory. (b) Excludes minor traffic offences settled without court appearances. (c) Year ended 30 June. (d) A person convicted on several counts at the one hearing is included only once. (e) Excludes courts at Tennant Creek and Katherine.

**CASES AT MAGISTRATES' COURTS(a) IN WHICH CONVICTIONS WERE MADE
STATES AND TERRITORIES, 1962 TO 1966(b)**

<i>State or Territory</i>	<i>1962</i>	<i>1963</i>	<i>1964</i>	<i>1965</i>	<i>1966</i>
New South Wales	292,484	287,053	301,922	304,053	299,780
Victoria	246,017	266,058	277,877	296,542	279,631
Queensland(c)(d)	71,702	78,864	88,442	101,955	98,214
South Australia(c)	53,531	57,524	55,806	62,612	72,004
Western Australia	54,564	56,778	57,498	64,014	63,489
Tasmania	26,211	29,945	26,686	31,256	32,414
Northern Territory(e)	3,968	5,503	6,166	7,026	7,402
Australian Capital Territory	4,089	6,026	5,815	6,688	7,793
Australia	752,566	787,751	820,212	874,146	860,727

(a) Includes Children's Courts except for Northern Territory. (b) Excludes minor traffic offences settled without court appearances. (c) Year ended 30 June. (d) A person convicted on several counts at the one hearing is included only once. (e) Excludes courts at Tennant Creek and Katherine.

Criminal proceedings—cases in which convictions were made for drunkenness. The numbers of cases in which convictions were recorded during each of the years 1962 to 1966 are given in the following table.

**DRUNKENNESS: CASES(a) IN WHICH CONVICTIONS WERE MADE, STATES AND
TERRITORIES, 1962 TO 1966**

<i>State or Territory</i>	<i>1962</i>	<i>1963</i>	<i>1964</i>	<i>1965</i>	<i>1966</i>
New South Wales	68,546	65,630	61,537	63,143	56,159
Victoria	28,529	27,576	24,048	23,790	24,279
Queensland(b)	26,293	28,580	30,924	29,224	28,791
South Australia(b)	6,178	7,485	6,952	7,110	7,334
Western Australia	7,523	7,294	7,910	8,288	9,033
Tasmania	575	562	420	491	461
Northern Territory(c)	1,388	1,730	3,021	3,938	3,231
Australian Capital Territory	252	237	331	401	377
Australia	139,284	139,094	135,143	136,385	129,665

(a) Includes Children's Courts except for Northern Territory. (b) Year ended 30 June. (c) Excludes courts at Tennant Creek and Katherine.

Civil proceedings. Civil proceedings in the lower courts refer to those in the Small Debts Courts in New South Wales, Courts of Petty Sessions in Victoria, Magistrates' Courts in Queensland, Local Courts in South Australia and Western Australia, Courts of Requests in Tasmania, Local Courts in the Northern Territory, and the Court of Petty Sessions in the Australian Capital Territory. Statistics of civil proceedings in the lower courts are given on page 601.

Higher (judges') courts

Higher courts are presided over by a judge, sometimes with a jury (*see* page 588). The general jurisdiction of the higher courts in the States and Territories, which for this purpose include District, County and Supreme Courts, includes appeals from the lower courts, cases of serious crime committed from lower courts, and civil cases involving common law, commercial causes, equity, etc. Under the *Matrimonial Causes Act* 1959–1966 of the Commonwealth, the Supreme Courts of the various States and Territories have exclusive jurisdiction in matrimonial causes, and under the *Bankruptcy Act* 1966, the Supreme Courts of New South Wales, Queensland, Western Australia, Tasmania, and the Northern Territory, and the Courts of Insolvency in Victoria and South Australia, can deal with bankruptcy cases.

Proceedings at higher courts include therefore criminal, civil, divorce, and bankruptcy proceedings. Separate details of each are given on pages 599–610.

An account of the methods adopted in each jurisdiction in connection with habitual offenders is given in Year Book No. 49, pages 668–9.

Capital punishment

There were eight executions in Australia during the period 1955 to 1967. Three took place in South Australia (in 1956, 1958 and 1964) and four in Western Australia (one in 1960 and 1961, two in 1964) and one in Victoria in 1967. In each case the offence was murder.

Under '*The Criminal Code Amendment Act of 1922*' capital punishment was abolished in Queensland, and in New South Wales the Crimes Act was amended in 1955, abolishing capital punishment for all offences except treason and piracy with violence. In the Australian Capital Territory the *Child Welfare Ordinance* 1957–1962 provides that no death sentence is to be pronounced or recorded against a person under the age of 18 years, and sub-section (2) of section 389 of the *Tasmanian Criminal Code Act* 1924 as amended contains a similar provision.

In the early days of the history of Australia the penalty of death was attached to a large number of offences, many of which would now be dealt with in a court of summary jurisdiction. The present tendency is to restrict death sentences to persons convicted of murder. Although rape is a capital offence in some States, the penalty of death has not been imposed in recent years on persons convicted of it. The average annual number of executions in Australia from 1861 to 1880 was 9; from 1881 to 1900, 6; from 1901 to 1910, 4; from 1911 to 1920, 2; from 1921 to 1930, 2; from 1931 to 1940, 1; from 1941 to 1950, 0.5; and from 1951 to 1960, 0.7.

Serious crime

Selected crime reported or becoming known to police

The tables on pages 597–8 show some details of certain categories of offences reported or becoming known to police. This series, which commenced in 1964, is derived from police records and is based, as far as possible, on definitions and procedural arrangements uniformly determined for all States. The following explanations are necessary in order to interpret the figures in this series.

Number of offences reported or becoming known. All incidents reported or becoming known to the police which are found to constitute offences within the scope of the crimes covered are included. Offences are shown as 'reported or becoming known' in the year during which it has been established that the incident constitutes a crime, not necessarily in the period when the incident occurred. However, the incident is included when the police are satisfied that a crime has been committed, even though it may be established in subsequent proceedings that no crime or a crime of a different nature was committed. As far as possible, the offences are recorded in respect of the State in which the incident occurred, regardless of which police force undertakes investigations or prosecutions, or where an arrest is made. In the case of homicide, assault, robbery, and rape, one offence is counted in respect of each victim, regardless of the number of offenders involved. In the case of breaking and entering, and fraud, etc., one offence is counted for each act or series of directly related acts occurring at the same time and place and under the same circumstances. Each motor vehicle stolen is counted as a separate offence.

Number of offences cleared. An offence of the type included in this series is counted as 'cleared' when an information (charge, arrest or summons to appear) has been laid against at least one person involved. However, an offence may also be counted as 'cleared' without an information being laid. This may occur when the offender has received an official caution or has died, has committed suicide, has been committed to a mental institution, or is in another jurisdiction from which extradition is not desired or available, or is serving a sentence; or if there are other obstacles to prosecution, such

as diplomatic immunity or that the complainant refuses to prosecute. A clearance is always shown against the classification under which the offence was 'reported', regardless of the nature of the charge laid or changes in the description of an offence due to later information. The entries are made in respect of the year when the offence was 'cleared', whether or not the offence was 'reported' in that or an earlier year.

Persons involved in crimes cleared. This is the sum of the number of persons dealt with in each of the offences shown as 'cleared'. If more than one person is involved in the one offence, each person is counted. If the same person is involved in more than one offence cleared, he is counted separately for each offence. Persons involved are shown against the categories of offences to which an incident was originally allocated, regardless of the actual offences they are charged with. This basis of counting 'persons involved in offences cleared' was adopted to reveal trends in crime participation by persons in various age-groups. The figures in this series are not directly comparable with statistics of persons charged or convicted in court, or of cases brought before the courts; nor do these figures reveal the number of offenders in the community.

Offences included in the statistics

Homicide. Separate details are provided for murder, attempted murder (i.e. acts done with intent to murder) and manslaughter (unlawful killing other than murder), excluding manslaughter arising from motor traffic accidents.

Serious assault. These are assaults normally dealt with on indictment. Includes woundings, offences causing bodily harm, assaults with a weapon, etc., and attempts of this nature. Excludes sexual assault and robbery. *Uniform interpretation of this definition between States is especially difficult to effect.*

Robbery. Stealing anything, if at or immediately before or after the time of stealing the offender uses or threatens to use violence to any person or property in order to obtain the thing stolen, or to prevent or overcome resistance to its being stolen. Includes attempts of this nature.

Rape. Includes attempted rape and assault with intent to rape. Excludes unlawful carnal knowledge (i.e. where consent is given, but the girl is below the legal age of consent, etc.) and indecent assault.

Breaking and entering. Breaking and entering a building (or entering a building and breaking out) and committing or intending to commit a crime. Includes burglaries. Separate details are shown according to the type of building involved, namely, *dwellings* (including unoccupied dwellings, tents, caravans, etc., used as dwellings, and the residential parts of hotels, schools, etc.); *shops* (including kiosks, service stations, restaurants, bars, non-residential clubs, etc.); and *offices, factories and warehouses* (including parts of buildings, but excluding dwellings and shops used for such purposes). Includes attempts. From 1967 the figures exclude breakings involving property valued at \$100 or less.

Motor vehicle thefts, illegal use, etc. Includes all offences of illegal, unlawful or unauthorised use, use without consent, unlawfully assuming control, etc., no matter under which legislation these offences are prescribed. Excludes cases of 'interference', but includes attempts at illegal use. The number of stolen motor vehicles which are recovered is also shown.

Fraud, forgery, false pretences. Includes embezzlement, 'omit to account', misappropriation, fraudulent appropriation, conversion, larceny as bailee, falsification of accounts, company fraud, forgery, uttering, false pretences, passing of valueless cheques and offences by trustees. Includes attempts, but excludes imposition. As a general rule, offences are included only if there is an element of deception or trickery. Separate details are shown for *valueless cheque* offences (i.e. passing of valueless cheques, whether there is no account, insufficient funds or a false signature of the purported drawer of the cheque. However, this sub-group excludes cases where a genuine cheque is altered or the endorsement of the payee is forged. These cases are regarded as forgery and or uttering and included in 'other').

Number of offences reported or becoming known to police

The following table shows, for each State and Territory, the number of offences in each of the seven categories covered by this series which were reported or became known to police during the years 1964 to 1967.

**SELECTED CRIME REPORTED OR BECOMING KNOWN TO POLICE
NUMBER OF OFFENCES, STATES AND TERRITORIES, 1964 TO 1967**

Category of crime	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	N.T.	A.C.T.	Aust.
Homicide—									
1964	109	72	56	14	10	4	6	1	272
1965	111	81	34	14	13	7	6	5	271
1966	113	106	62	13	14	3	8	2	321
1967	139	57	47	25	7	7	17	1	300
Serious assault(a)—									
1964	545	1,208	61	34	33	27	9	7	1,924
1965	484	1,243	49	53	13	19	13	21	1,895
1966	522	1,529	82	53	14	3	11	13	2,227
1967	547	1,338	119	71	20	11	39	13	2,158
Robbery—									
1964	211	252	53	37	22	17	..	..	592
1965	283	302	72	32	17	18	1	5	730
1966	346	457	92	50	20	17	4	6	992
1967	386	395	79	51	21	18	5	5	960
Rape—									
1964	91	94	33	21	6	11	2	4	262
1965	67	93	46	23	13	8	2	5	257
1966	72	107	38	16	7	2	8	1	251
1967	72	138	32	43	5	17	2	2	311
Breaking and entering (dwellings, shops, offices, etc.)—									
1964									(b)39,695
1965									(b)46,626
1966									(b)56,841
1967(c)	7,806	7,656	1,417	1,165	552	340	40	96	19,072
Motor vehicle theft, etc.—									
1964	11,512	7,269	1,711	1,372	1,153	353	45	124	23,539
1965	12,214	6,967	1,792	1,472	1,141	424	83	192	24,285
1966	12,678	8,969	1,703	1,304	1,572	410	89	212	26,937
1967	12,558	8,348	1,544	1,701	1,707	603	119	211	26,791
Fraud, forgery, etc.—									
1964	5,688	3,828	2,634	2,091	1,020	293	85	69	15,708
1965	6,311	4,132	3,331	1,617	1,075	371	104	258	17,199
1966	5,558	3,779	2,778	1,740	1,052	182	144	276	15,509
1967	5,438	3,367	2,872	2,185	1,256	292	143	270	15,823

(a) See definition on page 596. (b) All reported breakings, etc. (c) Excludes offences involving property valued at \$100 or less.

Crimes cleared and persons involved

The tables which follow show, for the various categories of offences, the number of offences reported, the number cleared, and the number of persons involved according to age and sex. Subdivisions of the categories homicide, breaking and entering, and fraud, etc., are provided. See pages 595-6 for definitions used and the bases on which these statistics are prepared.

HOMICIDE: CRIMES REPORTED OR BECOMING KNOWN, CRIMES CLEARED AND PERSONS INVOLVED, AUSTRALIA, 1965 TO 1967

	Murder			Attempted murder			Manslaughter			All homicide		
	1965	1966	1967	1965	1966	1967	1965	1966	1967	1965	1966	1967
Number reported or becoming known	141	163	137	101	129	127	29	29	36	271	321	300
Number cleared	132	149	127	99	121	116	29	29	36	260	299	279
Persons involved in crimes cleared—												
Aged(a)—												
16 years and under	14	6	4	5	10	3	1	2	2	20	18	9
17 and 18 years	5	9	7	6	7	4	1	3	2	12	19	13
19 and 20 years	2	12	7	4	10	7	1	3	2	7	25	16
21 years and over	125	134	121	88	101	104	26	27	31	239	262	256
Total persons involved	146	161	139	103	128	118	29	35	37	(b)278	(b)324	(b)294

(a) Age last birthday at time of clearance. (b) Includes 44 females in 1965, 41 in 1966, and 46 in 1967.

**SERIOUS ASSAULT, ROBBERY, RAPE: CRIMES REPORTED OR BECOMING KNOWN,
CRIMES CLEARED, AND PERSONS INVOLVED, AUSTRALIA, 1965 TO 1967**

	Serious assault			Robbery			Rape			
	1965	1966	1967	1965	1966	1967	1965	1966	1967	
Number reported or becoming known	1,895	2,227	2,158	730	992	960	257	251	311	
Number cleared	1,609	1,838	1,748	356	424	425	210	205	228	
Persons involved in crimes cleared—										
Aged(a)—										
16 years and under		147	150	111	55	110	108	43	38	22
17 and 18 years		280	271	238	134	136	161	72	89	111
19 and 20 years		251	345	271	93	118	121	60	79	90
21 years and over		1,195	1,362	1,365	315	335	306	143	124	205
Total persons involved	(b)1,873	(b)2,128	(b)1,985	(c)597	(c)699	(c)696	318	330	428	

(a) Age last birthday at time of clearance. (b) Includes 70 females in 1965, 114 in 1966, and 85 in 1967. (c) Includes 14 females in 1965, 35 in 1966, and 26 in 1967.

**BREAKING AND ENTERING: CRIMES REPORTED OR BECOMING KNOWN, CRIMES
CLEARED, AND PERSONS INVOLVED, AUSTRALIA, 1965 TO 1967**

	Dwellings			Shops			Offices and warehouses			Total		
	1965 (a)	1966 (a)	1967 (b)	1965 (a)	1966 (a)	1967 (b)	1965 (a)	1966 (a)	1967 (b)	1965 (a)	1966 (a)	1967 (b)
Number reported or becoming known	18,073	22,186	8,205	15,166	18,743	6,030	13,387	15,912	4,837	46,626	56,841	19,072
Number cleared	5,525	5,954	1,738	4,526	4,788	1,367	3,376	3,925	983	13,427	14,667	4,088
Persons involved in crimes cleared—												
Aged(c)—												
16 years and under	4,303	4,023	602	2,953	3,144	506	2,811	3,065	276	10,067	10,232	1,384
17 and 18 years	1,107	1,325	416	1,340	1,573	387	758	850	189	3,205	3,748	992
19 and 20 years	636	808	417	929	997	438	588	570	210	2,153	2,375	1,065
21 years and over	2,147	2,251	1,086	2,296	2,430	874	1,600	1,888	828	6,043	6,569	2,788
Total persons involved	8,193	8,407	2,521	7,518	8,144	2,205	5,757	6,373	1,503	(d)21,468	(d)22,924	(d)6,229

(a) All reported offences. (b) Excludes offences involving property valued at \$100 or less. (c) Age last birthday at time of clearance. (d) Includes 505 females in 1965, 447 in 1966, and 195 in 1967.

**MOTOR VEHICLE THEFT, ETC., FRAUD, ETC.: CRIMES REPORTED OR BECOMING
KNOWN, CRIMES CLEARED, AND PERSONS INVOLVED, AUSTRALIA, 1965 TO 1967**

	Motor vehicles theft, etc.			Fraud, forgery, false pretences						All frauds, etc.		
	1965	1966	1967	Valueless cheques			Other			1965	1966	1967
				1965	1966	1967	1965	1966	1967			
Number reported or becoming known	24,285	26,937	26,791	7,272	7,277	7,127	9,927	8,232	8,696	17,199	15,509	15,823
Number cleared	5,567	5,640	6,039	5,345	5,739	5,063	9,133	7,483	7,681	14,478	13,222	12,744
Persons involved in crimes cleared—												
Males aged (a)—												
16 years and under	3,411	3,535	3,774	113	75	68	250	344	218	363	419	286
17 and 18 years	2,844	2,559	2,413	179	185	146	183	251	258	362	436	404
19 and 20 years	1,163	1,181	1,168	294	262	387	383	404	260	677	666	647
21 years and over	1,754	1,696	1,799	4,280	4,588	4,009	6,674	5,069	4,776	10,954	9,657	8,785
Total males	9,172	8,971	9,154	4,866	5,110	4,610	7,490	6,068	5,512	12,356	11,178	10,122
Females aged(a)—												
16 years and under	98	80	68	13	16	1	178	144	127	191	160	128
17 and 18 years	34	38	21	23	39	60	253	205	143	276	244	203
19 and 20 years	19	19	20	49	97	45	220	252	343	269	349	388
21 years and over	9	26	18	586	544	619	1,224	873	1,901	1,810	1,417	2,520
Total females	160	163	127	671	696	725	1,875	1,474	2,514	2,546	2,170	3,239
Total persons involved	9,332	9,134	9,281	5,537	5,806	5,335	9,365	7,542	8,026	14,902	13,348	13,361

(a) Age last birthday at time of clearance.

The number of stolen motor vehicles recovered was: 1965, 22,353; 1966, 24,490; 1967, 24,701.

Convictions for serious crime at lower (magistrates') courts

The figures given in the tables on page 594 refer to all convictions, and include offences of a technical nature, drunkenness, and minor breaches of good order, which come under the heading of crime in a very different sense from the more serious offences. The following table has therefore been prepared to show convictions at magistrates' courts for the years 1962 to 1966 for what may be regarded as the more serious offences, i.e. offences against the person, offences against property, forgery, and offences against the currency.

CONVICTIONS FOR SERIOUS CRIME^(a) AT MAGISTRATES' COURTS^(b): STATES AND TERRITORIES, 1962 TO 1966

<i>State or Territory</i>	<i>1962</i>	<i>1963</i>	<i>1964</i>	<i>1965</i>	<i>1966</i>
New South Wales	32,320	32,656	31,826	34,585	34,911
Victoria	19,016	21,540	23,131	23,785	25,804
Queensland ^{(c)(d)}	4,833	5,768	5,707	6,160	6,900
South Australia ^(c)	3,693	3,727	4,145	4,813	5,085
Western Australia	7,259	8,450	8,017	7,991	9,357
Tasmania	1,704	1,570	2,122	3,670	3,285
Northern Territory ^(e)	419	591	469	627	647
Australian Capital Territory	286	492	480	627	761
Australia	69,530	74,794	75,897	82,258	86,750

^(a) Offences against the person, offences against property, forgery, and offences against the currency. ^(b) Includes Children's Courts except for Northern Territory. ^(c) Year ended 30 June. ^(d) A person convicted on several counts at the one hearing is included only once. ^(e) Excludes courts at Tennant Creek and Katherine.

Committals to higher (judges') courts

COMMITTALS TO HIGHER COURTS^(a), BY CLASS OF OFFENCE: STATES AND TERRITORIES, 1966

<i>Class of offence</i>	<i>N.S.W.</i>	<i>Vic.</i>	<i>Old (b)(c)</i>	<i>S.A. (b)</i>	<i>W.A.</i>	<i>Tas.</i>	<i>N.T. (d)</i>	<i>A.C.T.</i>	<i>Aust.</i>
Against the person	1,380	1,108	375	299	98	87	43	55	3,445
Against property	6,830	2,919	1,221	394	351	376	57	82	12,230
Forgery and offences against the currency	370	414	8	32	63	19	4	..	910
Against good order	146	146	2	9	3	3	1	..	310
Other	32	721	8	3	8	1	22	..	795
Total	8,758	5,308	1,614	737	523	486	127	137	17,690

^(a) Includes committals from Children's Court except for Northern Territory. ^(b) Year ended 30 June. ^(c) A person committed on several counts at the one hearing is included only once. ^(d) Excludes courts at Tennant Creek and Katherine.

COMMITTALS TO HIGHER COURTS^(a): STATES AND TERRITORIES, 1962 TO 1966

<i>State or Territory</i>	<i>1962</i>	<i>1963</i>	<i>1964</i>	<i>1965</i>	<i>1966</i>
New South Wales	7,414	8,538	7,575	7,908	8,758
Victoria	5,468	5,306	5,343	4,745	5,308
Queensland ^{(b)(c)}	1,295	1,354	1,270	1,477	1,614
South Australia ^(b)	712	600	602	753	737
Western Australia	460	544	474	515	523
Tasmania	643	705	610	414	486
Northern Territory ^(d)	92	107	65	169	127
Australian Capital Territory	110	92	177	224	137
Australia	16,194	17,246	16,116	16,205	17,690

^(a) Includes committals from the Children's Court except for Northern Territory. ^(b) Year ended 30 June. ^(c) A person committed on several counts at the one hearing is included only once. ^(d) Excludes courts at Tennant Creek and Katherine.

Persons convicted at higher (judges') courts

PERSONS CONVICTED^(a) AT HIGHER COURTS, BY NATURE OF OFFENCE: STATES AND TERRITORIES, 1966

Offence	N.S.W.	Vic.	Qld (b)	S.A.	W.A.	Tas.	N.T.	A.C.T.	Aust.
Against the person—									
Concealment of birth . . . . .	..	..	..	1	..	..	..	1	2
Murder	15	9	7	2	1	..	1	..	35
Attempted murder	7	1	2	..	1	..	..	..	11
Manslaughter(c)	21	9	14	5	18	1	1	..	69
Culpable driving	42	..	21	6	..	2	1	..	72
Rape	13	33	14	6	12	6	4	..	88
Incest	4	10	11	2	4	2	..	..	33
Other offences against females	318	246	101	183	16	34	2	6	906
Abduction . . . . .	..	9	1	1	2	..	..	..	13
Unnatural offences	84	54	14	22	1	6	3	5	189
Abortion and attempt to procure	2	5	..	..	..	..	..	..	7
Bigamy	22	4	2	2	5	..	..	1	36
Malicious wounding	44	..	..	..	..	..	..	..	44
Aggravated assault	72	44	35	17	11	8	..	5	192
Common assault	48	27	2	3	..	..	5	2	87
Attempted suicide . . . . .	..	1	..	..	..	..	..	..	1
Other offences against the person	13	62	6	..	..	..	1	1	83
<i>Total, against the person</i>	<i>705</i>	<i>514</i>	<i>230</i>	<i>250</i>	<i>71</i>	<i>59</i>	<i>18</i>	<i>21</i>	<i>1,868</i>
Against property—									
Burglary, breaking and entering	1,377	359	832	312	177	93	28	27	3,205
Robbery and stealing from the person	115	75	21	9	11	32	..	..	263
Livestock stealing . . . . .	..	18	3	11	1	..	4	..	37
Embezzlement and fraudulent misappropriation	94	44	5	16	4	2	..	3	168
Other larceny	654	64	31	28	16	..	4	6	803
Unlawfully using vehicles	3	103	118	..	..	..	..	..	224
Receiving	88	38	37	5	..	..	..	1	178
Fraud and false pretences	94	55	10	24	8	6	..	5	202
Arson	3	11	20	1	..	5	3	..	43
Malicious damage	18	17	6	4	..	..	..	..	45
Other offences against property	2	6	4	2	4	..	..	4	22
<i>Total, against property</i>	<i>2,448</i>	<i>790</i>	<i>1,087</i>	<i>412</i>	<i>226</i>	<i>142</i>	<i>39</i>	<i>46</i>	<i>5,190</i>
Forgery and offences against the currency	24	63	9	27	3	1	1	..	128
Against good order	7	39	1	..	2	2	..	..	51
Other	17	319	3	49	..	..	..	..	388
Grand total	3,201	1,725	1,330	738	302	204	58	67	7,625

(a) A person convicted on several counts at the one hearing is included only once. (b) Year ended 30 June. (c) Includes causing death by dangerous driving.

PERSONS CONVICTED^(a) AT HIGHER COURTS: STATES AND TERRITORIES, 1962 TO 1966

State or Territory	1962	1963	1964	1965	1966
New South Wales	2,513	2,907	2,689	2,900	3,201
Victoria	2,329	1,946	1,793	1,618	1,725
Queensland(b)	1,175	1,187	1,134	1,201	1,330
South Australia	718	745	629	713	738
Western Australia	238	313	259	315	302
Tasmania	270	293	172	170	204
Northern Territory	49	56	41	76	58
Australian Capital Territory	57	51	66	85	67
Australia	7,349	7,498	6,783	7,078	7,625

(a) See note (a) above. (b) Year ended 30 June.

Civil cases

The statistics in the two tables in this section are influenced by factors which affect comparability between States and between courts. The total number of plaints entered and amounts awarded plaintiffs in the lower courts during 1966 are shown in the following table.

CIVIL CASES AT LOWER COURTS: STATES AND TERRITORIES, 1966

		<i>N.S.W.</i>	<i>Vic.</i>	<i>Qld</i> (a)	<i>S.A.</i>	<i>W.A.</i>	<i>Tas.</i>	<i>N.T.</i>	<i>A.C.T.</i>	<i>Aust.</i>
Plaints entered	number	177,239	207,727	54,774	99,601	54,289	39,539	2,799	6,418	642,386
Amounts awarded to plaintiffs	\$'000	6,658	15,539	3,386	4,499	2,446	1,196	133	242	34,099

(a) Year ended 30 June.

The following table shows the civil judgments (excluding those for divorce and bankruptcy) in the higher courts during 1966. The particulars given below include the number and amount of judgments entered by default or confession or agreement.

CIVIL CASES AT HIGHER COURTS: STATES AND TERRITORIES, 1966

		<i>N.S.W.</i>	<i>Vic.</i>	<i>Qld</i> (a)	<i>S.A.</i>	<i>W.A.</i> (b)	<i>Tas.</i>	<i>N.T.</i>	<i>A.C.T.</i>	<i>Aust.</i>
Judgments	number	53,110	8,664	686	394	652	n.a.	n.a.	551	n.a.
Amount awarded	\$'000	n.a.	7,231	3,480	2,602	2,273	n.a.	n.a.	1,205	n.a.

(a) Year ended 30 June. (b) Judgments signed and entered.

Transactions of the High Court

TRANSACTIONS OF THE HIGH COURT OF AUSTRALIA, 1966 AND 1967

<i>Original jurisdiction</i> (a)	1966	1967	<i>Appellate jurisdiction</i>	1966	1967
Number of writs issued	79	74	Number of appeals set down for hearing	93	114
Number of causes entered for trial	25	46	Number allowed	31	27
Judgments for plaintiffs	4	6	Number dismissed	68	67
Judgments for defendants	3	7	Otherwise disposed of	20	25
Otherwise disposed of	14	19			
Amounts of judgments	\$ 9,115	74,175			

(a) Some matters dealt with by the High Court neither originate as writs nor are entered as causes.

During 1966 and 1967, respectively, the High Court dealt also with the following: appeals from assessments under the Taxation Assessment Acts, 24, 55; special cases stated for the opinion of the Full Court, 7, 4; applications for prohibition, etc., 30, 15. The fees collected amounted to \$7,975 in 1966 and \$7,327 in 1967.

Divorce and other matrimonial causes

Separation and maintenance orders of courts of summary jurisdiction

In all States and Territories there are laws enabling a wife whose husband leaves her or the children of the marriage without adequate means of support to obtain a maintenance order against the husband from a court of summary jurisdiction. In some States and in the Northern Territory, courts of summary jurisdiction also have power to make separation orders. A separation order is intended primarily for the protection of the person of the wife.

Divorce and other matrimonial proceedings in higher courts

A marriage may be terminated by a Supreme Court of a State or Territory, under powers vested in these courts by Commonwealth legislation, in one of three ways. Firstly, there may be a dissolution of the marriage, commonly known as divorce; secondly, the courts may annul a marriage; and thirdly, there can be a judicial separation of the parties. Until the Commonwealth *Matrimonial Causes Act 1959* came into operation each State was primarily responsible for legislation relating to matrimonial causes. The law varied from State to State, for example, as to the period of desertion needed to obtain a decree for the dissolution of marriage. In 1959, however, the Commonwealth *Matrimonial Causes Act* was passed, and it came into force on 1 February 1961. The Act establishes uniform grounds throughout the whole of the Commonwealth for the termination of marriage. While the Act displaces corresponding State law, it vests jurisdiction in existing State and Territorial Courts.

Matrimonial Causes Act 1959-1966

Under this Act a decree for the dissolution of marriage may be granted on one or more of fourteen grounds, which include adultery, desertion, separation for five years in certain circumstances, cruelty, drunkenness, and failure to comply with a restitution decree.

Proceedings for nullity of marriage may be instituted in respect of a marriage which is void or voidable. A marriage which is void has no existence at all, and so it is not legally necessary to obtain a decree of nullity of marriage, but since the issue may depend on difficult questions of fact, such as proof that the consent of one of the parties to the marriage was not a real consent, it is advisable and customary to seek a court judgment which decides the question of the validity of the marriage.

Proceedings for annulling a voidable marriage may be instituted on various grounds, as, for example, where at the time of the marriage either party was a mental defective. A voidable marriage is void from the date of the decree absolute, but until then the parties have the status of married people and transactions concluded on the basis of the existence of that status cannot be undone or re-opened. Since the parties to a marriage which is void or which has been voided do not have the status of married people, they may remarry.

The death of either husband or wife terminates any proceedings under the Act. A decree for dissolution or annulment of a voidable marriage is first a decree *nisi*. The decree automatically becomes absolute at the expiration of three months, unless it is in the meantime rescinded, appeal proceedings are instituted, or there are children of the marriage under the age of 16, in which case the Court must be satisfied that appropriate arrangements have been made for their welfare before the decree will become absolute. The parties cannot remarry until a decree *nisi* has become absolute.

A decree of judicial separation is available on most of the grounds available for divorce. It leaves unimpaired the status of marriage, but suspends rights and duties with respect to cohabitation. A husband is not responsible for the acts of his wife, except that he is liable for necessaries supplied to her if he has failed to pay maintenance ordered by a court. Persons who have judicially separated cannot remarry, but a divorce may be obtained on the same facts as those on which the decree of judicial separation was based.

The Act provides for financial grants to approved marriage guidance organisations and the courts are enjoined to consider at all times the possibility of reconciliation and they may take certain steps to endeavour to effect a reconciliation.

Number of petitions filed

The following table shows the number of petitions for dissolution of marriage, nullity of marriage and judicial separation filed in each State and Territory during 1967.

PETITIONS FILED FOR DISSOLUTION OF MARRIAGE, NULLITY OF MARRIAGE AND JUDICIAL SEPARATION: STATES AND TERRITORIES, 1967

Petition for—	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	N.T.	A.C.T	Aust.
Dissolution of marriage—									
Husband petitioner . . .	1,964	1,167	591	429	408	151	30	58	4,798
Wife petitioner . . .	3,463	1,533	833	749	480	168	25	104	7,355
Total . . .	5,427	2,700	1,424	1,178	888	319	55	162	12,153
Nullity of marriage—									
Husband petitioner . . .	9	3	2	4	1	..	..	2	21
Wife petitioner . . .	19	13	3	7	1	..	..	1	44
Total . . .	28	16	5	11	2	..	..	3	65
Dissolution or nullity—									
Husband petitioner . . .	3	6	..	..	..	..	..	..	9
Wife petitioner . . .	1	7	1	2	..	..	..	..	11
Total . . .	4	13	1	2	..	..	..	..	20
Judicial separation—									
Husband petitioner . . .	..	..	..	..	..	..	..	..	..
Wife petitioner . . .	13	2	7	15	..	1	..	1	39
Total . . .	13	2	7	15	..	1	..	1	39
Dissolution or judicial separation—									
Husband petitioner . . .	..	..	..	..	..	..	..	..	..
Wife petitioner . . .	..	1	..	1	..	..	..	..	2
Total . . .	..	1	..	1	..	..	..	..	2
Total petitions—									
Husband petitioner . . .	No. 1,976	1,176	593	433	409	151	30	60	4,828
Wife petitioner . . .	per cent 36	43	41	36	46	47	55	36	39
Husband petitioner . . .	No. 3,496	1,556	844	774	481	169	25	106	7,451
Wife petitioner . . .	per cent 64	57	59	64	54	53	45	64	61
Grand total . . .	5,472	2,732	1,437	1,207	890	320	55	166	12,279

Number of decrees granted

The following table shows the number of dissolutions of marriage, nullities of marriage and judicial separations granted in each State and Territory during 1967 classified according to petitioner.

DISSOLUTIONS OF MARRIAGE, NULLITIES OF MARRIAGE AND JUDICIAL SEPARATIONS GRANTED: STATES AND TERRITORIES, 1967

Decree for—	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	N.T.	A.C.T.	Aust.
Dissolution of marriage(a)—									
Husband petitioner . . .	1,720	873	446	360	345	96	11	41	3,892
Wife petitioner . . .	2,834	1,162	628	569	381	152	9	56	5,791
Petition by both . . .	1	4	..	..	..	..	..	..	5
Total . . .	4,555	2,039	1,074	929	726	248	20	97	9,688
Nullity of marriage(b)—									
Husband petitioner . . .	3	6	1	5	..	..	..	1	16
Wife petitioner . . .	14	9	5	4	1	..	..	1	34
Total . . .	17	15	6	9	1	..	..	2	50
Judicial separation—									
Husband petitioner . . .	..	..	..	..	..	..	..	..	..
Wife petitioner . . .	2	..	3	3	..	..	..	..	8
Total . . .	2	..	3	3	..	..	..	..	8
Total decrees—									
Husband petitioner . . .	No. 1,723	879	447	365	345	96	11	42	3,908
Wife petitioner . . .	per cent 38	43	41	39	47	39	55	42	40
Husband petitioner . . .	No. 2,850	1,171	636	576	382	152	9	57	5,833
Wife petitioner . . .	per cent 62	57	59	61	53	61	45	58	60
Petition by both . . .	No. 1	4	..	..	..	..	..	..	5
Grand total . . .	4,574	2,054	1,083	941	727	248	20	99	9,746

(a) Decrees absolute. (b) Final decrees.

The following table shows the number of dissolutions of marriage, nullities of marriage and judicial separations granted in each State and Territory for each year from 1963 to 1967.

DISSOLUTIONS OF MARRIAGE, NULLITIES OF MARRIAGE AND JUDICIAL SEPARATIONS GRANTED: STATES AND TERRITORIES, 1963 TO 1967

<i>State or Territory</i>	<i>1963</i>	<i>1964</i>	<i>1965</i>	<i>1966</i>	<i>1967</i>
DISSOLUTIONS OF MARRIAGE(a)					
New South Wales	3,293	3,024	3,440	4,515	4,555
Victoria	1,616	2,130	2,089	2,131	2,039
Queensland	910	981	1,052	1,031	1,074
South Australia	765	887	852	1,069	929
Western Australia	553	542	604	637	726
Tasmania	260	229	279	317	248
Northern Territory	38	31	41	58	20
Australian Capital Territory	41	93	134	101	97
<i>Australia</i>	<i>7,476</i>	<i>7,917</i>	<i>8,491</i>	<i>9,859</i>	<i>9,688</i>
NULLITIES OF MARRIAGE(b)					
New South Wales	13	14	14	19	17
Victoria	7	19	13	11	15
Queensland	6	5	3	7	6
South Australia	5	3	3	9	9
Western Australia	1	2	2	3	1
Tasmania . . . . .	..	1	..	1	..
Northern Territory . . . . .	..	..	..	..	..
Australian Capital Territory . . . . .	..	..	..	..	2
<i>Australia</i>	<i>32</i>	<i>44</i>	<i>35</i>	<i>50</i>	<i>50</i>
JUDICIAL SEPARATIONS					
New South Wales . . . . .	..	3	1	4	2
Victoria	3	2	1	2	..
Queensland	3	..	4	1	3
South Australia . . . . .	..	..	..	2	3
Western Australia . . . . .	..	1	..	..	..
Tasmania	1	..	1	1	..
Northern Territory . . . . .	..	..	..	..	..
Australian Capital Territory . . . . .	..	..	1	2	..
<i>Australia</i>	<i>7</i>	<i>6</i>	<i>8</i>	<i>12</i>	<i>8</i>
TOTAL DECREES GRANTED					
Australia	7,515	7,967	8,534	9,921	9,746

(a) Decrees absolute. (b) Final decrees.

The ten-year averages of the numbers of decrees (i.e. dissolutions, nullities and judicial separations) granted annually in Australia for the 80 years from 1881 to 1960 are as follows:

1881-90	1891-1900	1901-10	1911-20	1921-30	1931-40	1941-50	1951-60
70	357	399	741	1,692	2,508	6,187	6,973

Grounds on which decrees were granted

The grounds on which dissolutions of marriage, nullities of marriage and judicial separations were granted in each State and Territory during 1967 are shown in the following table.

DISSOLUTIONS OF MARRIAGE, NULLITIES OF MARRIAGE AND JUDICIAL SEPARATIONS GRANTED: GROUNDS, STATES AND TERRITORIES, 1967

Ground	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	N.T.	A.C.T.	Aust.
DISSOLUTIONS OF MARRIAGE									
Single grounds—									
Desertion	2,138	995	522	341	247	112	9	34	4,398
Adultery	923	575	184	271	240	41	5	31	2,270
Separation	769	416	254	166	187	62	2	12	1,868
Cruelty	334	18	54	116	11	5	..	12	550
Drunkenness	75	13	16	12	5	5	..	2	128
Failure to pay maintenance	1	..	..	..	2	..	..	..	3
Non-compliance with restitution decree	4	..	1	..	..	..	..	..	5
Refusal to consummate	15	1	6	5	3	..	..	..	30
Insanity	5	1	..	1	..	..	..	..	7
Frequent convictions	4	2	..	1	5	..	..	..	12
Imprisonment	3	3	1	..	..	..	..	..	7
Other single grounds	7	1	1	..	1	..	..	..	10
Dual grounds—									
Desertion and adultery	57	3	9	2	2	2	..	1	76
Desertion and separation	32	1	10	5	10	8	2	..	68
Desertion and cruelty	39	3	2	1	..	3	1	1	50
Desertion and drunkenness	17	1	2	1	..	3	..	..	24
Desertion and failure to pay maintenance	2	..	..	..	1	1	..	..	4
Desertion and other	4	..	..	..	..	1	..	..	5
Adultery and separation	3	..	..	1	5	..	..	..	9
Adultery and cruelty	7	1	1	1	1	..	..	1	12
Adultery and drunkenness	2	..	..	..	1	..	..	..	3
Separation and other	3	..	..	..	2	..	..	..	5
Cruelty and drunkenness	95	5	10	5	3	4	1	3	126
Other dual grounds	1	..	1	..	..	..	..	..	2
Three grounds or more	15	..	..	..	..	1	..	..	16
<i>Total</i>	4,555	2,039	1,074	929	726	248	20	97	9,688
NULLITY OF MARRIAGE									
Bigamy	4	4	2	4	..	..	..	1	15
Invalid marriage	1	2	..	2	..	..	..	..	5
Consent under duress or by fraud	1	..	..	..	..	..	..	..	1
Incapacity to consummate	11	8	4	2	1	..	..	1	27
Pregnancy . . . . .	..	1	..	1	..	..	..	..	2
<i>Total</i>	17	15	6	9	1	..	..	2	50
JUDICIAL SEPARATIONS									
Desertion . . . . .	..	..	1	..	..	..	..	..	1
Adultery	1	..	2	2	..	..	..	..	5
Cruelty	1	..	..	1	..	..	..	..	2
<i>Total</i>	2	..	3	3	..	..	..	..	8
TOTAL DECREES GRANTED									
Grand total	4,574	2,054	1,083	941	727	248	20	99	9,746

Ages of husband and wife at time of marriage

The following table shows the *ages at time of marriage* of husbands and wives who were parties to marriages dissolved in 1967.

**DISSOLUTIONS, BY AGES OF PARTIES AT TIME OF MARRIAGE
AUSTRALIA, 1967**

Age of husband (years)	Age of wife (years)										60 and over	Not stated	Total hus- bands
	Under 20	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59				
Under 20	613	155	14	..	1	..	..	..	..	..	..	..	783
20-24	2,020	2,324	258	36	13	2	..	..	..	..	..	..	4,653
25-29	519	1,212	518	117	26	6	1	1	..	..	..	1	2,401
30-34	96	329	238	167	57	16	6	1	..	..	..	..	910
35-39	27	116	101	93	88	23	12	2	..	..	..	..	462
40-44	9	33	37	37	52	44	5	5	1	..	..	..	223
45-49	2	13	7	11	26	30	18	8	1	..	..	..	116
50-54	..	3	2	6	13	8	23	12	2	2	..	..	71
55-59	..	1	4	..	5	3	4	5	10	2	..	..	34
60 and over	..	..	1	1	..	2	5	5	7	12	..	..	33
Not stated	..	..	..	..	..	1	..	..	..	..	..	1	2
Total wives	3,286	4,186	1,180	468	281	135	74	39	21	16	2	9,688	

Ages of husband and wife at time of dissolution of marriage

The following table shows the *ages at the time the decree absolute was made* of husbands and wives who were parties to marriages dissolved in 1967.

**DISSOLUTIONS, BY AGES OF PARTIES AT TIME OF DISSOLUTION OF MARRIAGE
AUSTRALIA, 1967**

Age of husband (years)	Age of wife (years)										60 and over	Not stated	Total hus- bands
	Under 20	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59				
Under 20	..	..	..	..	..	..	1	..	..	..	..	..	255
20-24	7	215	32	..	..	..	..	..	..	..	..	..	1,293
25-29	4	498	719	59	9	4	..	..	..	..	..	..	1,562
30-34	..	95	683	664	99	17	3	..	..	..	..	..	1,547
35-39	..	11	207	601	581	113	25	8	1	..	..	..	1,320
40-44	..	7	46	188	611	635	135	24	5	2	..	..	1,320
45-49	..	2	18	34	164	520	465	97	14	6	..	..	1,320
50-54	..	1	3	16	43	152	321	318	62	14	1	..	931
55-59	..	..	1	3	17	55	121	203	146	35	..	..	581
60 and over	..	..	..	2	10	21	61	101	125	224	..	..	544
Not stated	..	..	..	..	..	..	..	1	..	..	..	1	2
Total wives	11	829	1,709	1,567	1,534	1,517	1,132	752	354	281	2	9,688	

Duration of marriages dissolved and number of children

The following table shows the number of dissolutions of marriage granted in 1967, classified according to the legal duration of the marriage (i.e. the period from the date of marriage to the date when the decree *nisi* was made absolute) and number of children.

DISSOLUTIONS, BY DURATION OF MARRIAGES DISSOLVED AND NUMBER OF CHILDREN: AUSTRALIA, 1967

Duration of marriage (years)	Dissolutions of marriages with—											Total dissolutions of marriage	Total children (a)		
	No children	1 child	2 children	3 children	4 children	5 children	6 children	7 children	8 children	9 children	11 children				
Under 1 year . . . . .	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1 year and under 2	14	2	..	2	..	..	..	..	..	..	..	..	..	18	8
2 years and under 3	36	10	3	..	..	..	..	..	..	..	..	..	..	49	16
3 " " " 4	97	38	6	1	..	..	..	..	..	..	..	..	..	142	53
4 " " " 5	295	151	31	5	..	..	..	..	..	..	..	..	..	482	228
5 " " " 6	267	177	50	11	2	..	1	..	..	..	..	..	..	508	324
6 " " " 7	193	187	116	13	4	..	..	..	..	..	..	..	..	513	474
7 " " " 8	179	196	115	27	4	..	..	..	..	..	..	..	..	521	523
8 " " " 9	159	149	110	39	10	3	1	..	..	..	..	..	..	471	547
9 " " " 10	145	136	103	44	15	1	..	..	..	..	..	..	..	444	539
10 " " " 11	108	118	127	55	20	2	2	..	..	..	..	..	..	432	639
11 " " " 12	110	98	111	63	21	6	1	..	..	..	..	..	..	410	629
12 " " " 13	94	89	123	56	34	7	1	1	..	..	..	..	..	405	687
13 " " " 14	74	78	102	58	32	7	5	1	..	..	..	..	..	357	656
14 " " " 15	78	65	101	63	37	6	4	..	..	..	..	..	..	354	658
15 " " " 16	62	69	111	53	31	7	6	1	..	..	..	..	..	340	652
16 " " " 17	62	67	100	58	32	8	4	..	2	..	..	..	..	333	649
17 " " " 18	72	68	73	51	33	10	4	..	..	..	..	..	..	311	573
18 " " " 19	67	70	97	70	40	6	4	1	1	2	..	..	..	358	721
19 " " " 20	58	57	109	64	36	3	10	..	1	..	1	..	..	339	705
20 " " " 21	43	71	105	71	30	18	4	2	..	..	..	..	..	344	742
21 " " " 25	214	233	312	201	76	37	8	5	1	1	..	..	1,088	2,049	
25 " " " 30	352	226	160	63	26	8	..	..	1	..	..	..	836	888	
30 " " " 35	249	83	32	8	3	2	2	1	..	..	..	..	380	212	
35 " " " 40	129	23	5	1	..	..	..	..	..	..	..	..	158	36	
40 " " " 45	50	1	2	..	..	..	..	..	..	..	..	..	53	5	
45 " " " over	42	..	..	..	..	..	..	..	..	..	..	..	42	..	
Total dissolutions of marriage	3,249	2,462	2,204	1,077	486	131	57	12	5	4	1	9,688	..		
Total children(a) . . . . .	..	2,462	4,408	3,231	1,944	655	342	84	40	36	11	..	13,213		

(a) The term 'children' used in the Commonwealth legislation refers to living 'children of the marriage' under 21 years at the time of petition.

Ages of children of dissolved marriages

The following table shows the ages of children of marriages dissolved in 1967. The children referred to are those under twenty-one years of age at the time of petition.

CHILDREN OF DISSOLVED MARRIAGES(a), BY AGE AT TIME OF PETITION AUSTRALIA, 1967

Petitioner	Ages of children at time of petition																	Total number of children	
	Under 12 mths	1 yr	2 yrs	3 yrs	4 yrs	5 yrs	6 yrs	7 yrs	8 yrs	9 yrs	10 yrs	11 yrs	12 yrs	13 yrs	14 yrs	15 yrs	16-20 yrs		Not stated
Husband	32	88	168	256	261	333	272	317	304	278	275	271	268	256	214	267	995	..	4,855
Wife	49	147	315	443	479	513	516	503	523	490	484	457	416	455	437	414	1,704	1	8,346
Petitions of both . . . . .	..	1	..	1	2	1	1	2	..	1	2	..	..	..	1	..	..	..	12
Total	81	236	483	700	742	847	789	822	827	769	761	728	684	711	652	681	2,699	1	13,213

(a) See footnote (a) to preceding table.

Number of divorced persons at each census, 1911 to 1966

The following table shows the number and proportion of divorced persons in Australia as recorded from returns supplied at each census from 1911 to 1966. A classification of divorced persons by ages for the censuses from 1891 to 1947 appeared in earlier issues of the Year Book (see No. 39, page 269). Prior to 1911 no record was made of divorced persons in South Australia, so comparisons cannot be made beyond that date.

DIVORCED PERSONS AT CENSUS DATES: AUSTRALIA, 1911 TO 1966

Sex	Number							Number per 10,000 of males or females 15 years of age and over						
	1911	1921	1933	1947	1954	1961	1966	1911	1921	1933	1947	1954	1961	1966
Males	2,368	4,233	10,298	25,052	32,389	38,640	42,885	15	23	42	89	100	105	105
Females	2,140	4,304	10,888	27,516	36,650	43,339	51,143	15	24	46	96	115	119	125

Bankruptcy

Particulars of bankruptcy in each State to the end of 1927 were incorporated in issues of the Year Book before No. 23. On 1 August 1928 the first Bankruptcy Act of the Commonwealth came into operation. This Act as amended was repealed by the *Bankruptcy Act 1966* which came into operation on 4 March 1968.

Under the *Bankruptcy Act 1966* the Commonwealth is divided into nine Bankruptcy Districts, of which three are in Queensland, and the remainder coincide with the boundaries of the States and of the Northern Territory of Australia. The State of New South Wales and the Australian Capital Territory together constitute one district.

The Federal Court of Bankruptcy is invested with jurisdiction throughout Australia, but exercises it only in the Bankruptcy Districts of the State of New South Wales and the Australian Capital Territory, and the State of Victoria. Certain State Courts have been invested with federal jurisdiction in bankruptcy and, outside New South Wales and Victoria, exercise that jurisdiction in the appropriate Bankruptcy District. The Supreme Court of the Northern Territory has also been invested with federal jurisdiction in bankruptcy, but certain restrictions are placed on its powers unless the debtor or bankrupt resides or carries on business in the Territory.

Any debtor unable to pay his debts may present to a Registrar in Bankruptcy a petition against himself accompanied by a statement of his affairs. Upon their acceptance by the Registrar the debtor becomes a bankrupt. A creditor may apply for a compulsory sequestration if the debtor has committed an act of bankruptcy. The act of bankruptcy usually relied on is that the debtor has failed to comply with the requirements of a bankruptcy notice issued in respect of a debt due under a judgment or order, or to satisfy the Court that he has a counter-claim, set-off, or cross demand equal to or exceeding the debt and which he could not have set up in the proceedings in which the judgment or order was obtained. The prescribed form of bankruptcy notice requires the debtor, within a specified time, to pay the amount of the debt due under the judgment or order, secure payment of the debt, or compound the debt. If an act of bankruptcy is committed, a creditor may thereupon present a petition against a debtor, provided that the debt or debts amount to no less than \$500, the act of bankruptcy relied on has occurred within six months preceding the presentation of the petition, and the statutory requirements relating to presence or residence in Australia are applicable to the debtor.

When a debtor becomes bankrupt, either by acceptance of his own petition, or by the making of a sequestration order, the property of the bankrupt vests forthwith in The Official Receiver in Bankruptcy and after-acquired property of the bankrupt vests, as soon as it is acquired by the bankrupt, in the Official Receiver in Bankruptcy or, if a person other than an official receiver is trustee of the property of the bankrupt, in that trustee. The property of the bankrupt is divisible among his creditors in accordance with the provisions of the Act. No creditor may, in respect of a debt provable in bankruptcy, enforce any remedy against the person or property of the bankrupt, or, except with the leave of the Court, commence any legal proceeding or take any fresh step in such a proceeding.

Part X of the Act enables a debtor and his creditors to enter into arrangements without having a sequestration order made against him. These arrangements may take the form of a composition, a deed of assignment, or a deed of arrangement. A debtor who desires that his affairs be dealt with under this Part may authorise a solicitor or a registered trustee to call a meeting of his creditors.

The Court has power to decide questions of law affecting a bankrupt estate. Questions of fact may be tried before a jury.

The Act provides for an Inspector-General in Bankruptcy. It also provides for a Registrar in Bankruptcy to be appointed for each Bankruptcy District, and for so many Deputy Registrars in Bankruptcy as are necessary. Each Registrar and Deputy Registrar has such powers and functions as are conferred or imposed on a Registrar by the Act, and may exercise such of the powers and functions of an administrative nature exercisable by the Court as the Court directs or authorises him to exercise. He may examine a bankrupt, the spouse of a bankrupt, and a person indebted to a bankrupt or having in his possession any of the estate or effects of a bankrupt.

There is an official receiver for each District and the official receivers together constitute a body corporate known as 'The Official Receiver in Bankruptcy'. An official receiver is a permanent officer of the Commonwealth Public Service. His duties are to investigate the conduct, property and transactions of a bankrupt, and the cause of his bankruptcy, and to realise and administer the property of the bankrupt. In respect of these activities an official receiver is under the control of the Court.

A person registered by the Court as qualified to act as a trustee may be appointed by resolution of the creditors to be the trustee of the estate of a bankrupt. Until a trustee of the estate of a bankrupt is appointed by the creditors or the Court, or if a trustee is not so appointed, or there is, for any other reason, at any time no trustee so appointed, the official receiver for the District in which the sequestration order was made or the debtor's petition was presented is the trustee of the estate.

In cases where a vacancy occurs in the office of trustee under a deed of arrangement, a deed of assignment or a composition under Part X of the Act, a meeting of creditors or the Court may appoint a registered trustee to the vacant office. The Court may also appoint an official receiver or a registered trustee who is willing so to act as trustee until the vacant office is filled by a meeting of creditors.

Bankruptcy proceedings

The following table shows the number of bankruptcies of the various types in each State, together with the assets and liabilities of the debtors, during 1966-67.

BANKRUPTCY PROCEEDINGS: STATES AND TERRITORIES, 1966-67

State or Territory		<i>Sequestration orders and orders for administration of deceased debtors' estates</i>	<i>Compositions and schemes under Part XI</i>	<i>Deeds under Part XI</i>	<i>Deeds of arrangement, Part XII</i>	<i>Total</i>
N.S.W.(a)	Number	613	10	1	46	670
	Liabilities \$	4,632,686	202,219	9,952	912,799	5,757,656
	Assets \$	1,859,406	65,031	8,150	703,839	2,636,426
Vic.	Number	496	14	4	45	559
	Liabilities \$	7,105,633	1,019,418	70,231	961,229	9,156,511
	Assets \$	2,713,092	481,130	51,419	639,410	3,885,051
Qld	Number	242	5	..	15	262
	Liabilities \$	3,006,229	63,539	..	406,843	3,476,611
	Assets \$	1,253,291	42,494	..	187,014	1,482,799
S. Aust.	Number	664	23	7	..	694
	Liabilities \$	3,255,413	242,067	275,993	..	3,773,473
	Assets \$	1,436,239	187,352	136,102	..	1,759,693
W. Aust.	Number	195	74	6	2	277
	Liabilities \$	757,532	641,751	179,124	28,891	1,607,298
	Assets \$	180,809	507,285	112,630	12,060	812,784
Tas.	Number	69	1	..	..	70
	Liabilities \$	296,900	7,212	..	..	304,112
	Assets \$	165,091	9,843	..	..	174,934
N.T.	Number	5	..	..	..	5
	Liabilities \$	53,177	..	..	..	53,177
	Assets \$	77,510	..	..	..	77,510
Australia	Number	2,284	127	18	108	2,537
	Liabilities \$	19,107,570	2,176,206	535,300	2,309,762	24,128,838
	Assets \$	7,685,438	1,293,135	308,301	1,542,323	10,829,197

(a) Includes the Australian Capital Territory.

The two tables which follow show Australian figures in respect of each of the various types of bankruptcy, and State figures in respect of all types of bankruptcy, for the years 1962-63 to 1966-67.

BANKRUPTCY PROCEEDINGS: AUSTRALIA, 1962-63 TO 1966-67

Year		<i>Sequestration orders and orders for administration of deceased debtors' estates</i>	<i>Compositions and schemes under Part XI</i>	<i>Deeds under Part XI</i>	<i>Deeds of arrangement, Part XII</i>	<i>Total</i>
1962-63	Number . . .	2,371	183	23	158	2,735
	Liabilities \$'000	14,010	3,776	432	3,165	21,383
	Assets \$'000	5,925	3,541	514	2,813	12,793
1963-64	Number . . .	2,392	142	23	121	2,678
	Liabilities \$'000	15,608	1,753	688	2,593	20,642
	Assets \$'000	6,393	1,231	490	2,179	10,292
1964-65	Number . . .	2,453	128	13	110	2,704
	Liabilities \$'000	15,740	1,993	312	1,804	19,850
	Assets \$'000	6,127	1,129	129	1,365	8,749
1965-66	Number . . .	2,384	133	23	113	2,653
	Liabilities \$'000	15,106	4,082	634	3,176	22,998
	Assets \$'000	6,488	3,585	725	2,623	13,421
1966-67	Number . . .	2,284	127	18	108	2,537
	Liabilities \$'000	19,108	2,176	535	2,310	24,129
	Assets \$'000	7,685	1,293	308	1,542	10,829

BANKRUPTCY PROCEEDINGS: STATES AND TERRITORIES, 1962-63 TO 1966-67

Year		<i>N.S.W. (a)</i>	<i>Vic.</i>	<i>Qld</i>	<i>S.A.</i>	<i>W.A.</i>	<i>Tas.</i>	<i>N.T.</i>	<i>Aust.</i>
1962-63	Number . . .	872	625	258	617	241	119	3	2,735
	Liabilities \$'000	7,405	5,579	2,240	2,920	2,371	844	24	21,383
	Assets \$'000	3,945	3,363	1,425	1,586	2,141	333	1	12,793
1963-64	Number . . .	772	631	271	629	241	128	6	2,678
	Liabilities \$'000	7,774	5,993	1,800	3,291	1,142	545	97	20,642
	Assets \$'000	3,192	2,647	1,609	2,009	509	264	61	10,292
1964-65	Number . . .	798	613	255	633	308	96	1	2,704
	Liabilities \$'000	5,937	6,343	2,041	3,507	1,610	405	6	19,850
	Assets \$'000	2,829	2,088	1,165	1,879	598	190	..	8,749
1965-66	Number . . .	818	594	262	592	277	106	4	2,653
	Liabilities \$'000	6,633	7,223	2,115	3,144	3,231	624	28	22,998
	Assets \$'000	3,713	4,125	1,175	1,709	2,470	222	8	13,421
1966-67	Number . . .	670	559	262	694	277	70	5	2,537
	Liabilities \$'000	5,758	9,157	3,477	3,773	1,607	304	53	24,129
	Assets \$'000	2,636	3,885	1,483	1,760	813	175	78	10,829

(a) Includes the Australian Capital Territory.

Police

The primary duties of the police are to prevent crime, to detect and detain offenders, to protect life and property, to enforce the law, and to maintain peace and good order. In addition, they perform many duties in the service of the State, e.g. they act as clerks of petty sessions in small centres, as crown land bailiffs, foresters, mining wardens, and inspectors under the fisheries and various other Acts. In metropolitan and large country areas they also regulate the street traffic. With the exception of the Commonwealth Police Force and the police in the Northern Territory and the Australian Capital Territory, the police forces of Australia are under the control of the State Governments, but their members perform certain functions for the Commonwealth Government, such as acting as aliens registration officers and policing various Commonwealth Acts and Regulations.

Women police perform special duties at places where young women and girls are subject to moral danger, control traffic at school crossings and lecture school children on road safety. They also assist male police as required in the performance of normal police duties.

The strength of the police force and the duties and ranks of the personnel involved in each State and Territory for 1967 are shown in the following table. Comparability between States is affected by differences in the classification of ranks and duties, and known differences between States are mentioned in footnotes.

Also included in the table are statistics of ancillary and civilian staff employed by police departments. Differences between States in the use of such staff are considerable. These differences arise, on the one hand, from differences in the extent to which police make use of such staff for police functions and, on the other hand, in the extent to which such staff are required to undertake additional functions (such as parking control) which are allocated to the police in varying degree between States. There is also some overlap between duties of ancillary and civilian staff as defined in footnotes (h) and (i) of the following table.

POLICE FORCES AND ASSISTANT STAFFS: STATES AND TERRITORIES, 30 JUNE 1967

<i>Duty and rank(a)</i>	<i>N.S.W.</i>	<i>Vic.</i>	<i>Qld</i>	<i>S.A.</i>	<i>W.A.</i>	<i>Tas.</i>	<i>N.T.</i>	<i>A.C.T.</i>
POLICE FORCES								
Criminal investigations, plain clothes police, scientific duties—								
Executive officers . . .	4	2	..	1	..	1	..	..
Inspectors . . .	18	14	11	3	5	4	..	1
Sergeants . . .	342	52	140	32	50	15	7	10
Constables(b) . . .	773	581	(k)309	193	119	73	18	16
Total, criminal investigations, etc. . .	1,137	649	460	229	174	93	25	27
Traffic duties—								
Executive officers . . .	3	2	..	1	..	1	..	..
Inspectors . . .	7	9	5	3	2	2	..	1
Sergeants . . .	140	16	33	13	13	6	1	7
Constables(b) . . .	804	374	(k)248	182	105	59	8	38
Total, traffic duties . . .	954	401	286	199	120	68	9	46
Other special and general duties—								
Executive officers . . .	23	22	..	5	..	1	..	..
Inspectors . . .	113	87	(e)57	31	30	30	2	5
Sergeants . . .	1,007	181	673	145	173	46	20	28
Constables(b) . . .	3,239	3,019	(k)1,410	1,010	792	377	88	103
Total, other special, etc. (f)4,382	3,309	2,140	1,191	(d)995	454	(f)110	(f)136	
Not allocated—								
Executive officers whose duties extend beyond one branch . . .								
Police women . . .	4	(g)3	(c)4	2	(g)3	5	(g)2	2
Trainees and cadets . . .	70	61	20	42	20	12	5	4
Total, not allocated . . .	218	154	146	396	63	13	..	..
Total police force—								
Executive officers . . .	34	(g)29	(c)4	9	(g)3	8	(g)2	2
Inspectors . . .	138	110	73	37	37	36	2	7
Sergeants . . .	1,489	249	846	190	236	67	28	45
Constables(b) . . .	4,816	3,974	(k)1,967	1,385	1,016	509	114	157
Police women . . .	70	61	20	42	20	12	5	4
Trainees and cadets . . .	218	154	146	396	63	13	..	..
Total police force . . .	6,765	4,577	3,056	2,059	1,375	645	151	215
ANCILLARY AND CIVILIAN STAFFS								
Employed by Police Department—								
Ancillary staff(h)								
Full-time . . .	167	122	25	151	..	56	35	..
Part-time . . .	..	1	..	3	49	..	..	..
Civilian staff(i)								
Full-time . . .	(j) 581	583	268	77	156	73	14	28
Part-time . . .	..	65	21	7	28	..	..	1

For footnotes see next page.

POLICE FORCES AND ASSISTANT STAFFS: STATES AND TERRITORIES, 30 JUNE 1967—
continued

<i>Duty and rank(a)</i>	<i>N.S.W.</i>	<i>Vic.</i>	<i>Qld</i>	<i>S.A.</i>	<i>W.A.</i>	<i>Tas.</i>	<i>N.T.</i>	<i>A.C.T.</i>
TOTAL STAFFS								
Grand total—								
Full-time	7,513	5,282	3,349	2,287	1,531	774	200	243
Part-time . . . . .	..	66	21	10	77	..	..	1

(a) Where more than one duty is involved, officers have been allocated to the category of duties in which the greater part of their time is spent. The allocation of executive officers and inspectors to categories of duties is necessarily somewhat arbitrary and varies from State to State. (b) Includes probationary constables. (c) Includes 1 commissioner's inspector and 1 chief inspector. (d) Includes officers engaged on motor vehicle examination and testing and licensing drivers. (e) Includes 39 sub-inspectors. (f) Does not include transport and maintenance; each section undertakes its own transport, and maintenance is done on contract and/or by the Government Transport Pool. (g) Includes 1 chief inspector. (h) Parking police, native trackers, wardresses, etc.; special constables in New South Wales and Tasmania; police reservists in Victoria. (i) Clerks, typists, artisans, cleaners. (j) Does not include cleaning which is done by the Cleaning Services Branch of the Government Stores Department. (k) Excludes probationary constables; included with trainees and cadets.

POLICE FORCES: STATES AND TERRITORIES, 1963 TO 1967

<i>30 June—</i>	<i>N.S.W.</i>	<i>Vic.</i>	<i>Qld</i>	<i>S.A.</i>	<i>W.A.</i>	<i>Tas.</i>	<i>N.T.</i>	<i>A.C.T.</i>	<i>Aust.</i>
1963	5,798	4,291	2,798	1,752	1,193	629	137	115	16,713
1964	5,950	4,389	2,818	1,830	1,266	598	149	135	17,135
1965	6,121	4,466	2,810	1,926	1,306	633	155	165	17,582
1966	6,486	4,529	2,975	1,994	1,349	619	157	186	18,295
1967	6,765	4,577	3,056	2,059	1,375	645	151	215	18,843

Commonwealth Police Force

The Commonwealth Police Force commenced operations on 21 April 1960, and is the principal agency for the enforcement of the laws passed by the Commonwealth Parliament. It is also responsible for the protection of Commonwealth property and interests at various buildings and establishments under the control of the Commonwealth. This force co-ordinates the work of other Commonwealth investigation and law enforcement agencies and acts on behalf of the United Nations Organization for the suppressing of traffic in women and the suppression of obscene literature.

Under the control of the force is the Australian Police College at Manly, New South Wales, which provides training for officers of various police forces and other agencies in Australia and New Zealand. The force has its Head Office in Canberra and District Offices in each capital city. The strength of the force at 30 June 1967 was 673 policemen and 3 policewomen. At that date there were, in addition, 69 civilian employees.

Prisons

Prisons and prison accommodation

PRISONS AND PRISON ACCOMMODATION: STATES AND NORTHERN TERRITORY, 1966

	<i>N.S.W.</i>	<i>Vic.</i>	<i>Qld</i>	<i>S.A.</i>	<i>W.A.</i>	<i>Tas.</i>	<i>N.T.</i>	<i>Aust.</i>
Prisons	18	12	7	14	22	1	2	76
Accommodation	3,100	2,252	1,158	1,065	1,240	404	111	9,330

There is no gaol in the Australian Capital Territory, but there is a lock-up attached to the police station at Canberra and another lock-up at Jervis Bay where offenders are held while awaiting trial or serving short sentences not exceeding one week imposed by a magistrate's court. Long-term prisoners from the Australian Capital Territory normally serve their sentences in New South Wales prisons.

Convicted prisoners

CONVICTED PRISONERS: STATES AND TERRITORIES, 1962 TO 1966

30 June—	N.S.W. (a)	Vic.	Qld	S.A.	W.A.	Tas.	N.T.	Australia	
								Number	Per 10,000 of popu- lation
1962 . . .	3,051	1,844	846	701	708	207	58	7,415	6.9
1963 . . .	3,043	1,942	890	749	774	231	66	7,695	7.0
1964 . . .	3,090	1,981	801	726	825	232	74	7,729	6.9
1965 . . .	2,957	1,879	949	796	803	210	129	7,723	6.8
1966 . . .	3,140	1,872	995	818	863	259	107	8,054	6.9

(a) Includes Australian Capital Territory.

Patents, trade marks and designs

Patents

Patents for inventions are granted under the *Patents Act* 1952–1966, which applies to the Commonwealth of Australia and the Territories of Norfolk Island, Papua and New Guinea. The Act is administered by a Commissioner of Patents. The principal fees payable up to and including the grant of a patent amount to \$39. Renewal fees are payable as follows: \$10 before the expiration of the fourth year, and an amount progressively increasing by \$2 before the expiration of each succeeding year up to the final fee of \$32, payable before the expiration of the fifteenth year. An extension of time for six months for payment of a renewal fee may be obtained.

PATENTS: AUSTRALIA, 1963 TO 1967

	1963	1964	1965	1966	1967
Applications	13,051	14,134	15,150	16,007	15,733
Applications accompanied by provisional specifications	3,557	3,603	3,783	3,853	3,708
Letters patent sealed	5,361	5,456	7,277	6,140	6,356

Trade marks and designs

Under the *Trade Marks Act* 1955–1966 the Commissioner of Patents is also Registrar of Trade Marks. Provision is made for the registration of users of trade marks and for their assignment with or without the goodwill of the business concerned. A new classification of goods was adopted in 1958, and trade marks registered under repealed Acts are reclassified on renewal. Under the *Designs Act* 1906–1967 the Commissioner of Patents is also Registrar of Designs.

TRADE MARKS AND DESIGNS: AUSTRALIA, 1963 TO 1967

	1963	1964	1965	1966	1967
Trade marks—					
Received	6,411	6,280	6,583	6,714	7,537
Registered	4,224	3,606	3,256	3,272	5,333
Designs—					
Received	1,425	1,572	1,567	1,523	1,627
Registered	1,251	1,287	1,260	642	1,833

Copyright

Copyright is regulated by the Commonwealth *Copyright Act* 1912-1966 wherein, subject to modifications relating to procedure and remedies, the British Copyright Act of 1911 has been adopted and scheduled to the Australian law. The Act is administered by the Commissioner of Patents.

Reciprocal protection of unpublished works was extended in 1918 to citizens of Australia and of the United States of America, under which copyright may be secured in the latter country by registration at the Library of Congress, Washington. The Commonwealth Government promulgated a further Order-in-Council which came into operation on 1 February 1923 and extended the provisions of the Copyright Act to the foreign countries of the Copyright Union, subject to the observance of the conditions contained therein.

COPYRIGHT: AUSTRALIA, 1963 TO 1967

	1963	1964	1965	1966	1967
Applications lodged	1,265	1,360	1,438	1,291	1,387
Applications registered	1,146	1,275	1,277	1,113	1,231

Cost of administration of law and order

Expenditure by the States

The tables following show the net expenditure (i.e. gross expenditure less receipts from fees, fines, recoups for services rendered, etc.) from Consolidated Revenue in connection with the administration of justice, police and prisons. The figures exclude Loan Fund expenditure and expenditure on debt charges, pay-roll tax and superannuation payments. Because of differing legislative and administrative arrangements in the various States, the activities covered by the figures shown are not exactly the same in each State. Small differences also result from differing accounting practices. However, the figures shown for individual States are comparable from year to year.

STATE NET EXPENDITURE ON LAW AND ORDER, 1966-67

State	Net expenditure			Per head of population		
	Justice	Police	Prisons (a)	Justice	Police	Prisons
	\$'000	\$'000	\$'000	\$	\$	\$
New South Wales	5,457	27,385	4,396	1.28	6.41	1.03
Victoria	(b) -243	20,383	2,753	(b) -0.07	6.27	0.85
Queensland	(b) -396	13,140	1,581	(b) -0.23	7.78	0.94
South Australia	(b) -1,450	8,036	1,402	(b) -1.31	7.28	1.27
Western Australia	302	5,518	1,042	0.35	6.40	1.21
Tasmania	610	2,735	650	1.63	7.31	1.74
Total	4,279	77,197	11,824	0.37	6.59	1.01

(a) Excludes expenditure on reformatories, which amounted to: N.S.W., \$2,268,926; Vic., n.a.; Qld, \$149,089; S.A., \$432,875; W.A., \$663,954; Tas., \$157,953. (b) Receipts for fines, legal fees and registrations exceed expenditure.

STATE NET EXPENDITURE ON LAW AND ORDER AUSTRALIA, 1962-63 TO 1966-67 (\$'000)

Year	Justice	Police	Prisons (a)
1962-63	5,845	55,450	8,248
1963-64	5,508	60,051	8,462
1964-65	5,549	64,338	10,633
1965-66	5,637	68,132	10,261
1966-67	4,279	77,197	11,824

(a) Excludes expenditure on reformatories, which amounted to: 1962-63, \$2,415,112; 1963-64, \$2,944,662; 1964-65, \$1,970,083; 1965-66, \$3,239,536; 1966-67, \$3,672,797. Expenditure on reformatories in Victoria is not included in these amounts.

Commonwealth expenditure

Since the functions of the Commonwealth Government in the administration of law and order differ considerably from those of the States, precise comparison between Commonwealth and State expenditure in this field is not possible. The following tables show expenditure by the Commonwealth Government on the services it performs in relation to law and order.

COMMONWEALTH EXPENDITURE ON LAW AND ORDER, 1966-67
(**\$'000**)

	<i>Gross expenditure</i>	<i>Receipts</i>	<i>Net expenditure</i>
Justice—			
Administration	1,419	549	871
Bankruptcy	825	506	319
Crown Solicitor's Office	1,512	..	1,512
High Court	281	..	281
Judges' salaries and pensions	232	..	232
Rent	404	..	404
Court reporting	559	231	328
Territory courts	554	339	215
Repairs and maintenance	93	..	93
<i>Total, justice</i>	<i>5,879</i>	<i>1,624</i>	<i>4,254</i>
Police—			
Commonwealth Police Force	3,273	..	3,273
Australian Police College	85	..	85
Australian Security and Intelligence Organization	2,565	..	2,565
Northern Territory Police	921	..	921
Australian Capital Territory Police	1,174	..	1,174
<i>Total, police</i>	<i>8,018</i>	<i>..</i>	<i>8,018</i>
Prisons—			
Northern Territory prisons	226	..	226
<i>Total, prisons</i>	<i>226</i>	<i>..</i>	<i>226</i>
Total, law and order	14,123	1,624	12,499

COMMONWEALTH EXPENDITURE ON LAW AND ORDER
1962-63 TO 1966-67
(**\$'000**)

<i>Year</i>	<i>Gross expenditure</i>	<i>Receipts</i>	<i>Net expenditure</i>
1962-63	7,150	946	6,203
1963-64	8,280	1,220	7,061
1964-65	9,342	1,236	8,106
1965-66	10,363	1,529	8,834
1966-67	14,123	1,624	12,499

